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NUCLEAR REGULATORY COMMISSION

ORIGINAL

COMMISSION MEETING

In the Matter of: PUBLIC MEETING

BRIEFING ON FIRE PROTECTION RULE
SCHEDULES AND EXEMPTIONS

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BRIEFING ON FIRE PROTECTION RULE SCHEDULES AND EXEMPTIONS

PUBLIC MEETING

Nuclear Regulatory Commission
Room 1130
1717 H Street, N. W.
Washington, D. C.

Tuesday, January 12, 1982

The Commission met, pursuant to notice, at
2:05 p.m.

BEFORE:

- NUNZIO PALLADINO, Chairman of the Commission
- VICTOR GILINSKY, Commissioner
- PETER BRADFORD, Commissioner
- JOHN AHEARNE, Commissioner
- THOMAS ROBERTS, Commissioner

ALSO PRESENT:

- S. CHILK
- B. FERGUSON
- V. BENAROYA
- W. JOHNSTON
- R. VOLLMER
- W. DIRCKS
- A. KENNEKE
- S. TRUBATCH
- J. TAYLOR
- T. WAMBACH

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DISCLAIMER

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1 PROCEEDINGS

2 CHAIRMAN PALLADINO: The meeting will please come
3 to order.

4 Today we will have a briefing on fire protection
5 rule schedules and exemptions. This is an item that I
6 gather has had a rather extended history and one in which
7 the Commission has a great deal of interest.

8 Unless any of the Commissioners have any opening
9 remarks they would like to make, I will turn the meeting
10 over to the staff.

11 MR. DIRCKS: Dick Vollmer is going to be leading
12 the discussion and it is more in the area of a status report
13 based on the Quarterly Report that we submitted on December
14 24th.

15 Dick, why don't you carry on.

16 MR. VOLLNER: Thank you.

17 The NRC fire brigade is at your service. What I
18 had planned on doing was covering very briefly the
19 background to lead us into our current status of reviews for
20 OL's and backfitting of Appendix R to operating reactors, a
21 discussion of the problems that we are currently having
22 primarily in the implementation of Appendix R for operating
23 reactors and how we intend on proceeding to solve these.

24 Unfortunately, the Quarterly Report No. 4 was
25 later than I had hoped in getting it down to you. It

1 discusses in more detail some of these procedures.

2 COMMISSIONER AHEARNE: The one that we got.

3 MR. VOLLNER: That is right. It is down here. As
4 I say, it came down later than I had wished for, but I think
5 we can cover orally some of the points that are to be made
6 there.

7 Before the fire at Browns Ferry, just to provide a
8 basis, the fire protection review by the staff was not very
9 detailed. If the applicant said that he had a fire
10 protection program and demonstrated to the staff that this
11 fire protection would not take out safety systems in the
12 event of an inadvertent actuation that constituted a large
13 part of the staff review at that time.

14 It is interesting to note that at that period in
15 time the staff encouraged or maybe even required licensees
16 who take out water suppression systems and halon and put in
17 CO₂, we are now in those plants that did that requiring
18 the reverse because we have learned since that the most
19 effective suppression is water.

20 It is also interesting to note that we have had a
21 number of licensing unusual events whereby water has
22 impaired the functionability of some of our safety related
23 equipment. So that is something that we are looking at now
24 and will try to see what the licensees aren't doing to
25 protect their equipment in the event of any inadvertent

1 actuation.

2 COMMISSIONER GILINSKY: Could you run over that
3 again?

4 MR. VOLLNER: I just happened to note that in the
5 beginning like before the Browns Ferry fire we were
6 primarily opposed to water.

7 COMMISSIONER GILINSKY: The water was in?

8 MR. VOLLNER: The water was in.

9 COMMISSIONER GILINSKY: But now you are saying
10 that we are running into the kinds of problems we were
11 worried about in the first place?

12 MR. VOLLNER: We have run into a couple of those
13 in the past few months and we are taking a look at them to
14 see if they are generic. They have primarily been the
15 result of licensing not following their own procedures in
16 terms of being sure that measures were taken to prevent
17 automatic fire suppression water from being actuated when
18 they were performing operations such as welding and things
19 like that that set off detectors.

