

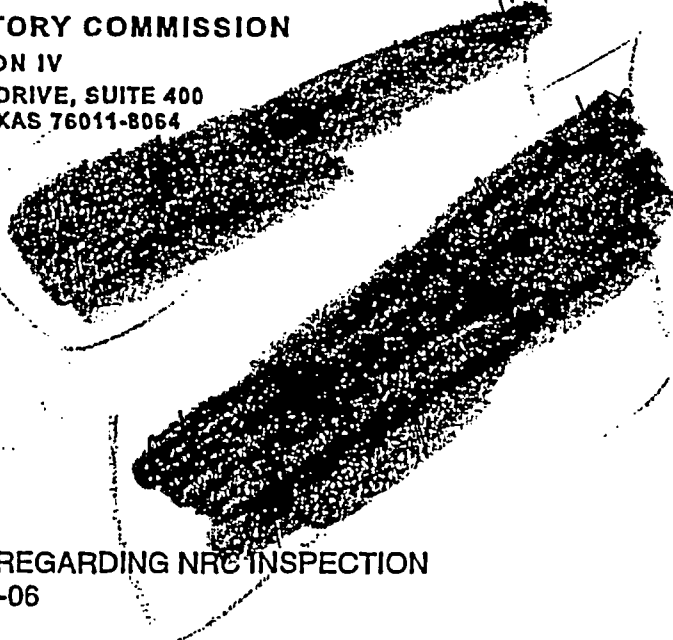


5-4-01
UNITED STATES

NUCLEAR REGULATORY COMMISSION

REGION IV

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ARLINGTON, TEXAS 76011-8064



Craig G. Anderson, Vice President,
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Russellville, Arkansas 72801-0967

SUBJECT: RESPONSE TO BACKFIT CLAIM REGARDING NRC INSPECTION
REPORT 50-313/01-06; 50-368/01-06

Dear Mr. Anderson:

This letter is written in response to your letter of September 28, 2001, in which you claimed that our position that manual actions cannot be used to comply with 10 CFR Part 50, Appendix R, Section III.G.2. was a backfit. At issue is your use of manual actions for achieving and maintaining hot shutdown conditions in the event of a fire in the Unit 1 emergency diesel generator corridor (Fire Zone 98J) and north switchgear room (fire Zones 99M). In your letter of September 28, 2001, you asserted that the NRC has accepted such manual actions in the past, and stated that our position with respect to disallowing the use of manual actions for complying with Section III.G.2 of Appendix R should be considered a backfit that is generic to all plants.

On October 26, 2001, and again on 1/17/2002, we convened a backfit panel in accordance with NRC Management Directive 8.4, "NRC Program for Management of Plant-Specific Backfitting of Nuclear Power Plants," to review your backfit claim as stated in your letter of September 28, 2001. After careful consideration of your appeal, we have determined that (1) the NRC did not impose a regulatory staff position that is new or different from a previously applicable staff position relative to the requirements of 10 CFR Part 50, Appendix R, Section III.G.2; (2) the NRC did not approve the use of manual actions for complying with 10 CFR Part 50, Appendix R, Section III.G.2 in the Unit 1 diesel generator corridor and north switchgear room; and (3) your methodology for using manual actions (in the event of a fire in the Unit 1 diesel generator corridor and north switchgear room), in lieu of ensuring that one train of redundant equipment needed for achieving and maintaining hot shutdown conditions was free of fire damage, does not comply with the requirements of 10 CFR Part 50, Appendix R, Section III.G.2. The bases for these conclusions are described in the Enclosure. Licensing basis documents we reviewed in reaching these conclusions, and relevant excerpts and quotes from those documents are contained in the Attachments.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosures will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/NRC/ADAMS/index.html> (the Public Electronic Reading Room).

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