

June 28, 2004

MEMORANDUM TO: Michael T. Lesar, Chief
Rules and Directives Branch
Division of Administrative Services
Office of Administration

FROM: Joseph L. Birmingham, Project Manager /RA/
Policy and Rulemaking Program
Division of Regulatory Improvement Programs, NRR

SUBJECT: REGULATORY HISTORY INDEX - FINAL RULE - "VOLUNTARY FIRE
PROTECTION REQUIREMENTS FOR LIGHT-WATER REACTORS;
ADOPTION OF NFPA 805 AS A RISK-INFORMED, PERFORMANCE-
BASED ALTERNATIVE" (10 CFR PART 50)

Attached is the regulatory history index of those documents of central relevance to the subject rulemaking. The ADAMS (or if needed the NUDOCs) Accession Number is provided for each document or package. The final rule amends the requirements in 10 CFR 50.48 that apply to facilities subject to Part 50 to provide existing nuclear power plant licensees with an alternative set of risk-informed, performance-based fire protection requirements.. The final rule permits reactor licensees to voluntarily adopt a set of fire protection requirements contained in the National Fire Protection Association (NFPA) Standard 805, "Performance-Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants, 2001 Edition" (NFPA 805). The title of the final rule is "Voluntary Fire Protection Requirements for Light Water Reactors; Adoption of NFPA 805 as a Risk-Informed, Performance-Based Alternative" and was published in the Federal Register on June 16, 2004 (69 FR 33536). Also on that date, the NRC published a notice of interim enforcement discretion providing details of enforcement discretion available to licensees adopting NFPA 805 (69 FR 33684).

Attachment: Regulatory History Index

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OFFICE	NRR:DRIP:RPRP	NRR:DRIP:RPRP
NAME	JBirmingham	EMcKenna (RDudley for)
DATE	06/28/04	06/29/04

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Regulatory History Index
Final Rule, 10 CFR 50.48, Fire Protection

Title: “Voluntary Fire Protection Requirements for Light Water Reactors; Adoption of NFPA 805 as a Risk-Informed, Performance-Based Alternative,” June 16, 2004 (69 FR 33536) and “Revision of NRC Enforcement Policy, June 16, 2004 (69 FR 33684).

RIN: 3150-AG48

Accession Number	Date of Status	Title/Description	Author Names	Author Affiliations
NUDOCS Acc# 9607220210	06/21/1996	SECY-96-134 - Options for Pursuing Regulatory Improvement in Fire Protection Regulations for Nuclear Power Plants	Taylor J M	NRC/EDO
ML003753894	10/02/1996	Staff Requirements - SECY-96-134 - Options for Pursuing Regulatory Improvement in Fire Protection Regulations for Nuclear Power Plants	Hoyle J C	SECY
NUDOCS Acc# 9709180128	06/19/1997	SECY-97-127 - Development of a Risk-Informed, Performance-Based Regulation for Fire Protection at Nuclear Power Plants	Callan L J	NRC/EDO
ML003752094	09/11/1997	Staff Requirements - SECY-97-127 - Development of a Risk-Informed, Performance-Based Regulation for Fire Protection at Nuclear Power Plants	Hoyle J C	SECY
ML992910106	03/26/1998	SECY-098-058, Development of a Risk-Informed, Performance-Based Regulation for Fire Protection at Nuclear Power Plants	Callan L J	NRC/EDO