20 COMMISSIONER GILINSKY: I see.

21 MR. VOLLNER: I don't bring it up as an area where
22 I think there is a problem right now, but ---

23 COMMISSIONER GILINSKY: Do you still think the
24 water is the most effective way for putting out fires?

25 MR. VOLLNER: Definitely, yes.

1 COMMISSIONER GILINSKY: But what you are saying is
2 that these systems actuated inadvertently and produced some
3 other problems?

4 COMMISSIONER AHEARNE: It may damage others.

5 MR. VOLLMER: It may damage others. There are
6 water shields. These things are supposed to have been taken
7 into account in the design of the system but perhaps we have
8 to focus a little harder on that.

9 CHAIRMAN PALLADINO: The water is in or out?

10 MR. VOLLMER: The water is in.

11 CHAIRMAN PALLADINO: It is in despite its problems?

12 MR. VOLLMER: Yes.

13 COMMISSIONER AHEARNE: In speaking of those
14 problems I notice that we just got a PN on Oyster Creek in
15 which they point out that the fire suppression system was
16 activated which damaged their low, low water level and
17 reactor high pressure sensor and shorted out the position
18 indication on one torus valus. That is the kind of thing?

19 MR. VOLLMER: That is the kind of thing, yes.

20 COMMISSIONER AHEARNE: Are you familiar with that
21 particular event?

22 MR. VOLLMER: I haven't seen that one as yet, but
23 we have had some at Dresden and Ginna and so on. I might
24 point out that our requirements are that those systems be
25 designed to accommodate the actuation of fire suppression in

1 terms of splash shields and adequate drainage of water and
2 so on. So it is something that we have to look at perhaps
3 as being left out of the detailed review by us or the
4 licensee.

5 Getting back to the general background, the first
6 slide, please.

7 (Slide presentation.)

8 Starting now with the fire occurrence at Browns
9 Ferry in March of '75, recommendations by a review group
10 that was established by the EDO gave us a number of
11 recommendations in improvements in the first protection that
12 were needed for nuclear plants.

13 Of these, item one, the fire protection guidelines
14 and, three, fire protection programs at facilities, are
15 primarily incorporated in the guidance that we developed in
16 the staff licensing review.

17 The inspection and enforcement procedures I wasn't
18 planning on covering.

19 The local government emergency procedures is
20 handled by the emergency planning. It doesn't include such
21 things as the coordination that is required between the
22 local fire departments and the plant staff. That is covered
23 under our fire protection guidelines and programs.

24 The next slide, please.

25 In June, which is about six months after the task

1 force recommendations, Branch Technical Position 9.5-1,
2 "Guidelines For Fire Protection For Nuclear Power Plants"
3 was developed and was at that time applied to the current
4 licensing reviews in process.

5 The Browns Ferry modifications that were required
6 as an aftermath of the fire met these guidelines. So you
7 could say that the guidelines were sort of an outgrowth of
8 the requirements that we put on Browns Ferry and Browns
9 Ferry was made to meet the guidelines.

10 These cover the items that I have listed. I might
11 indicate that the positions that we had at that time, some
12 of them were fairly general and some of them have changed
13 over the past few years.

14 For example, the fire protection guidelines at
15 that time gave credit for coatings on cables. As you know,
16 Appendix R specifically does not give credit for the
17 protection accorded to coatings.

18 Such things as the fire brigade at that time, it
19 was indicated that we need a fire brigade and now Appendix R
20 is more specific and our new criteria that we are using in
21 licensing current plants is more specific on what the fire
22 brigade should consist of and things like that.

23 So there has been an evolution as the staff has
24 learned what is out in the plants and has learned better for
25 what real fire protection requirements are needed and the

1 guidelines and the criteria have evolved considerably.

2 COMMISSIONER BRADFORD: Dick, what was the
3 position at that time on alternate shutdown systems for
4 newly docketed plants? Were they required by those
5 guidelines?

6 MR. VOLLMER: They needed a shutdown system to get
7 around a fire area that was not protected. The criteria for
8 protection were more nebulous. In other words, we didn't
9 have the three-hour barrier, 20-foot separation.

