

January 20, 1987

Docket No. 50-261

Mr. E. E. Utley, Senior Executive
Vice President
Power Supply and Engineering and
Construction
Carolina Power and Light Company
Post Office Box 1551
Raleigh, North Carolina 27602

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Dear Mr. Utley:

SUBJECT: DEDICATED/ALTERNATE SAFE SHUTDOWN TECHNICAL SPECIFICATIONS:
H. B. ROBINSON STEAM ELECTRIC PLANT UNIT NO. 2 (TAC NO. 57408)

By letter dated March 29, 1985, Carolina Power and Light Company submitted a request for an amendment to add additional Technical Specifications for the dedicated/alternate shutdown system (fire protection) at H. B. Robinson Unit 2. Fire protection systems are not part of the safety related systems relied upon for safe shutdown or mitigation of design basis accidents as defined in FSAR Chapter 15. For this reason, the dedicated/alternate shutdown system requirements do not need to be incorporated in the Technical Specifications. Our NRC guidance concerning Technical Specifications improvements also does not require Technical Specifications for the dedicated/alternate shutdown systems.

Based on the above discussion, the request for Technical Specifications for dedicated/alternate shutdown system is denied. Therefore, we consider this open item closed.

The Commission has filed the enclosed Notice of Denial of Application for Amendment to Facility Operating License with the Office of the Federal Register for publication.

Sincerely,

/s/

Lester S. Rubenstein, Director
PWR Project Directorate #2
Division of PWR Licensing-A

Enclosure: As stated

cc: See next page

*See previous concurrence

*LA:PAD#2	*PM:PAD#2	*PAPS	*PAPS	*PAPS	*OGC	PD:PAD#2	OGC
DMiller	GRequa:ab	ASingh	JShapaker	TQuay		LRubenstein	WShields
12/ /86	12/ /86	12/ /86	12/ /86	12/ /86	12/ /86	1/13/87	1/13/87

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WShields

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SUBJECT: DEDICATED/ALTERNATE SAFE SHUTDOWN TECHNICAL SPECIFICATIONS:
H. B. ROBINSON STEAM ELECTRIC PLANT UNIT NO. 2 (TAC NO. 57408)

By letter dated March 29, 1985, Carolina Power and Light Company submitted a request for an amendment to add additional Technical Specifications for the dedicated/alternate shutdown system (fire protection) at H. B. Robinson Unit 2. However, in the interim, the staff issued Generic Letter 86-10 which provided that a licensee may request an amendment to delete the Technical Specifications for fire protection once their intent is incorporated into the FSAR. Consequently, the requested safe shutdown additions to the Technical Specifications may be incorporated into the FSAR using the guidance of G.L. 86-10.

Fire protection systems are not part of the safety related systems relied upon for safe shutdown or mitigation of design bases accidents as defined in the FSAR Chapter 15. For this reason, the dedicated/alternate shutdown system requirements do not need to be incorporated in the Technical Specifications. Our NRC guidance concerning Technical Specifications improvements also does not require Technical Specifications for the dedicated/alternate shutdown systems.

Based on the above discussion, the request for Technical Specifications for dedicated/alternate shutdown system is denied. Therefore, we consider this open item closed.

The Commission has filed the enclosed Notice of Denial of Application for Amendment to Facility Operating License with the Office of the Federal Register for publication.

Sincerely,

Lester S. Rubenstein, Director
PWR Project Directorate #2
Division of PWR Licensing-A

Enclosure: As stated

cc: See next page

LA *DM* PM:PAD *GR* PAPS *AS* PAPS *JShapaker* PAPS *TQuay* OGC *H. Karman* PD:PAD#2
DM *Miller* GRequa:ab AS *Stinch* TQuay LRubenstein
12/10/86 12/10/86 12/11/86 12/11/86 12/11/86 12/11/86 12/ /86

WR

Mr. E. E. Utley
Carolina Power & Light Company

H. B. Robinson 2

cc:
Thomas A. Baxter, Esquire
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Darlington County Board of Supervisors
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U.S. Nuclear Regulatory Commission
Resident Inspector's Office
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Regional Administrator, Region II
U.S. Nuclear Regulatory Commission
Suite 2900
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Atlanta, Georgia 30303

Mr. R. Morgan
General Manager
H. B. Robinson Steam Electric Plant
Post Office Box 790
Hartsville, South Carolina 29550

DENIAL OF AMENDMENT TO FACILITY OPERATING LICENSE
AND OPPORTUNITY FOR HEARING
CAROLINA POWER & LIGHT COMPANY
DOCKET NO. 50-261

The U. S. Nuclear Regulatory Commission (The Commission) has denied a request by the licensee for an amendment to Facility Operating License No. DPR-23, issued to Carolina Power & Light Company (the licensee) for operation of the H.B. Robinson Steam Electric Plant, Unit No. 2 (the facility), located in Darlington County, South Carolina.

The proposed amendment would have revised the Technical Specifications (TS) to add new Sections 3.18 and 4.18 and would have consisted of operability and surveillance requirements for those systems not currently included in the TS (fire protection). Notice of Consideration of Issuance of this amendment was published in the FEDERAL REGISTER on September 10, 1986 (51 FR 32265). The licensee's application for the amendment was dated March 29, 1985.

The request was found unacceptable due to the fact that fire protection systems are not part of the safety related systems relied upon for safe shutdown or mitigation of design basis accidents as defined in FSAR Chapter 15. For this reason, the dedicated/alternate shutdown system requirements do not need to be incorporated in the Technical Specifications. Our NRC guidance concerning Technical Specifications improvements also does not require Technical Specifications for the dedicated/alternate shutdown systems.

The licensee was notified of the Commission's denial of this request by letter dated January 20, 1987.

By March 2, 1987 the licensee may demand a hearing with respect to the denial described above and any person whose interest may be affected by this proceeding may file a written petition for leave to intervene.

A request for a hearing or petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Services Branch or may be delivered to the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. by the above date.

A copy of any petition should also be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to T.A. Baxter, Esq., Shaw, Pittman, Potts and Trowbridge, 2300 N Street, N.W., Washington, D.C. 20037, attorney for the licensee.

For further details with respect to this action, see (1) the application for amendment dated March 29, 1985, and (2) the Commission's letter to Carolina Power & Light Company dated January 20, 1987, which are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Hartsville Memorial Library, Home and Fifth Avenues, Hartsville, South Carolina 29535. A copy of item (2) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of PWR Licensing-A.

Dated at Bethesda, Maryland, this 20th day of January, 1987.

FOR THE NUCLEAR REGULATORY COMMISSION



Lester S. Rubenstein, Director
PWR Project Directorate #2
Division of PWR Licensing-A

ROUTING AND TRANSMITTAL SLIP

Date 2/2/87

TO: (Name, office symbol, room number, building, Agency/Post)	Initials	Date
1. <u>Docket 50-498</u>		
2.		
3.		
4.		
5.		

Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	

REMARKS

Please put into PDR under
 "Supplemental Information
 on R G 1.75 Testing".

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)	Room No.—Bldg.
<u>H. Prasad Kadawhi</u>	Phone No. <u>27272</u>

5041-102

★U.S.GPO:1985-0-461-274/20022

OPTIONAL FORM 41 (Rev. 7-76)
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 FPMR (41 CFR) 101-11.208

ROUTING AND TRANSMITTAL SLIP

Date 2/2/87

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	Phone No. <u>27272</u>

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