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Constellation Energy
Generation Group

April 17, 2006

U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

ATTENTION: Document Control Desk

SUBJECT: **Calvert Cliffs Nuclear Power Plant**
Unit Nos. 1 & 2; Docket Nos. 50-317 & 50-318
Nine Mile Point Nuclear Station
Unit Nos. 1 & 2; Docket Nos. 50-220 & 50-410
R.E. Ginna Nuclear Power Plant
Docket No. 50-244

Letter of Intent to Adopt NFPA 805 – Performance-Based Standard for Fire Protection for Light Water Reactor Generation Plants, 2001 Edition

REFERENCES:

(a) National Fire Protection Association (NFPA) 805 (Performance-Based Standard for Fire Protection for Light Water Reactor Generation Plants, 2001 Edition)

(b) Letter from J. M. Heffley (CGG) to Document Control Desk (NRC), Letter of Intent to Adopt NFPA 805 – Performance-Based Standard for Fire Protection for Light Water Reactor Generation Plants, 2001 Edition, dated December 19, 2005

This letter serves to inform you that Constellation Generation Group, LLC (CGG) intends to adopt Reference (a) in accordance with 10 CFR 50.48(c) for Calvert Cliffs Nuclear Power Plant (CCNPP) and Nine Mile Point Nuclear Station (NMPNS). Reference (b) stated our intent to adopt National Fire Protection Association (NFPA) 805 for R.E. Ginna Nuclear Power Plant (Ginna). Also in Reference (b), we stated that we were evaluating the potential to adopt NFPA 805 for NMPNS and CCNPP and would advise you of our decision by May 1, 2006. This letter serves as the notice of that decision.

The Nuclear Regulatory Commission has encouraged licensees to consider the benefits of NFPA 805 and to transfer the plant's fire protection program to this standard in accordance with 10 CFR 50.48(c). Constellation Generation Group recognizes that the overall benefit of NFPA 805 is to ensure optimum focus on enhancing plant safety through the use of performance-based standards and risk-informed decision-making techniques.

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Transition to the performance-based standard for fire protection is being implemented as a fleet initiative. Ginna started the initiative on December 31, 2005 and will be followed in a staggered fashion according to the following start date schedule.

Ginna	December 31, 2005 (in progress)
NMPNS, Unit 1	May 1, 2006
CCNPP, Units 1 and 2	May 1, 2007
NMPNS, Unit 2	May 1, 2008

This staggered transition schedule is appropriate to ensure high quality analysis and use common resources in the most efficient manner. Additionally, within CGG, and the nuclear industry in general, there are a limited number of experts in the areas of electrical engineering (circuit analysis), system engineering, and Appendix R safe shutdown available to support reconstitution of the Appendix R design basis and the transition to NFPA 805. Finally, we want to incorporate lessons learned within the CGG fleet as we progress through the transition schedule.

As expressed in Reference (b), we expect the implementation activities at each of these facilities to take approximately three years and include:

Phase I – Preliminary Assessment of the Current Fire Protection Program

- Technical and regulatory assessments performed to determine the feasibility and practicality of performing the transition.

Phase II – Reviews and Engineering Analysis

- Completion of a fire protection probabilistic risk assessment.
- Fundamental fire protection program and design elements review.
- Nuclear safety performance criteria transition review.
- Non-power operational mode transition review.
- Radiological release transition review.
- Change evaluations.
- License amendment request submittal.

We request three years of enforcement discretion for the non-safety significant noncompliances beginning with the implementation dates stated in this letter. We understand that enforcement discretion will continue after the three year period until we receive the license amendment authorizing the transition to 10 CFR 50.48(c).

The phased approach may be subject to change as physical modifications or changes to the Fire Protection Program are determined to be necessary. At all CGG facilities, newly identified issues involving the potential for fire-induced circuit failures will be addressed by applying NFPA 805 risk-informed performance-based analytical methods to determine appropriate corrective action.

Since the transition to the NFPA 805 standard is a voluntary initiative, this correspondence contains no regulatory commitments.

Should you have any questions regarding the information in this submittal, please contact Mr. L. S. Larragoite at (410) 495-4922 or Louis.S.Larragoite@constellation.com.

Very truly yours,

JMH/EMT

cc: Director, Project Directorate I-1, NRC
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Resident Inspector, NRC (Calvert Cliffs)
Resident Inspector, NRC (Ginna)
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