10 Victor, would you like to comment?

11 MR. BENAROYA: The guidelines just give what is
12 acceptable. If you couldn't meet those guidelines something
13 else had to be done. One of the items that was acceptable
14 was alternate shutdown systems.

15 COMMISSIONER BRADFORD: But it wasn't required?

16 MR. BENAROYA: Well, if they didn't meet the other
17 criteria they had to do something.

18 MR. VOLLMER: The other criteria weren't as
19 specific as they are in Appendix R.

20 MR. BENAROYA: That is right, exactly.

21 MR. VOLLMER: The next slide indicates further
22 development. Appendix A to the Branch Technical Position
23 was issued for protection of nuclear power plants docketed
24 prior to 1976 focusing on the operating reactors.

25 What it did was provided more flexibility for the

1 older plants that in some cases were of course already
2 built. The cables were laid and the criteria for the Branch
3 Technical Position that originated from the Browns Ferry
4 fire could not always be met in the older plants. So the
5 intention here was to provide in some cases needed
6 flexibility by which the operating plants could meet an
7 adequate fire protection program.

8 In September a letter was sent to the licensees
9 and basically told the licensees of operating plants what we
10 needed in terms of the fire hazard analysis and what they
11 had to do to implement these guidelines.

12 CHAIRMAN PALLADINO: That was for the plants that
13 were then operating?

14 MR. VOLLNER: The plants that were then operating,
15 correct.

16 MR. FERGUSON: That was practically every plant.

17 MR. VOLLNER: That was practically every plant,
18 but we used the July 1st, '76 cutoff for the letters?

19 MR. FERGUSON: Right. That is plants docketed for
20 a CP or OL. So it is almost every plant that we know of
21 today.

22 CHAIRMAN PALLADINO: So for just those plants.

23 MR. VOLLNER: Yes.

24 The next slide.

25 We then proposed Regulatory Guide 1.120 which had

1 the same guidance as our Branch Technical position. It went
2 out for comment and public comments were included in the
3 Revision I and it was discussed with the ACRS.

4 The ACRS never approved this particular regulatory
5 guide. The staff judgment, and I don't know if this is
6 indicated in any specific words in any ACRS letter, but the
7 staff judgment was that the ACRS didn't care for that
8 guidance because it was fairly prescriptive. Indeed it was
9 as prescriptive as our 9.5-1 was. There was some feeling in
10 the ACRS that a dedicated shutdown system, a bunker system
11 was the way to go in all plants. No action was taken by
12 ACRS on this.

13 COMMISSIONER AHEARNE: Dick, what did they mean by
14 bunker system?

15 MR. VOLLNER: It is basically what we would call a
16 dedicated shutdown system now. It had its own separate
17 train of shutdown heat removal powered separately and
18 isolated from all other external events so to speak.

19 COMMISSIONER AHEARNE: The term "bunkering"
20 carries in my mind at least some physical cover.

21 MR. FERGUSON: Bunkering connotes some security
22 measures and that sort of thing. As far as the system
23 itself being completely isolated and the cooling systems and
24 completely separated from the rest of the system would be
25 the same in both cases. The bunkering just goes to getting

1 it separated and protected from other events, seismic
2 events, security events and so forth.

3 MR. BENAROYA: Special security.

4 COMMISSIONER AHEARNE: That was the approach they
5 were recommending?

6 MR. FERGUSON: That is our impression, yes.

7 COMMISSIONER AHEARNE: They never put this in
8 writing?

9 MR. VOLLNER: We could not find it.

10 CHAIRMAN PALLADINO: How did you get this
11 feedback, orally?

12 MR. VOLLNER: Well, we had a number of meetings
13 with the committee. In any event, the guide was never
14 approved by the committee. However, we did have our Branch
15 Technical position and our Appendix A. So we were
16 implementing these guidelines on plants going through the
17 licensing process and the operating plants. So it wasn't in
18 a sense necessary to have a regulatory guide out on the
19 street because the criteria were in place already.

