

December 16, 1998

Mr. J. P. O'Hanlon  
Senior Vice President - Nuclear  
Virginia Electric and Power Company  
5000 Dominion Blvd.  
Glen Allen, Virginia 23060

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See next page

**SUBJECT: SURRY UNITS 1 AND 2 - ISSUANCE OF AMENDMENTS RE: RELOCATION OF FIRE PROTECTION REQUIREMENTS (TAC NOS. M96941 AND M96942)**

Dear Mr. O'Hanlon:

The Commission has issued the enclosed Amendment No. 217 to Facility Operating License No. DPR-32 and Amendment No. 217 to Facility Operating License No. DPR-37 for the Surry Power Station, Unit Nos. 1 and 2, respectively. The amendments consist of changes to the Technical Specifications (TS) in response to your application transmitted by letter dated September 12, 1996, as supplemented April 24, 1997, and September 24, 1998.

The amendments revise License Condition 3.I, Fire Protection, and relocate certain fire protection requirements from the TS to the Updated Final Safety Analysis Report (UFSAR). In response to a telephone request on December 14, 1998, by G. Miller of your licensing staff, we have made the license amendments effective immediately with implementation to be complete within 75 days.

A copy of the Safety Evaluation is also enclosed. The Notice of Issuance will be included in the Commission's biweekly Federal Register notice.

This completes our effort on this issue and we are, therefore, closing out TAC Numbers M96941 and M96942.

Sincerely,

Original signed by:

Gordon E. Edison, Senior Project Manager  
Project Directorate II-2  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

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PDR ADDCK 05000280  
P PDR

Docket Nos. 50-280 and 50-281

Enclosures:

1. Amendment No. 217 to DPR-32
2. Amendment No. 217 to DPR-37
3. Safety Evaluation

cc w/encls: See next page

Document Name - G:\SURRY\M96941.AMD \*See previous concurrence

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	PM:PDII-2:DRPE*	LA:PDII-2:DRPE*	OGC*	D:PDII-2
NAME	GEEdison:cn	EDunnington	SHom	HBerkow
DATE	12/1/98	11/25/98	12/9/98	12/15/98

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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

December 16, 1998

Mr. J. P. O'Hanlon  
Senior Vice President - Nuclear  
Virginia Electric and Power Company  
5000 Dominion Blvd.  
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This completes our effort on this issue and we are, therefore, closing out TAC Numbers M96941 and M96942.

Sincerely,

A handwritten signature in black ink that reads "Gordon E. Edison".

Gordon E. Edison, Senior Project Manager  
Project Directorate II-2  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

Docket Nos. 50-280 and 50-281

Enclosures:

1. Amendment No. 217 to DPR-32
2. Amendment No. 217 to DPR-37
3. Safety Evaluation

cc w/encls: See next page

Mr. J. P. O'Hanlon  
Virginia Electric and Power Company

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cc:

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Robert B. Strobe, M.D., M.P.H.  
State Health Commissioner  
Office of the Commissioner  
Virginia Department of Health  
P.O. Box 2448  
Richmond, Virginia 23218

DATED: December 16, 1998

AMENDMENT NO. 217 TO FACILITY OPERATING LICENSE NO. DPR-32 - SURRY UNIT 1  
AMENDMENT NO. 217 TO FACILITY OPERATING LICENSE NO. DPR-37 - SURRY UNIT 2

Docket File

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J. Zwolinski

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W. Beckner

ACRS

L. Plisco, RII



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

VIRGINIA ELECTRIC AND POWER COMPANY

DOCKET NO. 50-280

SURRY POWER STATION, UNIT NO. 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 217  
License No. DPR-32

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by Virginia Electric and Power Company (the licensee) dated September 12, 1996, as supplemented April 24, 1997, and September 24, 1998, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act) and the Commission's rules and regulations set forth in 10 CFR Chapter I;
  - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
  - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
  - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
  - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

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P PDR

2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and Paragraph 3.B of Facility Operating License No. DPR-32 is hereby amended to read as follows:

(B) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 217, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

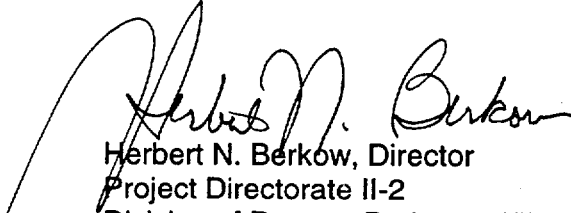
3. Further, Facility Operating License No. DPR-32 is hereby amended to revise Condition 3.I as follows:

- 3.1 The licensee shall implement and maintain in effect the provisions of the approved fire protection program as described in the Updated Final Safety Analysis Report and as approved in the SER dated September 19, 1979, (and Supplements dated May 29, 1980, October 9, 1980, December 18, 1980, February 13, 1981, December 4, 1981, April 27, 1982, November 18, 1982, January 17, 1984, February 25, 1988, and July 23, 1992), and the Safety Evaluation issued December 16, 1998, for Technical Specification Amendment No. 217 subject to the following provision:

The licensee may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

4. This license amendment is effective as of its date of issuance and shall be implemented within 75 days.

FOR THE NUCLEAR REGULATORY COMMISSION

  
Herbert N. Berkow, Director  
Project Directorate II-2  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

Attachment:

1. Page 5 of License DPR-32
2. Changes to the Technical Specifications

Date of Issuance: December 16, 1998

- H The licensee shall maintain in effect and fully implement all provisions of the Commission-approved physical security plan, including amendments and changes made pursuant to the authority of 10 CFR 50.54(p). The approved security plan consists of documents withheld from public disclosure pursuant to 10 CFR 2.790(d), referred to as Surry Power Station, Unit Nos. 1 and 2 Physical Security Plan, dated November 30, 1977, as revised September 25, 1978, supplemented (Chapter 10) October 25, 1978, revised January 12, 1979, and supplemented February 16, 1979.
- 3.I The licensee shall implement and maintain in effect the provisions of the approved fire protection program as described in the Updated Final Safety Analysis Report and as approved in the SER dated September 19, 1979, (and Supplements dated May 29, 1980, October 9, 1980, December 18, 1980, February 13, 1981, December 4, 1981, April 27, 1982, November 18, 1982, January 17, 1984, February 25, 1988, and July 23, 1992), and the Safety Evaluation issued December 16, 1998, for Technical Specification Amendment No. 217 subject to the following provision:
- The licensee may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.
- 3.J The licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security, guard training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected under 10 CFR 73.21, are entitled: "Surry Power Station Physical Security Plan," with revisions submitted through February 24, 1988; "Surry Power Station Guard Training and Qualification Plan," with revisions submitted through May 29, 1987; and "Surry Power Station Safeguards Contingency Plan," with revisions submitted through January 9, 1987. Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein.



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**  
WASHINGTON, D.C. 20555-0001

VIRGINIA ELECTRIC AND POWER COMPANY

DOCKET NO. 50-281

SURRY POWER STATION, UNIT NO. 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 217  
License No. DPR-37

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by Virginia Electric and Power Company (the licensee) dated September 12, 1996, as supplemented April 24, 1997, and September 24, 1998, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act) and the Commission's rules and regulations set forth in 10 CFR Chapter I;
  - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
  - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
  - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
  - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.



2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 3.B of Facility Operating License No. DPR-37 is hereby amended to read as follows:

(B) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 217, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. Further, Facility Operating License No. DPR-37 is hereby amended to revise Condition 3.I as follows:

- 3.I The licensee shall implement and maintain in effect the provisions of the approved fire protection program as described in the Updated Final Safety Analysis Report and as approved in the SER dated September 19, 1979, (and Supplements dated May 29, 1980, October 9, 1980, December 18, 1980, February 13, 1981, December 4, 1981, April 27, 1982, November 18, 1982, January 17, 1984, February 25, 1988, and July 23, 1992), and the Safety Evaluation issued December 16, 1998, for Technical Specification Amendment No. 217 subject to the following provision:

The licensee may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

4. This license amendment is effective as of its date of issuance and shall be implemented within 75 days.

FOR THE NUCLEAR REGULATORY COMMISSION



Herbert N. Berkow, Director  
Project Directorate II-2  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

Attachment:

