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Printed: 02/18/03

ACTION REQUEST 00069721

Type : NCR Orig Date: 08/23/02 14:49 Discovery Date:  
Subject : FIRE PROTECTION MANUAL ACTION DISCREPANCIES

Description

BASED UPON NEW INFORMATION RECEIVED DURING A TELEPHONE CALL  
ON AUG. 23, THE REG-NGGC-0010 REVIEW FOR EC-~~XXXX~~ APPEARST  
O BE INADEQUATE. LICENSEES ROUTINELY CREDIT MANUAL ACTIONS  
IN SAFE SHUTDOWN STRATEGIES FOR FIRE. IN LATE 2001, NRC I  
NSPECTORS BEGAN CHALLENGING THAT PRACTICE. THE INDUSTRY CH  
ALLENGED WHAT APPEARED TO BE CHANGING POLICY WITHOUT RULEMA  
KING. THE NEW INFORMATION REVEALED THAT CREDIT FOR ANY MAN  
UAL ACTION REQUIRES PRIOR NRC APPROVAL. HNP PLANNED TO SUB  
MIT THE DEVIATION REQUEST FOR MANUAL ACTIONS AND THAT ACTIO  
N REMAINS APPROPRIATE. IN ADDITION, OTHER MANUAL ACTIONS M  
AY NEED TO BE EVALUATED PENDING THE NRC RESOLUTION OF THE M  
ANUAL ACTION ISSUE.

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Ex. 2

Priority : 2	Report To :	Status: APPROVED 08/27/02
Due Date : 08/27/03	Event :	
Originator : CAVESJ	Originator Group:	
Facility : HNP	Department : IAF	Organization:
Owed To :	Owed To Group : FSSUEVAL	
Owed To Fac: INP	Department :	Discipline :

BOB SHIN  
404-562-4634

FFF-1

ACTION REQUEST 00069721

ASSIGNMENT NUMBER 02 SUB

Type	: INVN	Due Date	: 09/22/02		
Status	: COMPLETE	Reschedule	:	Pri Resp Group:	
Assigned To	: C GEORGESON			Sec Resp Group:	
Subject	: ADVERSE CONDITION INVESTIGATION				
Aff Facility:	HNP	Unit	:	System	:
UCR	:	Schedule Ref	:		
Organization:		Department	: MCP	Discipline	:
Est Manhrs	:	Est Comp Date	:		

Assignment Attribute	Value	Reqd	Date
1 EVALUATOR/ASSIGNEE		N	
Name :			

Assignment Attribute	Value	Reqd	Date
1A COMMITTED		N	
Name :			

Assignment Attribute	Value	Reqd	Date
1B CHANGE BASIS		N	
Name :			

Assignment Attribute	Value	Reqd	Date
2 MISCELLANEOUS		N	
Name :			

Assignment Attribute	Value	Reqd	Date
2A COMMENTS		N	
Name :			

Assignment Attribute	Value	Reqd	Date
2B COMMENTS		N	
Name :			

Assignment Attribute	Value	Reqd	Date
2C COMMENTS		N	
Name :			

Assignment Attribute	Value	Reqd	Date
2D COMMENTS		N	
Name :			

Assignment Attribute	Value	Reqd	Date
2E COMMENTS		N	
Name :			

COMPLETION NOTES

CAUSE/ACTION

ASSIGNMENT COMPLETION APPROVAL

ACTION REQUEST 00069721

ASSIGNMENT NUMBER 05 SUB

Type	: CORR	Due Date	: 01/06/03		
Status	: COMPLETE	Reschedule	: 1	Pri Resp Group:	
Assigned To	: J KUNZMANN			Sec Resp Group:	
Subject	: PERFORM & DOCUMENT A FEASIBILITY EVALUATION				
Aff Facility:	HNP	Unit	:	System	:
UCR	:	Schedule Ref	:		
Organization:		Department	: MCP	Discipline	:
Est Manhrs	:	Est Comp Date	:		

Assignment Attribute	Value	Reqd	Date
1 UNIT/SECT EVALUATR		N	
Name :			

Assignment Attribute	Value	Reqd	Date
1A COMMITTED		N	
Name :			

Assignment Attribute	Value	Reqd	Date
1B CHANGE BASIS	EXTEND TO 1/6/03	N	12/02/02
Name :	JOHN KUNZMANN		

EXTEND TO 1/6/03 DUE TO NEED TO COMPLETE EC [REDACTED] IN SUPPORT OF THE  
NRC TRIENNIAL FIRE PROTECTION INSPECTION. CONCURRED BY PAUL FULFORD.

