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P.O. Box 1002, Glen Rose, Texas 76043

Ref: Draft NUREG-1778

STARS-04009

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**STRATEGIC TEAMING AND RESOURCE SHARING (STARS)
COMMENTS ON DRAFT NUREG-1778,
KNOWLEDGE BASE FOR POST-FIRE SAFE-SHUTDOWN ANALYSIS**

Gentlemen:

Attached are comments from the Strategic Teaming and Resource Sharing (STARS)¹ nuclear power plants on Draft NUREG-1778, *Knowledge Base for Post-Fire Safe-Shutdown Analysis*. The STARS plants have reviewed the document although a detailed review could not be completed in the time allowed. The STARS plants provided comments to NEI and endorse the comments submitted by NEI on March 29, 2004. The STARS plants agree with the primary conclusion of the NEI letter, that this document is not necessary and should not be published.

The STARS plants appreciate the opportunity to comment on draft NUREG-1778. If there are any questions regarding these comments, please contact me at 254-897-6887 or dwoodl1@txu.com.

Sincerely,

D. R. Woodlan, Chairman
Integrated Regulatory Affairs Group
STARS

¹ STARS is an alliance of six plants (eleven nuclear units) operated by TXU Energy, AmerenUE, Wolf Creek Nuclear Operating Corporation, Pacific Gas and Electric Company, STP Nuclear Operating Company and Arizona Public Service Company

R-REFDS-ASM-03

Sample - ASM-013

add = M. Kelley (MX53)

**STRATEGIC TEAMING AND RESOURCE SHARING (STARS)
COMMENTS ON DRAFT NUREG-1778,
KNOWLEDGE BASE FOR POST-FIRE SAFE-SHUTDOWN ANALYSIS**

1. In the second paragraph of page 1-1, fourth line from the bottom, delete the word frequently. The meaning here seems ambiguous and may be misleading.
2. At the bottom of page 5-12, under the paragraph discussing the complexity and number of manual actions which may be deemed feasible, there is a comment about assuring that an irrecoverable condition does not occur. Nowhere in the document is the “irrecoverable condition” defined or explained. This needs to be covered so appropriate and consistent evaluation can be made.
3. The term “associated circuit” as used in this NUREG and in other fire protection publications has been confusing because IEEE uses the same term with a different definition. The concepts are similar but the definitions are quite different. This confusion might be reduced in the same manner in which we distinguished fire safe-shutdown from safe-shutdown. Replace the term “associated circuit” in fire protection programs with the term “fire associated circuit.” The change could be phased in over time but correcting this document would go a long way to get the ball rolling.
4. The document has a disclaimer that the NUREG is only one way to satisfy the requirements and that the licensing basis of the plant must always be considered. And yet, through-out the document, the term “shall” and “must” are used to discuss portions of the regulatory framework derived from guidance documents (e.g., regulatory guides, standard review plans, branch technical positions). If alternate methods are available and if the plant’s licensing basis could differ from a statement in the NUREG, then terms “must” and “shall” must be avoided. It is the rigid interpretation of some guidance documentation that has caused many of the inspection problems in fire protection in recent years. Such statements should be properly qualified or, depending upon the specific application, terms such as “could” or “should” might be used.
5. In several location (e.g., page 4-2), the statement is made that each operating plant must demonstrate that in the event a fire were to initiate and continue to burn (despite prevention and mitigation features), the performance of essential shutdown functions will be preserved and radioactive releases to the environment will be minimized. No source is quoted for this “requirement.” It appears the document has overstated the requirement (it may be a problem with the use of “must” as discussed above). The statement seems to imply that the fire must be assumed to burn unmitigated. BTP ASP 9.5-1 uses words like “burns for a considerable time” and at least one licensing basis refers to “a fire which is not promptly extinguished.” No such requirement could be found in GDC 3, 10 CFR 50.48 or Appendix R. Appendix R also uses the words “a fire that is not promptly extinguished by the fire suppression activities...” (as does the NUREG is several other locations). Caution should be used not to overstate requirements or to turn guidance into requirements. Otherwise, rather than clarifying matters, potential new conflicts between inspectors and licensees could result.

6. The use of NRC staff Safety Evaluation Reports (SERs) in establishing fire protection requirements and licensing basis is troubling and confusing. In Chapter 2, *Terminology*, the NUREG provides a definition of Current Licensing Basis which included things like the FSAR and only includes staff SERs to the extent that the SERs document licensee commitments. This is consistent with other NRC documentation. On the other hand, in Chapter 4 (see sections 4.5, 4.5.1, 4.5.2 and 4.5.3) no mention is made of the FSAR when discussing the plant's licensing basis. The Fire Protection Program (FPP) is only mentioned to the extent that the FPP is approved by a staff SER. The heavy reliance on SERs in Chapter 4 seems to conflict with 10 CFR 54.3 which is the basis of the definition in Chapter 2. For plants licensed prior to January 1, 1979, 10 CFR 50.48 makes some specific statements that certain fire protection features accepted by the NRC in SERs are considered acceptable in lieu of Appendix R. For these specific cases, the NRC acceptance in an SER should be considered part of the plant's licensing basis. This approach, however, should not be extrapolated to other features (other than licensee commitments) which are included in staff SERs.
7. Section 5.7.1 discusses manual actions and the ongoing rulemaking in this area. The STARS plants do not agree with much of the discussion which either states or implies that manual action is not allowed except through an exemption or a deviation. This is not consistent with many plant FPPs (as accepted by staff SERs). Hopefully such language will be superseded by a discussion of the revised regulations and the supplemental material developed during the rulemaking process.