

DOCKET NUMBER PROPOSED RULE PR MISC. (90-10) (55 FR 53220)

P.O. Box 14000, Juno Beach, FL 33408-0420



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Mr. Samuel J. Chilk  
Secretary  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Attention: Docketing and Service Branch

Re: Notice of Availability  
SECY 90-347, "Regulatory Impact Survey Report"  
55 Fed. Reg. 53220 (December 27, 1990)  
Request for Comments

Dear Mr. Chilk:

At 55 Fed. Reg. 53220, the NRC announced the availability of SECY 90-347, "Regulatory Impact Survey Report," for public comment. These comments are submitted on behalf of the Florida Power & Light Company (FPL), a licensed operator of two nuclear power plant units in Dade County, Florida and two units in St. Lucie County, Florida.

The Nuclear Management and Resources Council, Inc. (NUMARC) has offered comments on SECY 90-347 under separate cover. FPL supports the comments submitted by NUMARC.

The NRC's proposed actions to the industry surveys and FPL's comments on each proposed action is as follows:

**NRC Proposed Action -**

- (1) Establish a program [Integrated Regulatory Requirements Implementation Schedule (IRRIS)] to better account for and manage the cumulative impact of implementing generic requirements on a plant-specific basis.

**FPL Response -**

FPL supports the NUMARC comments, and re-emphasizes a NUMARC statement that it appears that the root cause of the concerns first identified in SECY 90-205, "Results of Industry Survey on Licensee Management Involvement in Inspections and Audits," has been readdressed from "[c]onsideration of" to "[m]anaging" the cumulative effect of the NRC's generic requirements and generic communications (SECY 90-347). The focus has been inappropriately shifted to managing the burden rather than, 1) questioning how the burden was created, and 2) appropriately justifying the development and issuance of

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the generic requirements and communication. FPL also re-emphasizes a NUMARC statement that outage activities frozen under IRRIS may not provide the flexibility needed by a licensee to respond to changing circumstances.

In addition to supporting the NUMARC comments, FPL supports the NRC statements that; 1) the IRRIS will not be incorporated in the plant operating license in any form, and 2) licensee participation in this program is voluntary (SECY 90-347, Enclosure 1, pg. 3). FPL also believes it would be appropriate for the NRC staff to solicit comments on any guidance and/or criteria resulting from the IRRIS pilot plant program.

NRC Proposed Action -

- (3) Establish limits on the number of team inspections for a given site, and periodically publish the NRC's schedule for site activities.

FPL Response -

FPL supports the NUMARC comments and re-emphasizes a NUMARC statement that it would be appropriate for the NRC staff to solicit comments on its proposed policy and implementation program for establishing limits on the number of team inspections. Additionally, FPL believes that the NRC proposed four planned major team inspections during a SALP cycle would continue to adversely affect plant activities.

NRC Proposed Action -

- (3) Establish, communicate, and ensure higher management expectations for inspectors and their supervisors, establish a cadre of trained inspection team leaders, and improve the training and qualifications of professional inspection staff.

FPL Response -

FPL supports the NUMARC comments and re-emphasizes a NUMARC statement that a major beneficial result of the NRC's enhanced training will be improved consistency

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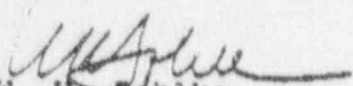
among inspection team leaders and the NRC staff. This consistency can only be obtained through direct involvement of NRC management, both regional and headquarters, in the development and evaluation of an effective inspection program.

FPL believes the NRC initiative to develop and/or enhance the NRC staff's activities in the areas outlined in SECY 90-347 can be an important step toward improving the regulatory process. However, FPL is concerned that the NRC's proposed actions do not completely address the root cause of the industry's concerns identified in the surveys. If these proposed actions are implemented, the NRC should be continuously monitoring the results of implementing these actions to determine their effectiveness and feasibility. These results need to be fed back to the NRC senior management in a timely manner, such that adjustments can be made, and to determine if the NRC actions are, in fact, addressing the industry's concerns.

FPL has observed that the NRC's proposed actions are, basically, enhancements of existing programs or of past proposed programs. This could suggest that the proposed corrective actions would be merely addressing symptoms of the industry's concerns and not the root cause.

The NRC should be commended for their initiative to conduct the Regulatory Impact Survey and its associated efforts. In order for this initiative to work, FPL believes that increased senior NRC management involvement, including monitoring and follow-up, is the single most important action to be taken.

Thank you for the opportunity to comment.

  
W. H. Bohlke  
Vice President  
Nuclear Engineering  
and Licensing

WHB/spt