



Florida Power & Light Company, P. O. Box 14000, Juno Beach, FL 33408-0420

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Annette Vietti-Cook
Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
Attn: Rulemakings and Adjudications Staff

OFFICE OF
ADJUDICATION

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

Re: Nuclear Energy Institute Petition for Rulemaking
Removal of Severe Accident Mitigation Alternatives from Consideration
Under NRC's License Renewal Rule
PRM-51-7, 64 Fed. Reg. 48117 (September 2, 1999)

Dear Ms. Vietti-Cook:

Florida Power & Light Company (FPL), the owner and operator of the St. Lucie Nuclear Plant, Units 1 and 2, and the Turkey Point Nuclear Plant, Units 3 and 4, provides the following comments on the above-referenced petition for rulemaking filed by the Nuclear Energy Institute (NEI). FPL is preparing a license renewal application for Turkey Point and plans to submit this application by the end of 2000. Accordingly, FPL has a direct and substantial interest in the Nuclear Regulatory Commission's (NRC) treatment of the NEI rulemaking petition.

FPL supports the NEI petition and urges that NRC begin a rulemaking as soon as practicable to remove severe accident mitigation alternatives (SAMAs) from consideration as part of the license renewal process. As explained in detail in the NEI petition, the proposed rule change would be consistent with judicial precedent concerning the NRC's responsibilities under the National Environmental Policy Act (NEPA) to evaluate beyond design basis accidents, which the Commission has previously determined are highly unlikely events. The rule change would also eliminate the unnecessary re-review of conclusions reached by all power reactor licensees as a result of extensive probabilistic safety assessments performed under the NRC's Individual Plant Examination and Individual Plant Examination for External Events programs. Removal of the requirement to evaluate SAMAs will also decrease the amount of NRC review time of the environmental aspects of a license renewal application consistent with applicable law without any reduction in the level of protection of the public health and safety.

FPL respectfully suggests that NRC consider issuance of a direct final rule to implement the proposed Part 51 rulemaking so that potential license renewal applicants such as FPL may submit their applications under a rule that is wholly consistent with Part 54 and NEPA requirements.

We appreciate the opportunity to comment on the NEI petition. Please contact us should you have any questions concerning this matter.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Rajiv S. Kundalkar". The signature is fluid and cursive, with the first name "Rajiv" and last name "Kundalkar" clearly distinguishable.

Rajiv S. Kundalkar
Vice President
Nuclear Engineering