1. Page 6 of License DPR-37
2. Changes to the Technical Specifications

Date of Issuance: December 16, 1998

- H The licensee shall maintain in effect and fully implement all provisions of the Commission-approved physical security plan, including amendments and changes made pursuant to the authority of 10 CFR 50.54(p). The approved security plan consists of documents withheld from public disclosure pursuant to 10 CFR 2.790(d), referred to as Surry Power Station, Unit Nos. 1 and 2 Physical Security Plan, dated November 30, 1977, as revised September 25, 1978, supplemented (Chapter 10) October 25, 1978, revised January 12, 1979, and supplemented February 16, 1979.
- 3.I The licensee shall implement and maintain in effect the provisions of the approved fire protection program as described in the Updated Final Safety Analysis Report and as approved in the SER dated September 19, 1979, (and Supplements dated May 29, 1980, October 9, 1980, December 18, 1980, February 13, 1981, December 4, 1981, April 27, 1982, November 18, 1982, January 17, 1984, February 25, 1988, and July 23, 1992), and the Safety Evaluation issued December 16, 1998, for Technical Specification Amendment No. 217 subject to the following provision:
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ATTACHMENT TO LICENSE AMENDMENT

AMENDMENT NO. 217 TO FACILITY OPERATING LICENSE NO. DPR-32

AMENDMENT NO. 217 TO FACILITY OPERATING LICENSE NO. DPR-37

DOCKET NOS. 50-280 AND 50-281

Revise Appendix A as follows:

Remove Pages

Insert Pages

TS ii	TS ii
TS iii	TS iii
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TS 3.21-2	---
TS 3.21-3	---
TS 3.21-4	---
TS 3.21-5	---
TS 3.21-6	---
TS 3.21-7	---
TS 3.21-8	---
TS 3.21-9	---
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3.18	MOVABLE INCORE INSTRUMENTATION	TS 3.18-1
3.19	MAIN CONTROL ROOM BOTTLED AIR SYSTEM	TS 3.19-1
3.20	SHOCK SUPPRESSORS (SNUBBERS)	TS 3.20-1
3.21	DELETED	
3.22	AUXILIARY VENTILATION EXHAUST FILTER TRAINS	TS 3.22-1
3.23	CONTROL AND RELAY ROOM VENTILATION SUPPLY FILTER TRAINS	TS 3.23-1
4.0	<u>SURVEILLANCE REQUIREMENTS</u>	TS 4.0-1
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4.3	ASME CODE CLASS 1, 2, AND 3 SYSTEM PRESSURE TESTS	TS 4.3-1
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4.19	STEAM GENERATOR INSERVICE INSPECTION	TS 4.19-1
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5.0	<u>DESIGN FEATURES</u>	TS 5.1-1
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6.7	ENVIRONMENTAL QUALIFICATIONS	TS 6.7-1
6.8	PROCESS CONTROL PROGRAM AND OFFSITE DOSE CALCULATION MANUAL	TS 6.8-1

7. Deleted.
8. Deleted.
9. The health physics technician requirement of Specification 6.1.B.5 may not be met for a period of time not to exceed 2 hours in order to accommodate an unexpected absence provided immediate action is taken to fill the required position.
10. Procedures will be established to insure that NRC policy statement guidelines regarding working hours established for employees are followed. In addition, procedures will provide for documentation of authorized deviations from those guidelines and that the documentation is available for NRC review.

9. Deleted.
10. Deleted.
11. Review of every unplanned onsite release of radioactive material to the environs exceeding the limits of Specification 3.11, including the preparation of reports covering evaluation, recommendations and disposition of the corrective action to prevent recurrence and the forwarding of these reports to the Vice President - Nuclear Operations and to the Management Safety Review Committee.
12. Review of changes to the Process Control Program and the Offsite Dose Calculation Manual.
13. Review of the Fire Protection Program and implementing procedures and shall submit recommended Program changes to the designated offsite management responsible for reviewing changes that pertain to Fire Protection.

g. Authority

The SNSOC shall:

1. Provide written approval or disapproval of items considered under (1) through (3) above. SNSOC approval shall be certified in writing by either the Manager - Station Operations and Maintenance or the Manager - Station Safety and Licensing.
2. Render determinations in writing with regard to whether or not each item considered under (1) through (5) above constitutes an unreviewed safety question.
3. Provide written notification within 24 hours to the Vice President - Nuclear Operations and to the Management Safety Review Committee of disagreement between SNSOC and the Site Vice President; however, the Site Vice President shall have responsibility for resolution of such disagreements pursuant to 6.1.A above.

h. Records

The SNSOC shall maintain written minutes of each meeting and copies shall be provided to the Vice President - Nuclear Operations and to the Management Safety Review Committee.