NUDOCS Acc. #9807070221	06/30/98	Commission vote sheets on SECY-98-058	Hoyle J C	SECY
ML003753120	06/30/1998	Staff Requirements - SECY-98-058 - Development of a Risk-Informed, Performance-Based Regulation for Fire Protection at Nuclear Power Plants	Hoyle J C	SECY
ML992920087	10/27/1998	SECY-98-247 - Risk-Informed, Performance-Based Fire Protection at Nuclear Power Plants	Travers W D	NRC/EDO
NUDOCS Acc. #9902260113	02/18/1999	Ltr from ACRS to NRC Chairman Re draft NFPA 805 and proposed rulemaking	Powers D A	ACRS
ML992800054	06/07/1999	SECY-99-152 - Status of Reactor Fire Protection Projects	Travers W D	NRC/EDO
ML003752018	06/24/1999	Staff Requirements - SECY-99-152 - Status of Reactor Fire Protection Projects	Vietii-Cook A	SECY
ML003671923	01/13/2000	SECY-00-009 - Rulemaking Plan, Reactor Fire Protection Risk-Informed, Performance-Based Rulemaking (WITS Item 199900032)	Travers W D	NRC/EDO
ML003686326	02/09/2000	Commissioner McGaffigan's Comments on: Rulemaking Plan: Reactor Fire Protection Risk-Informed, Performance-Based Rulemaking (WITS ITEM 199900032)	McGaffigan E	NRC/OCM
ML003686350	02/24/2000	Staff Requirements - SECY-00-009 - Rulemaking Plan, Reactor Fire Protection Risk-Informed, Performance-Based Rulemaking (WITS Item 199900032)	Vietii-Cook A	SECY

ML010300060	02/27/2001	Reply to R Beedle, NEI, re concerns for NFPA 805 rulemaking	Meserve R A	OCM
ML012570235	09/13/2001	Ltr from A Marion, NEI, Re resolution of concerns for NFPA 805 rulemaking	Marion A	Nuclear Energy Institute
ML012560401	10/09/2001	Memo to Commission on status of actions for fire protection rulemaking revised schedule	Travers W D	EDO
ML013460238	12/12/2001	Memo to RDB to post Draft Rule Wording on the NRC Ruleforum	Hannon J N	NRR/SPLB
ML020390248	02/07/2002	Comments from A Marion, NEI, on draft proposed rule language from Ruleforum	Marion A	NEI
ML020870207	03/28/2002	Request for Full ACRS Committee Meeting on NFPA 805 Fire Protection Rulemaking and Subcommittee Meeting on NEI 00-01 Post-fire Safe-shutdown Circuit Analysis	Hannon J	NRR/SPLB
ML021060141	04/09/2002	Comments from NEI on Draft Proposed Rule Language for NFPA 805 Fire Protection Rulemaking	Marion A	Nuclear Energy Institute
ML021270125	05/08/2002	Concurrence on Part 50 Proposed Rulemaking Package: Light Water Reactor Adoption of Risk-Informed, Performance-Based Fire Protection Requirements (NFPA 805)	Holahan G M	NRR/DSSA
ML021360326	05/16/2002	Ltr to ACRS in advance of 6/4/2002 briefing on NFPA 805 RULEMAKING	Black S	NRR/DSSA

ML021890511	05/21/2002	Press Release: NRC Advisory Committee on Reactor Safeguards to Meet June 6 - 8 in Rockville, Maryland		NRC/OPA
ML021700048	06/04/2002	Transcript of Advisory Committee on Reactor Safeguards Fire Protection Committee 6/4/02		ACRS
ML021550194	06/04/2002	Agenda for the Committee to Review Generic Requirements Meeting Number 373	Ader C	CRGR
ML021700070	06/07/2002	Transcript of Advisory Committee on Reactor Safeguards, 493rd Meeting, 6/7/02		ACRS
ML021620040	06/11/2002	Informational Briefing for the CRGR NFPA 805 Performance-Based Standard for Fire Protection for LWRs	Weiss E	NRC/SPLB
ML021750329	06/17/2002	Recommendations from ACRS Re NFPA 805 rulemaking after 493 rd mtg 6/7/02	Apostolakis G	ACRS
ML021840715	07/03/2002	Minutes of the Committee to Review Generic Requirements Meeting Number 373	Ader C	CRGR
ML021300017	07/15/2002	SECY-02-0132 - Proposed Rule: Revision of 10 CFR 50.48 to Permit Light-Water Reactors to Voluntarily Adopt National Fire Protection Association (NFPA) Standard 805, "Performance-Based Standard for Fire Protection for Light-Water Reactor Electric Generating Plants, 2001 Edition" (NFPA 805) as an Alternative Set of Risk-Informed, Performance-Based Fire Protection Requirements (WITS 199900032)	Travers W D	NRC/EDO

