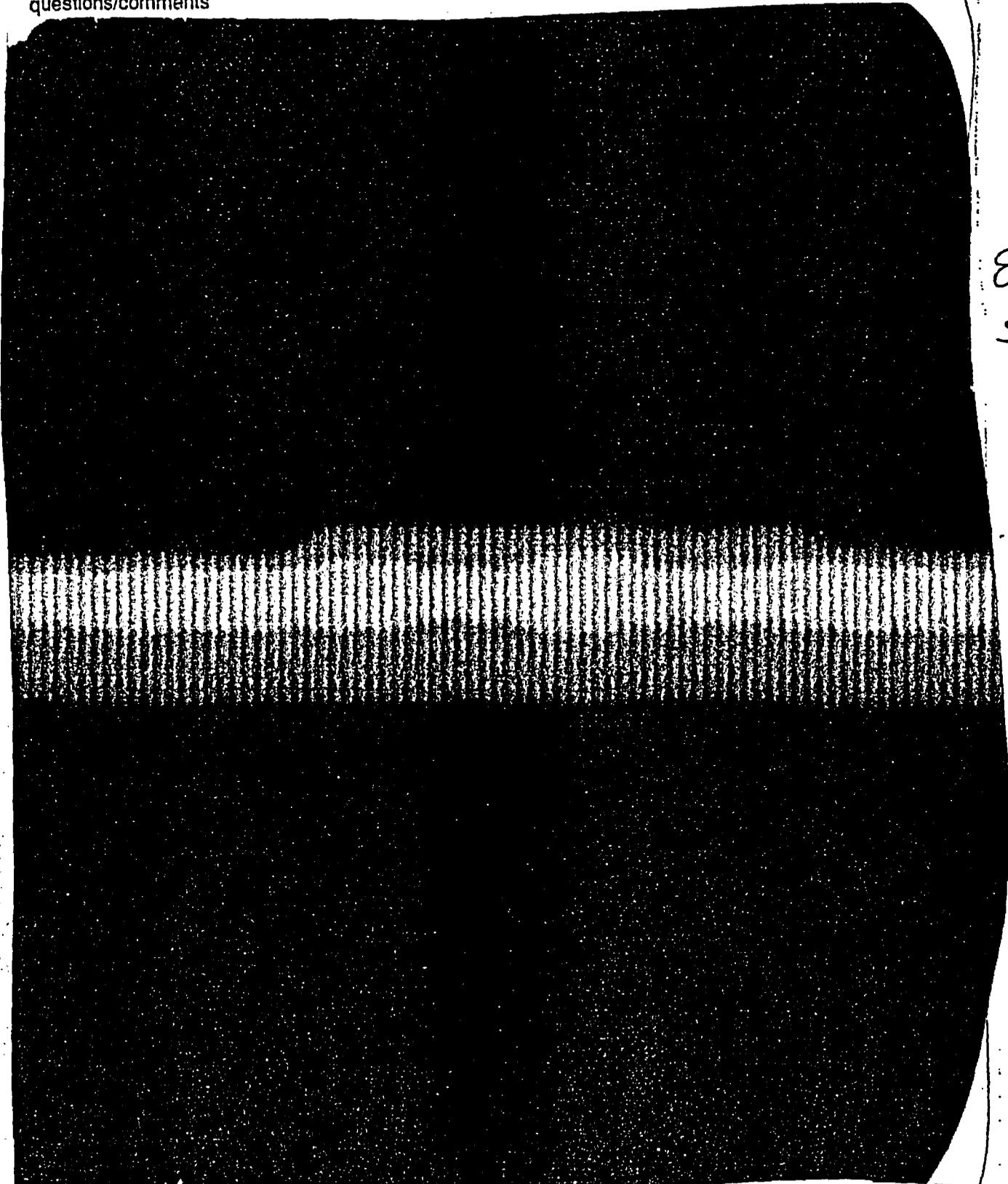


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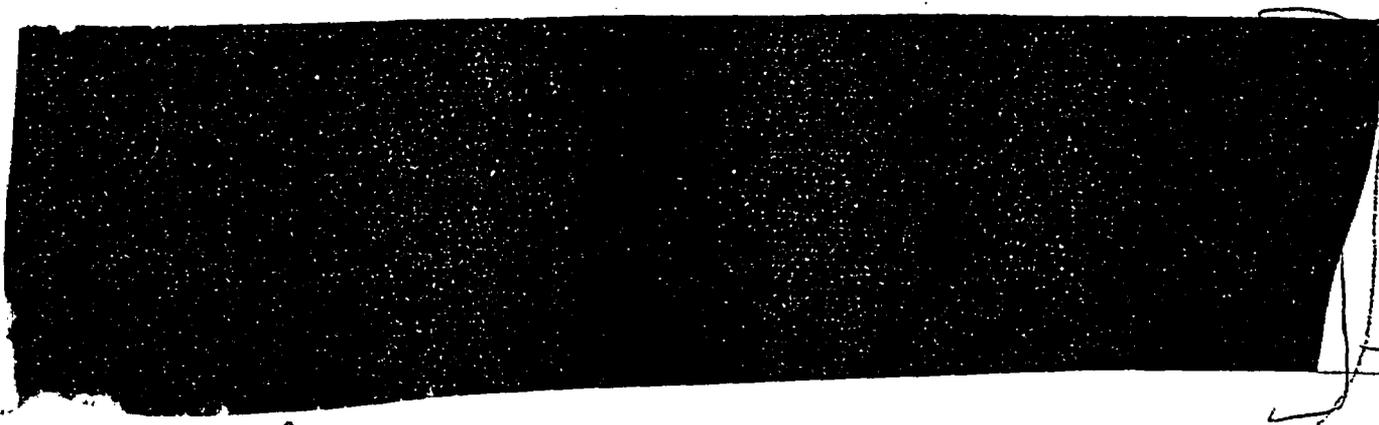
From: Sunil Weerakkody , *NRA*  
To: Daley, Robert; Qualls, Phil  
Date: Tue, Aug 19, 2003 8:57 AM  
Subject: Re: One and half page white paper on Fir Protection Comp Measures for your questions/comments



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Information in this record was deleted  
in accordance with the Freedom of Information  
Act, exemptions 5  
2004-177

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>>> Robert Daley 08/18/03 04:51PM >>>  
Phil,

If the manual action becomes the compensatory measure, how long can it be in place before the permanent fix needs to be made? GL 91-18 is not that specific; it talks about a "reasonable time frame." However, it also states, "if an operability determination is based upon operator action, NRC would expect the nonconforming condition to be resolved expeditiously." Are we going to be able to say that the licensee will do this? Or, are we going to label these as compensatory measures with the full knowledge that they won't be resolved expeditiously? If so, this doesn't seem right.