Assignment Attribute	Value	Reqd	Date
2 MISCELLANEOUS		N	
Name :			

Assignment Attribute	Value	Reqd	Date
2A COMMENTS		N	
Name :			

Assignment Attribute	Value	Reqd	Date
2B COMMENTS		N	
Name :			

Assignment Attribute	Value	Reqd	Date
2C COMMENTS		N	
Name :			

Assignment Attribute	Value	Reqd	Date
2D COMMENTS		N	
Name :			

Assignment Attribute	Value	Reqd	Date
2E COMMENTS		N	
Name :			

Assignment Attribute	Value	Reqd	Date
3A LTCA APPROVAL		N	
Name :			

## ATTACHMENT 7

Sheet 1 of 1

Adverse Condition Investigation Form  
Form CAP-NGGC-0200-7-5

Action Request Number: 69721-02

Event Date: 8/23/02

Facility: HNP

Event Time: 14:49

Unit: 1

Investigator: Chris Georgeson

## 1. Event Description

Based upon new information received during a telephone call on Aug. 23, the REG-NGGC-0010 review for EC [REDACTED] appears to be inadequate. Licensees routinely credit manual actions in safe shutdown strategies for fire. In late 2001, NRC inspectors began challenging that practice. The industry challenged what appeared to be changing policy without rule making. The new information revealed that credit for any manual action requires prior NRC approval. HNP planned to submit the deviation request for manual actions and that action remains appropriate. In addition, other manual actions may need to be evaluated pending the NRC resolution of the manual action issue.

## 2. Investigation Results

An internal NRC safe shutdown / fire protection program manual actions guidance document issued on 11/14/01 indicated that the use of manual actions in lieu of separation or protection of equipment required for safe shutdown in case of fire requires prior NRC approval. Triennial NRC fire protection inspection teams began issuing violations to utilities over this issue in late 2001 and early 2002. More recent inspections have generated unresolved items (URIs) pending further NRC guidance. EC [REDACTED] was prepared and implemented to resolve a degraded fire barrier NRC violation (white finding). The violation regards the thermo-lag fire barrier in the [REDACTED] room which was determined to be of an indeterminate fire rating. The modification installed a qualified 3-hour fire barrier to protect [REDACTED] safe shutdown Division 1 [REDACTED] room fire. There is no dispute concerning the effectiveness of this modification. However, the installation of the new fire barrier created a new fire area that consists of the [REDACTED] room which is now separated from the [REDACTED] room. A new safe shutdown analysis was prepared for this new fire area and, since the [REDACTED] manual actions were specified to implement the optimum safe shutdown strategy. These manual actions were specified to prevent possible spurious operations of equipment caused by [REDACTED] from interfering with safe shutdown operations as described in GL 81-12 clarifications. The 50.59 prepared for the EC screened the change out from 50.19 review because the full scope of the modification is evaluated under the fire protection program change attachment. This was appropriate and meets the current procedure requirements of REG-NGGC-0010. The fire protection program change evaluation concluded that the modification did not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire as described under license condition 2F, and therefore prior NRC review and approval was not required. The concern now is that: Since the EC includes manual actions, and the current NRC position is that manual actions require prior review and approval, then the fire protection program change evaluation may need to be revised to indicate that prior NRC review and approval is required and the EC must then be submitted to the NRC. However, it is still unclear in recent discussions with the NRC if the manual actions can be accepted by HNP under license condition 2F or if a deviation request needs to be submitted. In addition, the NRC will not close the associated fire barrier violation until the manual actions are either reviewed and approved by the NRC or new guidance concerning the

acceptability of manual actions is distributed by NRR allowing HNP to accept the manual actions under license condition 2F.

As a result of the above regulatory activity, an industry issue has also been raised regarding plant safe shutdown in case of fire analyses that credit operator actions outside of the main control room (manual actions) in lieu of separation or protection of redundant safe shutdown equipment (including [REDACTED]). The industry, through NEI, has presented a position to the NRC that manual actions are acceptable, as used throughout the industry and as described in Generic Letter 81-12 clarifications, as long as these actions are shown to be feasible. The NRC has agreed to change the fire protection rule and is preparing further guidance on the issue for use by the inspection teams. The rule change and further guidance is expected to include requirements concerning how to show that manual actions are feasible. NRC and NEI information concerning feasibility evaluation methods is available. In order for Harris plant to achieve closure of the violation regarding the degraded T-lag fire barrier in the [REDACTED] room it is necessary to perform and document a feasibility evaluation for the [REDACTED] room fire area manual actions specified by EC [REDACTED] and revise the EC to include the feasibility information as well as any change to the REG-NGGC-0010 evaluation. ← 2

Depending on the results of industry and NRC activity surrounding this issue, feasibility evaluations may also be needed for manual actions currently specified for other HNP fire areas or a bounding feasibility evaluation for the most limiting fire area that credit manual actions.

