



Union of
Concerned
Scientists

May 19, 2000

Ms. Karen D. Cyr
General Counsel
United States Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Ms. Cyr:

Pursuant to 10 CFR 50.3, I respectfully request a written interpretation from the Office of General Counsel regarding the following aspects of 10 CFR Part 50, Appendix R, Fire Protection:

1. Paragraph II.C.5 of Appendix R requires that "A site fire brigade shall be established, trained, and equipped and shall be on site at all times." The phrase 'on site' implies a readiness to respond in a timely manner, however some plant sites encompass facilities several miles apart. Also, Fire Brigade members have other duties that may require entry into reactor containment at power, dressing in anti-contamination clothing or going into other difficult to access areas. In these cases, the Fire Brigade members are on site but not able to respond in a timely manner. Please provide an interpretation as to the maximum time period from when the Fire Brigade is notified until the Fire Brigade assembles at a staging area.
2. Paragraph III.H of Appendix R requires that "The brigade leader shall be competent to assess the potential safety consequences of a fire and advise control room personnel. Such competence by the brigade leader may be evidenced by possession of an operator's license or equivalent knowledge of plant safety-related systems." For those plants not using any licensed operators on the Fire Brigade, please provide an interpretation of 'equivalent knowledge of plant safety-related systems'.
3. Paragraph III.H of Appendix R requires that "The brigade leader and at least two brigade members shall have sufficient training in or knowledge of plant safety-related systems to understand the effects of fire and fire suppressants on safe shutdown capability." Please provide an interpretation of 'sufficient training in or knowledge of plant safety-related systems to understand the effects of fire and fire suppressants on safe shutdown capability.'

This request is driven by deregulation since staffing levels are being reduced and Fire Brigade tasks are being reassigned in the interest of being economical. As a direct consequence, licensed operators are no longer part of the Fire Brigade at some plants. It is not apparent to UCS that the NRC has adequate controls over these cost-cutting measures by plant owners. We need OGC's interpretation on these issues so as to be able to evaluate plant staffing changes relative to compliance with this important safety regulation.

Sincerely,

David A. Lochbaum
Nuclear Safety Engineer
Washington Office