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OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

DOCKET NUMBER
PROPOSED RULE **PR 52**
(60 FR 17902)
20

August 31, 1995

Secretary, U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Attention: Docketing and Service Branch

SUBJECT: Proposed Rule "Standard Design Certification for the U.S. Advanced
Boiling Water Reactor Design (60 *Federal Register* 17903, April 7 1995)

CNRO-95/00019

Gentlemen:

Entergy Operations, Inc. (EOI) is pleased to comment upon the above-cited *Federal Register* notice. We strongly support the innovative concepts incorporated into 10 CFR Part 52 in addition to the sound, fundamental principles inherent to the Part 52 process. However, there are positions advocated within the rule that appear contrary to the principles and would introduce licensing uncertainties and unnecessary burdens on future licensees. Specifically, we believe the proposed rule

Does not provide sufficient finality for resolved issues and permitted changes,

Will, with the new "applicable regulations," create the potential for destabilizing backfits,

Lacks a provision to ensure that the NRC will have a stable and predictable process for making its findings that the ITAAC (inspections, tests, analyses and acceptance criteria) have been met,

Is burdensome and more restrictive than needed by requiring the consideration of severe accident and probabilistic analyses in section 50.59 safety evaluations (in order to preserve severe accident insights),

Does not allow the design certification applicant to make 50.59-like changes after design certification, and

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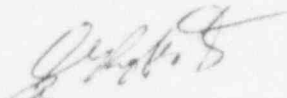
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Does not incorporate the substantive provisions in the design control documents
introduction into the design certification rules.

EOI views the proposed rule as an excellent step towards a predictable and stable
licensing process for future plants and encourages the NRC to move forward in this area.
We appreciate the opportunity to provide comments on the subject notice.

Sincerely,



JGD/RLT/baa

cc:

Mr. H. W. Keiser
Mr. William H. Rasin (NEI)
Mr. J. C. Roberts