

January 3, 2006

Mr. Karl W. Singer
Chief Nuclear Officer and
Executive Vice President
Tennessee Valley Authority
6A Lookout Place
1101 Market Street
Chattanooga, TN 37402-2801

SUBJECT: BROWNS FERRY NUCLEAR PLANT, UNIT 1 — REQUEST FOR
INFORMATION REGARDING FIRE PROTECTION PROGRAM
(TAC NO. MC8826)

Dear Mr. Singer:

The purpose of this letter is to request specific, detailed information regarding the fire protection program that will be implemented at Browns Ferry Nuclear Plant (BFN), upon restart of Unit 1. Specifically, the U. S. Nuclear Regulatory Commission (NRC) staff is requesting information regarding fulfillment of a commitment made in a letter dated March 19, 1993, with regards to submitting an Appendix R Safe Shutdown program to address combined operation of all three BFN units.

On November 4, 2005, the NRC completed an inspection associated with recovery activities at BFN, Unit 1. This inspection focused on the Special Program for Fire Protection. The inspectors reviewed the activities conducted under the Unit 1 license as they relate to safety and compliance with the Commission's rules and regulations and with the conditions of the license and also with fulfillment of Unit 1 Regulatory Framework Commitments. Details of the inspection are provided in Inspection Report 05000259/2005016, dated December 2, 2005 (ADAMS Accession No. ML0533903420).

During the inspection, the inspectors compared the Fire Protection Report for BFN, Units 2 and 3 to the draft under development for restart of Unit 1 and for combined three-unit operation. The Fire Protection Report at BFN consists of the Fire Protection Plan, Fire Hazards Analysis, Safe Shutdown Analysis, and Appendix R Safe Shutdown Program. The inspection, along with a review of docketed correspondence, indicates that various commitments have been made to the NRC regarding changes to the fire protection program and/or station modifications that are applicable to all three BFN units.

During the recovery and restart of BFN, Units 2 and 3, between 1985 and 1995, the Tennessee Valley Authority (TVA) submitted several requests for license amendments and exemptions to the regulations, and made various commitments to implement station modifications required for compliance with Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.48 and 10 CFR Part 50, Appendix R, and for implementing the guidance of Generic Letter 86-10, "Implementation of Fire Protection Requirements."

By letter dated April 13, 1992, as amended by letter dated March 19, 1993, TVA submitted a request for changes to the BFN, Units 1, 2 and 3 Technical Specifications. TVA proposed that the existing license condition on fire protection be replaced with the standard condition noted in Generic Letter 86-10 and proposed additional changes to relocate fire protection program related requirements and to modify administrative control requirements. In a letter dated March 19, 1993, TVA committed to submit, for NRC review and approval, the Appendix R Safe Shutdown Program covering combined operation of all three units. TVA also committed in this letter to update the applicable license conditions to reflect a multi-unit Appendix R Safe Shutdown Program as Units 1 and 3 Appendix R Safe Shutdown Programs were approved by the NRC staff.

In response, the NRC issued a license amendment for all three BFN units via letter and Safety Evaluation dated April 1, 1993. The transmittal letter discusses the NRC staff's understanding of the Appendix R Safe Shutdown Program at BFN. The letter states:

The NRC staff recognizes that the Appendix R Safe Shutdown Program at BFN, contained in the Fire Protection Program does not accommodate operation of BFN, Units 1 and 3. By letter dated December 15, 1992, TVA submitted the Appendix R Safe Shutdown Program for combined operation of Units 2 and 3 for staff review and approval. Additionally, TVA has committed to submit the Appendix R Safe Shutdown Program for BFN, Units 1, 2, and 3, for staff review and approval prior to Unit 1 restart. However, as discussed with TVA on March 15, 1993, and documented by TVA letter dated March 19, 1993, TVA must submit an application to amend the BFN licenses prior to restart of Unit 3 and then Unit 1. These license amendments will revise the fire protection license condition of Units 1, 2, and 3, to reflect each succeeding staff safety evaluation approving the Appendix R Safe Shutdown Program as incorporated in the BFN Fire Protection Report for Unit 2/3 operation and then finally for Unit 1/2/3 operation.

By letter and Safety Evaluation dated November 2, 1995 (ADAMS Accession No. ML020040025), the NRC staff issued license amendments for BFN Units 1, 2, and 3, for the Appendix R Safe Shutdown Program for Unit 2 and 3 operation. This Safety evaluation is based on the BFN Fire Protection Report that supports Unit 2 and 3 operation with Unit 1 shutdown and defueled. This completed the actions necessary to satisfy this commitment for the combined operation of Units 2 and 3.

The NRC staff has not identified any docketed correspondence that discusses the status of the Appendix R, Safe Shutdown Program for combined operation of BFN, Units 1, 2, and 3 as committed to in TVA's letter of March 19, 1993. The NRC staff has reviewed the TVA's letters dated December 13, 2002 (ADAMS Accession No. ML023600026), and February 28 (ADAMS Accession No. ML030700581) and June 11, 2003 (ADAMS Accession No. ML031630811), regarding the regulatory framework for the restart of BFN, Unit 1, and the most recent Quarterly Status Update provided by TVA by letter dated November 21, 2005 (ADAMS Accession No. ML053260247), and has not found a discussion of this commitment or its status.

It should be noted that the regulatory framework letter represents a compilation of actions necessary to modernize the licensing basis of BFN, Unit 1, and does not supersede any prior commitment or obligation.

The NRC staff is requesting information regarding the status of this commitment, a discussion of the means for fulfillment of the commitment, and a discussion of the reason this commitment was not included in the correspondence related to the regulatory framework for the restart of Unit 1. Please also provide a listing of other commitments related to 10 CFR 50.48 and Appendix R compliance pertinent to operation of Unit 1 that have been made since 1985. For each commitment, please include a reference to the document that initiated the commitment, the status of the commitment, and a discussion of the means for fulfillment of the commitment.

This request was discussed with William Crouch of your staff on December 21, 2005. The NRC staff requests that a response be provided within 30 days of the issuance of this letter. If you have any questions, please contact me at 301-415-4041.

Sincerely,

/RA/

Margaret H. Chernoff, Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-259

cc: See next page

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Sincerely,

/RA/

Margaret H. Chernoff, Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

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BROWNS FERRY NUCLEAR PLANT

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