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DOCKET NUMBER
PETITION RULE PRM 51-7
(64FR48117)

Ms. Annette Vietti-Cook
Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

PETITION FOR RULEMAKING (64 FED. REG. 48117; SEPTEMBER 2, 1999)

Dear Ms. Vietti-Cook:

On September 2, 1999, the Nuclear Regulatory Commission (NRC) published notice of receipt and docketing of the Nuclear Energy Institute's (NEI) Petition for Rulemaking on Severe Accident Mitigation Alternatives (SAMAs). NEI's petition, submitted on behalf of the nuclear energy industry, requested that the NRC institute a rulemaking proceeding to amend 10 CFR Part 51 to delete the requirement to consider SAMAs in the environmental review associated with license renewal. TVA supports the industry position that SAMAs should not be considered as part of the license renewal review.

License renewal applicants are required by 10 CFR 51(c)(3)(ii)(L) to evaluate SAMAs as part of its Environmental Report "if the staff has not previously considered an applicant plant's SAMA analysis in an environmental impact statement or related supplement or in an environmental assessment." This provision creates a conflict with 10 CFR Part 54 which is based on the principle that a plant's current licensing basis carries forward into the renewal term. The approach suggested by NEI in its petition would, among other things, resolve the conflict between Parts 51 and 54.

TVA appreciates the NRC's prompt response to NEI's request to docket the petition and seek public comment. TVA also encourages the NRC to continue to expeditiously process the petition. The industry would welcome agency action that would expedite this rulemaking and set a precedent for use in other rulemakings appropriate for expedited treatment.

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If you have questions, please call me at (423) 751-2508.

Sincerely,

Original signed by Ralph H. Shell

Mark J. Burzynski
Manager
Nuclear Licensing

cc: U.S. Nuclear Regulatory Commission
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