- D. All procedures described in Specifications 6.4.A and 6.4.B shall be followed.
- E. The facility Fire Protection Program and implementing procedures which have been established for the station shall be implemented and maintained.
- F. Deleted
- G. In cases of emergency, operations personnel shall be authorized to depart from approved procedures where necessary to prevent injury to personnel or damage to the facility. Such changes shall be documented, reviewed and approved by the Station Nuclear Safety and Operating Committee.





UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENTS NOS. 217 AND 217 TO

FACILITY OPERATING LICENSES NOS. DPR-32 AND DPR-37

VIRGINIA ELECTRIC AND POWER COMPANY

SURRY POWER STATIONS, UNIT NOS. 1 AND 2

DOCKET NOS. 50-280 AND 50-281

1.0 INTRODUCTION

By letter dated January 26, 1993, Virginia Electric and Power Company (VEPCO/the licensee), submitted proposed changes to the Surry Power Station, Units 1 and 2 (Surry) Technical Specifications (TS) pursuant to Generic Letter (GL) 86-10, "Implementation of Fire Protection Requirements," and GL 88-12, "Removal of Fire Protection Requirements from Technical Specifications." The proposed changes would relocate certain fire protection requirements from the Surry TS to the Surry Updated Final Safety Analysis Report (UFSAR). The licensee withdrew this request in a letter dated April 23, 1996, pending completion of a detailed review and clarification of its fire protection licensing basis. By letter dated September 12, 1996, the licensee resubmitted the TS change request in its original form. By letters dated April 24, 1997, and September 24, 1998, the licensee revised certain changes proposed in its submittal of September 12, 1996, and proposed an additional TS. Specifically, the licensee proposed to revise the operating licenses to include the standard fire protection license condition and to relocate the fire protection requirements of TS Sections 3.21 and 4.18, to the Surry UFSAR, Section 16.2. Administrative TS 6.1.B.7 and 6.1.B.8 (fire brigade requirements) would also be relocated to the UFSAR. TS 6.1.B.9 would be revised to delete references to the fire brigade composition and TS 6.1.C.1.f.13 would be added to require the Station Nuclear Safety and Operating Committee to review changes to the Fire Protection Program.

2.0 BACKGROUND

Title 10 of the Code of Federal Regulations (10 CFR) Section 50.48, "Fire Protection," requires that each operating nuclear power plant have a fire protection plan that satisfies General Design Criterion 3 (GDC 3), "Fire Protection," of Appendix A to 10 CFR Part 50. The fire protection plan must describe the overall fire protection program for the facility, outline the plans for fire protection, fire detection, and fire suppression capability, and limitations of fire damage. The program must also describe specific features necessary to implement the program, such as administrative controls and personnel requirements for fire prevention and manual fire suppression activities, automatic and manually operated fire detection and suppression systems, and the means to limit fire damage to structures, systems, or components important to safety so that the capability to safely shut down the plant is ensured.

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The NRC staff approved the Surry fire protection program in a Safety Evaluation Report (SER) dated August 2, 1979, and supplemental SERs dated May 28, 1980, October 9, 1980, December 18, 1980, February 13, 1981, December 4, 1981, April 27, 1982, November 18, 1982, January 17, 1984, February 25, 1988, and July 23, 1992. Since the TS change request was submitted on September 12, 1996, certain TS requirements were deleted by a separate, unrelated TS amendment. Therefore, by letter dated September 24, 1998, TS 6.4.E has been added to reinstate a portion of the previously deleted TS 6.4.J and TS 6.1.C.1.f.13 has been revised to ensure that the necessary TS requirements are in place to meet the generic letter guidance for relocating fire protection requirements.

GL 86-10 and GL 88-12 referred to removing fire protection requirements from TS. License amendments that relocate the fire protection requirements to the Final Safety Analysis Report (FSAR) in accordance with GL 86-10 and GL 88-12 do not revise the requirements for fire protection operability, testing, or inspections. Such amendments simply replace the fire protection TS sections with the standard fire protection license condition. The license condition implements and maintains the NRC-approved fire protection program, including the fire protection requirements previously specified in the TS, in accordance with 10 CFR 50.48. Therefore, such amendments, including the ones proposed by the licensee, are administrative in nature and have no effect on public health and safety.

