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Dominion

July 21, 2008

ATTN: Document Control Desk
U. S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Serial No. 08-0451
LIC/CDS/R1
Docket No.: 50-305
License No.: DPR-43

DOMINION ENERGY KEWAUNEE, INC.
KEWAUNEE POWER STATION
LETTER OF INTENT TO ADOPT NFPA 805, PERFORMANCE-BASED STANDARD FOR FIRE PROTECTION FOR LIGHT WATER REACTOR GENERATING PLANTS, 2001 EDITION

The purpose of this letter is to inform the NRC that Dominion Energy Kewaunee (DEK) intends to adopt National Fire Protection Association (NFPA) Standard 805, "Performance-Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants, 2001 Edition," at Kewaunee Power Station (KPS) in accordance with 10 CFR 50.48(c).

KPS is beginning the transition to the performance based standard for fire protection. It is expected to take approximately thirty-six months to develop a License Amendment Request (LAR) to adopt NFPA 805, as required by 10 CFR 50.48(c).

10 CFR 50.48(c) in conjunction with NFPA 805, provides an alternate, performance based method to comply with NRC fire protection requirements. The NRC has encouraged licensees to consider the benefits of transitioning plant fire protection programs from their current prescriptive requirements to the new NFPA 805 standard (reference 1). DEK recognizes that the overall benefit of NFPA is in ensuring optimum focus on enhancing plant safety through the use of performance-based standards and risk informed decision-making techniques.

The KPS NFPA 805 transition process will consist of three phases:

Phase 1: **Preliminary Assessment of the Fire Protection Program**

- Assessment to determine the scope of activities and resources needed to perform the transition.

Phase 2: **Reviews and Engineering Analysis**

- Fire Probabilistic Risk Assessment
- Fundamental Fire Protection Program and Design Elements Assessment

- Radioactive Release Assessment
- Nuclear Safety Capability Assessment
- Non-Power Operational Modes Assessment
- Development of Change Evaluations and Transition Report
- Submittal of License Amendment Request

Phase 3: **Implementation**

- Completion of Program Document Changes

The transition process will be considered complete upon receipt of a License Amendment authorizing the transition to NFPA 805 at KPS.

The NRC has published an interim enforcement discretion policy pertaining to licensees who have provided notification of their intent to transition to NFPA 805 (references 2 and 3). This NRC enforcement policy provides enforcement discretion for certain noncompliances related to fire protection programs and the transition to NFPA 805. As outlined in this enforcement policy, the enforcement discretion will begin upon NRC receipt of a letter of intent to transition and will continue until the NRC completes its review of the licensee's LAR. This enforcement policy also provides for extension of the enforcement discretion period if adequate justification is provided.

DEK understands that this enforcement discretion does not apply to risk-significant issues (issues evaluated as Red under the Reactor Oversight Process) or issues that would be categorized as Severity Level I. In addition, DEK understands that issues eligible for enforcement discretion must be documented in the KPS corrective action program and appropriate interim compensatory measures implemented until compliance is either restored per 10 CFR 50.48(b) or achieved per 10 CFR 50.48(c).

If you have any questions or require additional information, please contact Mr. Craig Sly at (804) 273-2784.

Very truly yours,

Gerald T. Bischof
Vice President – Nuclear Engineering

References:

1. Final Rule: Voluntary Fire Protection Requirements for Light Water Reactors; Adoption of NFPA 805 as a Risk-Informed, Performance-Based Alternative (69 FR 33536, June 16, 2004).
2. NRC Enforcement Policy: Extension of Discretion Period of Interim Enforcement Policy (71 FR 19905, April 18, 2006).
3. Regulatory Guide 1.205, "Risk-Informed Performance-Based Fire Protection for Existing Light Water Nuclear Power Plants," May 2006.

Attachments: None

Commitments made by this letter: None

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