ML021300030	07/15/2002	SECY-02-0132 - Attachment 1, <i>Federal Register</i> Notice	Travers W D	NRC/EDO
ML021300034	07/15/2002	SECY-02-0132 - Attachment 2, Regulatory Analysis	Travers W D	NRC/EDO
ML021300039	07/15/2002	SECY-02-0132 - Attachment 3, Environmental Assessment	Travers W D	NRC/EDO
ML021780056	07/16/2002	EDO reply to ACRS comments on NFPA 805 rulemaking	Travers W D	NRC/EDO
ML022420057	08/22/2002	EDO Action Item for Reply to Letter from R Beedle NEI on Rulemaking for NFPA 805	Meserve R A	NRC/OCM
ML023050511	09/27/2002	OMB Statement - (PR) 10 CFR 50.48, "Fire Protection, Voluntary Adoption of NFPA 805 Fire Protection Requirements"	Shelton B J	NRC/SPLB
ML022760429	10/03/2002	Staff Requirements - SECY-02-0132 - Proposed Rule: Revision of 10 CFR 50.48 to Permit Light-water Reactors to Voluntarily Adopt National Fire Protection Association (Nfpa) Standard 805, "Performance- Based Standard for Fire Protection for Light-water Reactor Electric Generating Plants, 2001 Edition" as an Alternative Set of Risk-Informed, Performance-Based Fire Protection Requirements	Vietii-Cook A	SECY
ML022760429	10/03/2002	Commission Vote Sheets for SECY-02-0132	Vietii-Cook A	SECY

ML022830007	10/15/2002	Implementation of Commission Action: Proposed Rulemaking — Addition of National Fire Protection Association (NFPA) Standard 805 to 10 CFR 50.48, Fire Protection	Grimes C I	NRR/RPRP
ML023240044	10/17/2002	NRC Form 408: Assessment of Proposed Information Collection, Proposed Rule for NFPA 805	Shelton B J	NRC/OCIO
ML022830032	10/28/2002	Congressional Letters for NFPA 805 Rulemaking	Rathbun D K	OCA
ML022490006	10/30/2002	Reply to R Beedle, NEI Re NFPA 805 rulemaking issues	Meserve R A	OCM
ML023090298	11/05/2002	Press Release: NRC to issue proposed rule on NFPA 805 for public comment		OCIO
ML023450539	12/2002	Regulatory History Memo and Index for NFPA 805 Rulemaking - Proposed rule.	Birmingham J L	NRR/RPRP
ML023570335	12/19/2002	Comment (1) submitted by Wayne D. Holmes on Proposed Rule PR-50, re Voluntary Fire Protection Requirements for Light-Water Reactors.	Holmes, W D	Public Citizen
ML030230288	01/15/2003	Comment (2) submitted by Counsel Thomas C. Poindexter, Patricia Campbell on behalf of NUBARG re Proposed Rule PR-50, Voluntary Fire Protection Requirements for Light-Water Reactors; Adoption of NFPA 805 as a Risk-Informed, Performance-Based Alternative.	Poindexter, T C Campbell, P	NUBARG

ML030160870	01/15/2003	Comment (3) submitted by Nuclear Management Company, LLC, Edward Weinkam, on Proposed Rule PR-50 re Voluntary Fire Protection Requirements for Light Water Reactors; Adoption of NFPA 805 as a Risk-Informed, Performance-Based Alternative.	Weinkam, E	Nuclear Management Company, LLC (NMC)
ML030160873	01/15/2003	Comment (4) submitted by Nuclear Energy Institute, Alex Marion, on Proposed Rule, Voluntary Fire Protection Requirements for Light Water Reactors; Adoption of NFPA 805 as a Risk-Informed, Performance-Based Alternative.	Marion, A	Nuclear Energy Institute (NEI)
ML030170147	01/15/2003	Comment (5) submitted by Nuclear Information and Resource Service(NIRS), Paul Gunter re Proposed Rule PR-50, Voluntary Fire Protection Requirements for Light Water Reactors: Adoption of NFPA 805 as a Risk-Informed, Performance Based Alternative.	Gunter, P	Nuclear Information and Resource Service, (NIRS)
ML030230293	01/15/2003	Comment (6) submitted by Dominion Generation, Stephen P. Sarver, re Proposed Rule PR-50, Voluntary Fire Protection Requirements for Light Water Reactors; Adoption of NFPA 805 as a Risk-Informed, Performance-Based Alternative.	Sarver, S P	Dominion Generation