Section 182a of the Atomic Energy Act (the "Act") requires applicants for nuclear power plant operating licenses to state TS to be included as part of the license. The Commission's regulatory requirements related to the content of TS are set forth in 10 CFR 50.36. That regulation requires that the TS include items in five specific categories, including: (1) safety limits, limiting safety system settings and limiting control settings; (2) limiting conditions for operation; (3) surveillance requirements; (4) design features; and (5) administrative controls. However, the regulation does not specify the particular requirements to be included in a plant's TS.

The Commission has provided guidance for the contents of TS in its "Final Policy Statement on Technical Specifications Improvements for Nuclear Power Reactors" ("Final Policy Statement"), 58 FR 39132 (July 22, 1993), in which the Commission indicated that compliance with the Final Policy Statement satisfies Section 182a of the Act. In particular, the Commission indicated that certain items could be relocated from the TS to licensee-controlled documents, consistent with the standard enunciated in Portland General Electric Co. (Trojan Nuclear Plant), ALAB-531, 9 NRC 263, 273 (1979). In that case, the Atomic Safety and Licensing Appeal Board indicated that "technical specifications are to be reserved for those matters as to which the imposition of rigid conditions or limitations upon reactor operation is deemed necessary to obviate the possibility of an abnormal situation or event giving rise to an immediate threat to the public health and safety." The criteria set forth in the policy statement have been incorporated into 10 CFR 50.36 (60 FR 36953).

Following the fire at the Browns Ferry Nuclear Power Plant on March 22, 1975, the Commission undertook a number of actions to ensure that improvements were implemented in the fire protection programs for all power reactor facilities. Because of the extensive modification of fire protection programs and the number of open issues resulting from staff evaluations, a number of revisions and alterations occurred in these programs over the years. Consequently,

licensees were requested by GL 86-10 to incorporate the final NRC-approved fire protection program into their FSARs. In this manner, the fire protection program, including the systems, certain administrative and technical controls, the organization, and other plant features associated with fire protection, would have a status consistent with that of other plant features described in the FSAR. In addition, the Commission concluded that a standard license condition, requiring compliance with the provisions of the fire protection program as described in the FSAR, should be used to ensure uniform enforcement of the fire protection requirements. Finally, the Commission stated that with the required actions, licensees may request an amendment to delete the fire protection TS that would now be unnecessary. Subsequently, the NRC issued GL 88-12 to give guidance for the preparation of the license amendment request to implement GL 86-10.

### 3.0 PROPOSED CHANGES

The specific changes proposed by the licensee are as follows:

1. Revise License Condition 3.I for Units 1 and 2 to read as follows:

The licensee shall implement and maintain in effect the provisions of the approved fire protection program as described in the Updated Final Safety Analysis Report and as approved in the SER dated September 19, 1979, (and Supplements dated May 29, 1980, October 9, 1980, December 18, 1980, February 13, 1981, December 4, 1981, April 27, 1982, November 18, 1982, January 17, 1984, February 25, 1988, and July 23, 1992), and the Safety Evaluation issued December 16, 1998, for Technical Specification Amendment No. 217 subject to the following provision:

The licensee may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

2. TS 3.21 and 4.18 will be deleted in their entirety. These specifications discuss the fire protection features required to prevent or mitigate a fire, and the surveillance requirements for fire protection equipment, respectively.
3. The TS Table of Contents will be revised to indicate that Specifications 3.21 and 4.18 have been deleted.
4. TS 6.1.B.7 and 6.1.B.8 will be deleted. These specifications provide the requirements for the onsite Fire Brigade.
5. TS 6.1.B.9 will be revised to delete the reference to fire brigade composition requirements.

6. TS 6.1.C.1.f.13 will be added to require the Station Nuclear Safety and Operating Committee to review changes to the fire protection program and implementing procedures and to submit recommended changes to the designated offsite management for review.
7. TS 6.4.E will be added. This TS requires that fire protection program procedures be implemented and maintained.