20 COMMISSIONER ROBERTS: How unusual is it for the
21 ACBS not to approve a reg. guide?

22 MR. VOLLNER: It is not too usual. I can't think
23 of the statistics on it, but generally their reg. guides are
24 worked out with ACBS. Perhaps this wasn't because we did
25 have the guidance solidly in place and we were implementing

1 it. I can't say that it wasn't issued because there was a
2 conflict between the staff and the ACRS that couldn't be
3 resolved. I don't believe that was the case.

4 Research was also requested by NRR to evaluate the
5 benefits of the bunkered system as an alternative for
6 preserving the safe shutdown function. That is now a part
7 of A-45. It was not just indicated for fire protection
8 because there was interest in bunkered systems for a number
9 of reasons at that time and I understand there is still work
10 going on in that area.

11 We have, as you know, as a part of Appendix R the
12 option for the licensee to go to a dedicated shutdown
13 system. I think there are a couple. Ocone and Fort St.
14 Vrain I think have sort of dedicated shutdown systems which
15 will take care of fire protection measures should redundant
16 trains of shutdown equipment be wiped out by a fire.

17 CHAIRMAN PALLADINO: Is the concept here to give a
18 diverse approach? You could have a fire in the bunkered
19 system presumably.

20 MR. VOLLNER: But then you would assume your
21 others would be safe, yes. It is certainly a protected
22 system and certainly can be diverse. In most cases it would
23 be diverse.

24 CHAIRMAN PALLADINO: The diversity came about as a
25 dedicated shutdown system that was bunkered?

1 MR. VOLLNER: Yes.

2 The next slide very briefly indicated that over
3 the course of time the staff issued guidelines to help the
4 staff reviewers perform their fire hazards reviews and these
5 things were issued as a staff memorandum to help expedite
6 and make the staff review at the same level. It never
7 really saw the light of day in terms of regulatory guide
8 requirements or anything for the public.

9 COMMISSIONER AHEARNE: When you say "issued,"
10 Dick, what do you mean?

11 MR. VOLLNER: Well, for example, technical
12 specifications, a memorandum that we sent out to the staff
13 saying these are the types of things that we should look for
14 in each operating plant in the technical specifications
15 area. These are the things that are important to the fire
16 hazards analysis. It was an attempt to make the staff
17 review more uniform and the licensee's ---

18 COMMISSIONER AHEARNE: These are NRR memoranda?

19 MR. VOLLNER: These would be just be NRR
20 memoranda, yes, but they do provide supplemental guidance to
21 the staff.

22 CHAIRMAN PALLADINO: Do all of these dates
23 represent issuance of NRR memoranda?

24 MR. VOLLNER: That is right, yes.

25 MR. FERGUSON: Dick, if I may, I would like to

1 point out that all of these were sent to licensees by letter
2 indicating what we were doing and what we were requiring
3 them to do. To that extent they were available to the
4 licensees.

5 MR. VOLLMER: That is a good point. They weren't
6 kept secret.

7 CHAIRMAN PALLADINO: For example, under fire
8 hazard analysis, does this tell them how to analyze or what
9 to analyze?

10 MR. BENAROYA: It gives them guidance as to what
11 we expect a fire hazard analysis should contain.

12 MR. VOLLMER: Can you expand on that a little so
13 they will understand what the fire hazards analysis looks
14 like.

15 MR. FERGUSON: In our letter of May '76 where we
16 informed all the licensees of the guidelines of BTP 9.5-1,
17 the BTP required that the program be based on a fire hazards
18 analysis. By the time September came along we had already
19 received one or two of those and we found that there was
20 very little fire hazards analysis in the submittals. So in
21 September we put together a two-page guidance about what we
22 expected in there which was essentially to indentify the
23 fire areas and the consequences to the plant if a fire
24 occurred in each area, what equipment was in there and what
25 effect it would have on the plant and so forth.

1 MR. BENAROYA: An area-by-area analysis of the
2 plant.

3 MR. FERGUSON: Likewise, all of this guidance was
4 developed on the same basis where the general guidance given
5 in the BTP we found we were just getting general words back
6 and not really getting features implemented in the plant
7 which would solve the problems. We intended to go into more
8 detail and spell out what we think were the features or the
9 procedures that should be done in order to adequately
10 address the problem.