ML030230345	01/15/2003	Comment (7) submitted by Law Offices of Sheldon L. Trubatch re Proposed Rule PR-50, Voluntary Fire Protection Requirements for Light Water Reactors; Adoption of NFPA 805 as a Risk-Informed, Performance-Based Alternative.	Trubatch, S L	Law Offices of Sheldon L. Trubatch
ML030240260	01/15/2003	Comment (8) submitted by Strategic Teaming and Resource Sharing (STARS), D.R. Woodlan, re Proposed Rule PR-50, Voluntary Fire Protection Requirements for Light Water Reactors; Adoption of NFPA 805 as Risk-Informed, Performance-Based Alternative.	Woodlan, D R	Strategic Teaming and Resource Sharing (STARS)
ML040430331	02/10/2004	Comment (9) submitted by Gaines E. Bruce on Proposed Rule PR-50 re Voluntary Fire Protection Requirements for Light Water Reactors; Adoption of NFPA 805 as a Risk-Informed, Performance-Based Alternative.	Bruce, E G	Affiliation unknown
ML030640003	02/13/2003	Letter from A. Marion NEI to J. Hannon NRC on 02/13/2003 re: regulatory incentives for licensee adoption of NFPA 805 fire protection program.	Marion A	Nuclear Energy Institute (NEI)
ML031350530	05/15/2003	Letter from A. Marion NEI to J. Hannon NRC, transmitting Rev. D of NEI 04-01 Guidance for Implementing Risk-Informed, Performance-Based Fire Protection Program Under 10 CFR 50.48(c), ref. NFPA 805 rulemaking.	Marion A	Nuclear Energy Institute (NEI)

ML032100344	07/29/2003	Draft update to NFPA 805 rule language with changes from public comments incorporated 07/29/2003. To be posted on Ruleforum.	Birmingham J L	Nuclear Regulatory Commission NRR/DRIP
ML032450186	08/28/2003	NRC Letter To NEI February 13, 2003 letter. Responds to Request for NRC Consideration of NEI Proposed Pre-Transition & Post-Transition Incentives to Enhance Likelihood for Licenses to Adopt Risk-Informed, Performance-Based Fire Protection Rule.	Hannon, J N	Nuclear Regulatory Commission NRR/DSSA
ML040340015	09/11/2003	NEI proposed adoption of certain regulatory incentives for adoption of NFPA 805	Marion A	Nuclear Energy Institute (NEI)
ML032690152	09/26/2003	Final rule - Memo to ACRS requesting information on need for further review of NFPA (internal memo, not publicly available)	Haney, C	Nuclear Regulatory Commission NRR/DRIP
ML033160462	11/05/2003	Letter from A Marion, NEI, on NEI 04-02 2implementing guidance and with comments on issues for Chapter 3 of NFPA 805	Marion A	Nuclear Energy Institute (NEI)
ML033460264	12/12/2003	Letter from ACRS Re: Draft Final Rule Revising 10 CFR 50.48, "Fire Protection," to Permit Licensees to Voluntarily Adopt Fire Protection Requirements Contained in National Fire Protection Association Standard 805 (NFPA 805)	Bonaca, M V	Advisory Committee on Reactor Safeguards
ML040120012	12/18/03	12-18-03 Letter Alex Marion, NEI to John Hannon NRC, re Industry position for transition process to NFPA 805 and Enforcement Discretion Period including Letter of Intent and Amendment Request.	Marion A	Nuclear Energy Institute (NEI)

