May 9, 2005

MEMORANDUM TO: Sher Bahadur, Chairman
Committee to Review Generic Requirements

FROM: R. William. Borchardt, Director /***RA***/ *by B. Sharon /for/*
Office of Nuclear Reactor Regulation

SUBJECT: REQUEST FOR REVIEW AND ENDORSEMENT OF THE PROPOSED REGULATORY GUIDE ENTITLED "RISK-INFORMED, PERFORMANCE-BASED FIRE PROTECTION FOR EXISTING LIGHT-WATER NUCLEAR POWER PLANTS"

The Office of Nuclear Reactor Regulation (NRR) requests that the Committee to Review Generic Requirements (CRGR or Committee) review and endorse the subject regulatory guide, which is provided as Attachment 1 to this memorandum. After receiving CRGR endorsement, the staff will request the Office of Research to publish the regulatory guide.

The proposed regulatory guide is in support of the Commission's requirements for the risk-informed, performance-based fire protection rule {10 CFR 50.48(c)}. The rule is voluntary and is offered as an alternative to the deterministic requirements of 10 CFR 50.48(b), Appendix R. This rule endorses the National Fire Protection Association (NFPA) consensus standard, NFPA 805, "Performance-Based Standard for Fire Protection for Light Water Reactor Electric Generating Stations, 2001 Edition." The regulatory guide endorses Nuclear Energy Institute's (NEI) guide NEI 04-02, "Guidance for Implementing a Risk-Informed, Performance-Based Fire Protection Program Under 10 CFR 50.48(c)," Revision 0. NEI 04-02 provides detailed guidance for transitioning to and complying with 10 CFR Part 50.48(c). Since the rule is voluntary, no backfit is intended and, therefore, the staff has not performed a backfit analysis.

SPLB is scheduled to publish the Regulatory Guide in July and is requesting a CRGR review and endorsement. We have scheduled a meeting with the CRGR on May 24th, to provide details of this regulatory guide. Attachment 2 to this memorandum provides the responses to questions contained in Appendix C of the CRGR Charter. The Office of the General Council (OGC) is in the process of reviewing this document and a determination of "no legal objections" is expected. The Advisory Committee on Reactor Safety (ACRS) is in process of reviewing this document and their endorsement is expected.

Attachments: As stated

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Package Accession Number: ML051250232
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