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John C. Brons  
Executive Vice President  
Nuclear Generation

July 9, 1990  
IPN-90-097  
JPN-90-052  
OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

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

Attn: Docketing and Service Branch

Subject: Indian Point 3 Nuclear Power Plant  
Docket No. 50-286  
James A. FitzPatrick Nuclear Power Plant  
Docket No. 50-333  
Comments on Petition for Rulemaking,  
Revisions to Final Safety Analysis Reports, 10 CFR Part 50

Reference: 1. Yankee Atomic Electric Company letter to NPC, dated February 9, 1990,  
request for Petition for Rulemaking, 10 CFR 50.71(e)(4).

Dear Mr. Chilk:

The NRC has requested public comment on a petition for rulemaking submitted by the Yankee Atomic Electric Company (Reference 1). The petition seeks to change the requirement that all operating nuclear power plants update the Final Safety Analysis Report (FSAR) "...no less frequently than annually." as required by 10 CFR 50.71(e)(4). The proposed change would revise this regulation to read "...shall be filed no later than six months after the completion of each planned refueling outage." The Authority endorses the proposed change and provides the following comments.

Under the current regulations there are situations in which an update could be required just prior to, or during, an outage. While the licensee could request an exemption to defer submittal of an updated FSAR from the NRC, it would simply consume resources that could be better allocated towards more important issues. The adoption of the proposed change would allow efficient allocation of resources with no compromise to public safety.

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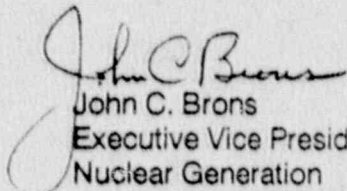
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Historically, major modifications are not installed during routine operation or mid-cycle outages. Most major plant modifications that affect the FSAR are installed during refueling outages. If a modification were installed after the January cutoff, the FSAR could be out of date for as much as 18 months under the current regulation. Significant changes may not be incorporated in the FSAR for long periods. Linking FSAR updates to refueling outages would assure that major changes to the plant would be reflected within 6 months. In addition, updates can be most easily prepared following an outage when detailed information is readily available.

The update schedule proposed by Yankee Atomic would supply both the NRC and licensee personnel with an accurate FSAR at the earliest possible time.

Should you or your staff have any questions regarding this matter, please contact Mr. J. B. Ellmers or Mr. P. Kokolakis of my staff.

Very truly yours,

  
John C. Brons  
Executive Vice President  
Nuclear Generation

cc: See next page

cc: Regional Administrator  
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