#### 4.0 EVALUATION

The NRC staff reviewed the license amendment requests for Surry against the guidance provided in GLs 86-10 and 88-12. GL 86-10 requested that the licensee incorporate the NRC-approved fire protection program in its FSAR for the facility and specified a standard fire protection license condition. GL 88-12 addressed the elements a licensee should include in a license amendment request to remove the fire protection requirements from the plant TS. These elements are: (1) the NRC-approved fire protection program must be incorporated into the FSAR; (2) the Limiting Conditions for Operation (LCOs) and Surveillance Requirements associated with fire detection systems, fire suppression systems, fire barriers, and the administrative controls that address fire brigade staffing would be relocated from the TS (the existing administrative controls associated with fire protection audits and specifications related to the capability for safe shutdown following a fire would be retained); (3) all operational conditions, remedial actions, and test requirements presently included in the TS for these systems, as well as the fire brigade staffing requirements, shall be incorporated into the fire protection program; (4) the standard fire protection license condition specified in GL 86-10 must be included in the facility operating license; (5) the Onsite Review Group shall be given responsibility for the review of the fire protection program and implementing procedures and the submittal of recommended changes to the Offsite Review Committee (Offsite or Corporate Review Group); and (6) fire protection program implementation shall be added to the list of elements for which written procedures shall be established, implemented, and maintained.

The licensee stated in its submittal of September 12, 1996, that it has created a new section in the UFSAR (16.2) to contain the fire protection requirements currently contained in the Technical Specifications. Therefore, the licensee has satisfied Elements 1, 2, and 3 of GL 88-12.

The licensee proposed to modify the current licenses for Surry to include the standard fire protection license condition specified in GL 86-10. Therefore, with the addition of a reference to this Safety Evaluation, the licensee has satisfied Element 4 of GL 88-12.

TS 6.1.C.1.f.13 was added to require the Station Nuclear Safety and Operating Committee to review changes to the Fire Protection Program and implementing procedures and to submit recommended changes to the designated offsite management for review. This satisfies Element 5 of GL 88-12. The licensee proposed to add TS 6.4.E to require that the facility fire protection program and implementing procedures which have been established for the station shall be implemented and maintained. This satisfies Element 6 of GL 88-12.

The licensee's proposed TS amendments for Surry are in accordance with NRC staff guidance provided in GLs 86-10 and 88-12.

In summary, the licensee has proposed to incorporate the existing TS fire protection requirements as stated above into the fire protection program which is, by reference, incorporated into the UFSAR. This conforms to staff guidance in GL 86-10, "Implementation of Fire Protection Requirements," and GL 88-12, "Removal of Fire Protection Requirements from Technical Specifications," for removing unnecessary fire protection TS in four major areas: fire detection systems, fire suppression systems, fire barriers, and fire brigade staffing requirements. In addition, incorporating these requirements into the UFSAR is consistent with NUREG-1431, "Standard Technical Specifications, Westinghouse Plants," and 10 CFR 50.36, as amended, because these TS do not impact reactor operations, do not identify a parameter which is an initial condition assumption for a design-basis accident or transient, do not identify a significant abnormal degradation of the reactor coolant pressure boundary, and do not provide any mitigation of a design-basis event.

The fire protection plan required by 10 CFR 50.48, as implemented and maintained by the fire protection license condition, provides reasonable assurance that fires will not give rise to an immediate threat to public health and safety. Although there are aspects of the fire detection and mitigation functions that have been determined to be risk significant, such that Criterion 4 of 10 CFR 50.36 would otherwise seem to apply, the minimum requirements for those functions were established in GDC 3 and 10 CFR 50.48, and further controls are not necessary since the licensee must comply with these minimum requirements regardless of whether they are restated in the TS or not.

The licensee's fire protection program is required by 10 CFR 50.48, and any changes to that program are governed by 10 CFR 50.48 and license conditions 3.I. (Units 1 and 2), set forth above. Therefore, the requirements relocated to the UFSAR may be controlled in accordance with 10 CFR 50.59.

These relocated requirements relating to fire protection features are not required to be in the TS under 10 CFR 50.36 or other regulations, or by Section 182a of the Atomic Energy Act, and are not required to obviate the possibility of an abnormal situation or event giving rise to an immediate threat to the public health and safety. In addition, the staff finds that sufficient regulatory controls exist under 10 CFR 50.48 and 10 CFR 50.59 to address future changes to these requirements. Accordingly, the staff has concluded that these requirements may be relocated from the TS to the licensee's UFSAR.

## 5.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Virginia State official was notified of the proposed issuance of the amendments. The State official had no comment.

## 6.0 ENVIRONMENTAL CONSIDERATION

These amendments change administrative requirements, or change a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20. The NRC staff has determined that the amendments involve no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that these amendments involve no significant hazards consideration and there has been no public

comment on such finding (63 FR 59598). Accordingly, these amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9) and (c)(10). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of these amendments.

#### 7.0 CONCLUSION

The staff has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

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