ML040200025	01/20/2004	Request to Waive Review of Final Rule for a Revision to 10 CFR 50.48, Fire Protection to Allow Voluntary Compliance with NFPA Standard 805. (Internal memo, not publicly available)	Haney, C	Nuclear Regulatory Commission NRR/DRIP
ML040210035	01/22/2004	Concurrence request memo: Final Rule - Revision of 10 CFR 50.48 to Allow Voluntary Adoption of NFPA 805, "Performance-Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants" (not publicly available)	Haney, C	Nuclear Regulatory Commission NRR/DRIP
ML033440427	01/22/2004	Draft SECY paper: Att 1 to concurrence request ADAMS ML040210035 (not publicly available)	Haney, C	Nuclear Regulatory Commission NRR/DRIP
ML033180227	01/22/2004	Draft FRN w/final rule: Att 2 to concurrence request ADAMS ML040210035 (not publicly available)	Haney, C	Nuclear Regulatory Commission NRR/DRIP
ML030970454	01/22/2004	Reg. Analysis: Att 3 to concurrence request ADAMS ML040210035 (not publicly available)	Haney, C	Nuclear Regulatory Commission NRR/DRIP
ML033440262	01/22/2004	Env. Assessment: Att 4 to concurrence request ADAMS ML040210035 (not publicly available)	Haney, C	Nuclear Regulatory Commission NRR/DRIP
ML040210077	01/22/2004	Revised Federal Register Notice - Revision of the NRC Enforcement Policy: Att 5 to concurrence request ADAMS ML040210035 (not publicly available)	Haney, C	Nuclear Regulatory Commission NRR/DRIP
ML033510244	01/22/2004	Draft Congressional Ltrs.: Att 6 to concurrence request ADAMS ML040210035 (not publicly available)	Haney, C	Nuclear Regulatory Commission NRR/DRIP

ML033570405	02/10/2004	Project Number: 689. Informs that NRC Staff Proposed Requested Additional Incentive in SECY Paper for NFPA 805 Rule for Commission Approval.	Hannon J N	Nuclear Regulatory Commission NRR/DSSA
ML040480082	02/13/2004	Concurrence on final rule - revision of 10CFR 50.48 to allow voluntary adoption of NFPA 805, "Performance-Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants"	Thadani, A C	Nuclear Regulatory Commission NRC/RES
ML040650217	03/09/2004	Request to Waive Review of Final Rule for a Revision to 10 CFR 50.48, Fire Protection, to Allow Voluntary Compliance With NFPA Standard 805. (not publicly available)	Borchardt R W	Nuclear Regulatory Commission NRC/NRR
ML040540511	03/29/2004	Package for Final Rule on 10 CFR 50.48	NA	Nuclear Regulatory Commission
ML040540518	03/29/2004	SECY-04-Xxxxx- "Final Rule: Revision of 10 CFR 50.48 to Allow Performance-based Approaches Using National Fire Protection Association (NFPA) Standard 805 (NFPA 805), "Performance-based Standard for Fire Protection for Light Water Reactor Electric." (not publicly available)	Travers W D	Nuclear Regulatory Commission NRC/EDO
ML040540680	03/29/2004	Att 1 to Package for Final Rule on 10 CFR 50.48(ML040540518) FRN for final rule	Travers W D	Nuclear Regulatory Commission NRC/EDO
ML040540542	03/29/2004	Att 2 to Package for Final Rule on 10 CFR 50.48(ML040540518) Reg Analysis for final rule	Travers W D	Nuclear Regulatory Commission NRC/EDO

ML033440262	03/29/2004	Att 3 to Package for Final Rule on 10 CFR 50.48(ML040540518) Env Assesment for final rule	Travers W D	Nuclear Regulatory Commission NRC/EDO
ML033440262	03/29/2004	Att 4 to Package for Final Rule on 10 CFR 50.48(ML040540518) FRN for enforcement policy revision for final rule	Travers W D	Nuclear Regulatory Commission NRC/EDO
ML041260281	04/30/2004	Letter from Fertel, NEI, with comments on SECY-04-0050	Fertel, M S	Nuclear Energy Institute (NEI)
ML041320421	05/11/2004	Commission voting record for SECY-04-0050	Commission	Nuclear Regulatory Commission NRC
ML041320185	05/11/2004	Commission SRM for SECY-04-0050	Vietti-Cook A	Nuclear Regulatory Commission NRC
ML041320172	05/13/2004	Letter to Floyd, NEI, responding to 4/30/2004 letter from Fertel, NEI, with comments on SECY-04-0050.	Haney C	Nuclear Regulatory Commission NRC
ML041380054	05/18/2004	Transmittal memo to M Lesar ADM requesting publication of final rule 10 CFR 50.48	Haney C	Nuclear Regulatory Commission NRC