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U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Westinghouse Owners Group
Request for Enforcement Discretion for Reactor Coolant Pump
Seal Performance Findings in Triennial Fire Protection Inspections
(PA-WOG-0107, Rev. 1)

Pursuant to discussions between the Westinghouse Owners Group (WOG) and the Nuclear Regulatory Commission (NRC) staff at a June 22, 2004 public meeting on fire protection issues, the WOG requests that the NRC exercise enforcement discretion with respect to findings, or potential findings, from Triennial Fire Protection Inspections that are a result of reactor coolant pump (RCP) seal performance following a loss of all seal cooling event. Specifically, the WOG requests that the dispositioning of any currently identified or future inspection findings related to RCP seal performance be suspended until resolution of the underlying technical issues can be generically resolved between the WOG and the NRC staff.

This request is a follow-up from preliminary discussions between the WOG and the NRC staff at the NRC / NEI meeting to discuss the status of fire protection issues on June 22, 2004. At that meeting, the WOG identified that two fundamental technical issues were central to the findings that have been identified at five plants using Westinghouse RCPs and seal packages. Each of the issues involves the leakage characteristics following a loss of all seal cooling and can be summarized as:

- the leakage characteristics of the seals if seal injection is restored to the seal, and
- the leakage characteristics of the seals if no seal cooling is restored to the seal.

The findings are a result of the NRC's application of two WOG products: a recommended change to the generic WOG Emergency Response Guideline for the Loss of All AC Power and the WOG model for RCP seal leakage for Probabilistic Risk Assessments. Specifically, the NRC's findings, applying these products, conclude that pressurizer level would not be maintained on-scale throughout the fire scenario using

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coping strategies that were previously developed and approved by the NRC staff. For both issues, it is the contention of the affected licensees, supported by Westinghouse and the WOG, that the information has not been used in an appropriate manner in the fire protection inspections.

The WOG currently has work in progress in several areas that will provide additional technical bases supporting the conclusion that the current inspection findings are not appropriate:

- a program to obtain and assess existing test data from Electricite' de France (EdF) on the performance of RCP seals when seal injection is restored after a prolonged period without cooling,
- a program to provide a technical basis for exemption requests for the safe shutdown requirements in Appendix R (G.1.A and L.2.b) based on the level of conservatism in these requirements, and
- a program to quantify the conservatism in the PRA model for RCP seal performance that is being applied in fire protection inspections.

The first two programs are expected to be completed at the beginning of the fourth quarter of 2004 and a WOG resolution strategy is expected by the end of 2004. The WOG contends that this schedule constitutes timely issue resolution given the relatively low preliminary significance assigned by the NRC for those plants where findings have been identified. In addition, analyses performed by several licensees have shown that, while the Appendix R criterion cannot be met using these NRC models, the core remains covered and cooled throughout the fire scenario.

Over the past year, significant licensee and staff resources have been expended to address these findings at each plant where they have been identified. Further, the WOG projected that these same issues were likely to result in findings at plants undergoing fire protection inspections in the future. The WOG proposes that the underlying issues be resolved generically with the NRC staff and that the subsequent resolution be applied to all licensees in a timely manner. This approach offers two distinct advantages:

- it maximizes the use of industry and NRC resources toward the generic resolution of the underlying issues, and
- it provides a clear resolution to the models and assumptions to be used in fire protection inspections relative to RCP seal performance so that recurring findings from plant-to-plant should not occur in the future.

As an interim measure, the WOG has requested that Westinghouse issue a Technical Bulletin, or other communication means as might be appropriate, to all customers with Westinghouse RCP seal packages that:

- describes the potential issues with the performance of the RCP seals in assessing Appendix R coping strategies, including the Westinghouse and NRC staff positions on the issues,
- describes the key plant specific features that could lead to similar findings being identified at plants in future fire protection inspections,

- discusses those plant specific features that have been found to contribute to the low safety significant findings to enable individual licensees to make a high level safety assessment of their plant, and
- discusses the potential for compensatory measures that may need to be implemented on a plant specific basis until generic resolution of the issue is achieved.

The WOG intends to open dialogue with the appropriate NRC staff in working toward a generic resolution of the RCP seal performance issue in regulatory space. Although new technical information will not be documented in a form that can be transmitted to the NRC until later in 2004, it is appropriate to discuss the technical approaches and preliminary findings with the NRC at an earlier time to assure a timely resolution of the issues.

Sincerely,



Frederick P. "Ted" Schiffley, II
Chairman, Westinghouse Owners Group

cc: WOG Steering Committee
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