Additionally, if we define these manual actions as compensatory measures, then wouldn't each manual action require an "adverse to safe shutdown" evaluation? After all, this compensatory action is a temporary change to the Fire Protection Program, and therefore would require such an evaluation just like a compensatory measure that results in a temporary change to the facility as described in the SAR. This seems very messy, and it has a double-edged sword. First of all, it will result in the industry performing a whole boat-load of "Adverse to Safe Shutdown" evaluations, and for those plants that are BTP plants and not subject to the rule, by performing a valid (if one indeed can be valid.) "Adverse to Safe Shutdown" evaluation, the BTP plants will have in essence changed their program in accordance with the license condition, and they will now have the NRC's blessing to perform manual actions.

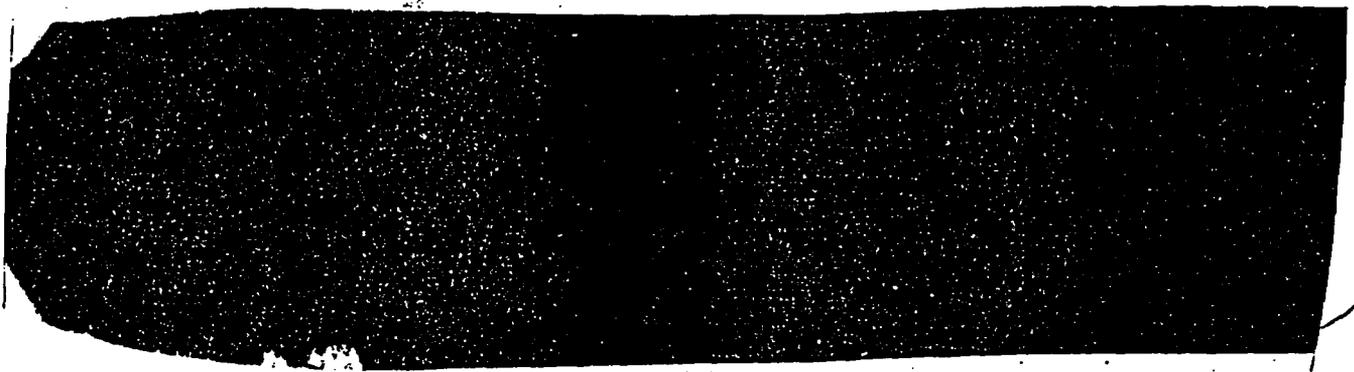
If you have any questions, or just want to yell at me because you think I'm out to lunch, feel free to call. I'll be glad to discuss.

Thank!

Bob Daley

NRC

>>> Sunil Weerakkody 08/17/03 10:58AM >>>



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CC: Khamphoui, Orada; Klein, Alex; Lara, Julio; Salley, Mark