3. Apparent Cause(s) (Number each cause and reference the number in section 6 below)

3.1 The apparent cause of the manual actions issue and the conclusions reached in the EC 48802 REG-NGGC-0010 evaluation is a change in interpretation of the fire protection regulations by the NRC concerning the use of manual actions for safe shutdown, and uncertainty at HNP concerning how the use of manual actions should be evaluated against license condition 2F when making changes to the plant fire protection program. It is still uncertain if prior approval of manual actions by the NRC is required in order to comply with license condition 2F.

4. Does this event involve a loss of a Maintenance Rule function?  
(If yes, contact System Engineer. Contact Maintenance Rule Engineer for assistance if needed.)

☐ Yes ☒ No

5. Do you recommend this event be disseminated as an Operating Experience (OE) Program entry? (Refer to CAP-NGGC-0202 Attachment 6 for guidance. If yes, contact the appropriate OE Program Coordinator)

☐ Yes ☒ No

## 6. Corrective Actions

C/A #	Cause #	Planned/Completed Corrective Action	Assignment Type	Assignee or Group	Initial Due Date
1	3.1	Perform and document a feasibility evaluation for the [REDACTED] room fire area manual actions specified by EC [48802] and revise the EC to include the feasibility information as well as any change to the REG-NGGC-0010 evaluation.	CORR	John Kunzman / EI&C Design	12/11/02
2	3.1	Depending on the results of industry and NRC activity surrounding the SSD manual actions issue: Determine if feasibility evaluations for SSD manual actions are required in addition to the [REDACTED] room evaluation of this AR	CORR	John Kunzman / EI&C Design	12/18/02

←  
←  
2

2  
←

AR 00069721-5 - - - Perform and document a feasibility evaluation for the [REDACTED] room fire area manual actions specified by EC [REDACTED] and revise the EC to include the feasibility information as well as any change to the REG-NGGC-0010 evaluation. - - -

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#### RESPONSE:

A manual action feasibility study was completed for the manual actions required as a result of a fire in the [ACP] Room. The results of the feasibility study and a summary of the manual actions are contained in EC [REDACTED] Attachments [REDACTED] and [REDACTED] respectively.

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A review of the REG-NGGC-0010 evaluation for EC [REDACTED] was conducted and no changes to the evaluation was required as a result of the manual action feasibility study.

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AR 00069721-6 - - - Depending on the results of industry and NRC activity surrounding the SSD manual actions issue: Determine if feasibility evaluations for SSD manual actions are required in addition to the room evaluation of this AR. - - -

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**RESPONSE:**

Based on results of NRC Triennial Fire Protection Inspection, feasibility evaluations for required SSD manual actions are prudent and will be performed. A schedule for completion shall be developed for each fire area. Assign an action item to John Kunzmann with a due date of 5/6/03.



AR 00069721-7 - - - Based on results of NRC Triennial Fire Protection Inspection, feasibility evaluations for required SSD manual actions are prudent and will be performed. A schedule for completion shall be developed for each fire area. - - -

RESPONSE:

# Engineering Change

EC Number : 0000048802 001  
Facility : HNP  
Type/Sub-type: PCHG DESG

Print Date: 02/18/03

Page: 1

## Attributes

Attribute Sub-category: EC ATTRB

Attribute Name	Value	PassPort	Date
EC IS READY FOR CLOSURE?		GEORGC	07/02/02
THIS EC RESOLVES AN NRC VIOLATION AND HAS BEEN SUBMITTED TO THE NRC FOR REV			
IEW AND CONCURRENCE PRIOR TO CLOSURE. DO NOT CLOSE THIS EC UNTIL IT HAS BE			
EN CONFIRMED WITH LICENSING THAT NRC REVIEW IS COMPLETE AND CONCURRENCE HAS			
BEEN RECEIVED.			
1. QUALITY CLASSIFICATION	A	GEORGC	05/09/02
2. IS TURNOVER REQUIRED? Y/N	Y	GEORGC	05/09/02
3. EC IS READY FOR T/O TO OPS?		GEORGC	02/13/03
TURNOVER MAY NOT PROCEED UNTIL REGULATORY ISSUES REGARDING COMPLIANCE WITH NUREG 0800 SECTION 9.5.1 DESCRIBED IN THE DEC. 2002 FP/SSD NRC INSPECTION			
A			
RE RESOLVED.			

*Still in effect  
as of 2-18-03.*