11 COMMISSIONER BRADFORD: Isn't that sort of a
12 continuing theme throughout this period, Bob, that you had,
13 to say the least, pretty divergent degrees of cooperation
14 from different licensees and in some cases very little
15 indeed?

16 MR. FERGUSON: Yes, in some cases very good and in
17 some cases very little. In all cases we found a general
18 problem of the old problem of how much is enough and we had
19 to address that problem. You would get a spectrum of
20 answers on any particular thing that you would have to end
21 up drawing a line somewhere of what is the bottom line as
22 far as the staff is concerned. That is what we tried to
23 convey in these documents so that similar situations on
24 future plants could all be addressed in a similar manner.

25 CHAIRMAN PALLADINO: Under Item No. 3 where you

1 speak about safe shutdown capability, was there an
2 independent safe shutdown capability required or did you
3 just have to assure that in the event of a fire you could
4 provide for safe shutdown?

5 MR. FERGUSON: This was to address the minimum
6 requirement that you would have. For instance, you could
7 get a licensee that would say, well, after this I can safely
8 shut down because I can pump water into the primary system
9 that is low down into the containment. This is one level of
10 safe shutdown capability.

11 Another level would be again to keep the safety
12 valves from lifting on the primary system and have make-up
13 equivalent to a safety injection pump do all my cooling
14 through the steam generator and blow down to the
15 atmosphere. That would be another one.

16 A third would keep it even from blowing down into
17 the atmosphere.

18 The purpose of this was to set that bottom line
19 which essentially would prohibit you from declaring you have
20 got a safe system if you can just pump water into the
21 primary system and blow down to the containment which is
22 essentially the Three Mile Island event and maintain it to
23 what we think is really a safe condition. You have got a
24 solid primary system, you are blowing down through the
25 secondary and you can stay there until you can get down to

1 cold shutdown.

2 CHAIRMAN PALLADINO: This would also include the
3 scram system or the protection system?

4 MR. FERGUSON: Yes. Usually the scram system
5 would be out of the picture really. The main thing is to
6 keep the reactor cool and the primary system buttoned up.

7 CHAIRMAN PALLADINO: You are assuming that you had
8 brought it down. Suppose there was a fire and you had
9 another problem?

10 MR. FERGUSON: We have looked at the effect of
11 fires on all scram circuits and we found no way that a fire
12 could disable a scram circuit. In general they just start
13 getting openings and shorts and so forth. Something will
14 happen and it will trip automatically and much faster than
15 the fire can act on it. In other words, as soon as you
16 start getting an unbalance in the process variables you will
17 get a scram.

18 CHAIRMAN PALLADINO: Well, except some anomalies
19 they had in a recent PWR overseas. Westinghouse wrote that
20 the circuitry wouldn't scram. It wasn't due to fires,
21 however.

22 MR. FERGUSON: I am not aware of that.

23 MR. BENAROYA: By the way, if you have an
24 independent shutdown ability that would be a bunkered system
25 or what we would call a bunkered system.

1 MR. FERGUSON: Usually the dedicated systems that
2 we have do not include a separate scram system or such. It
3 is usually just a cooling system keeping the inventory up
4 and the cooling systems functional so you are removing
5 decayed heat.

6 CHAIRMAN PALLADINO: I presume in that examination
7 you determine that any kind of short would shut you down?

8 MR. FERGUSON: Yes. We looked at a number of
9 example circuits in the beginning looking particularly for
10 that, is there any area where you could prevent scram and we
11 found none.

12 CHAIRMAN PALLADINO: You might want to re-examine
13 that in view that this was a solid state system that was not
14 just put in. I guess the papers say where it was. You
15 might just want to check that.

16 MR. VOLLNER: We will look at it.

17 CHAIRMAN PALLADINO: One train failed to scram and
18 then the next day the other train failed to scram on test
19 before start up.

20 MR. VOLLNER: I might better late than never
21 apologize for not having introduced everybody here. On my
22 left is Bill Johnston who is Assistant Director for
23 Materials and Qualification Engineering, Victor Benaroya who
24 is Chief of the Chemical Engineering Branch and has fire
25 protection in it, and Bob Ferguson who is Section Leader for

1 Fire Protection.

2 On the next slide we get into the fire protection
3 rule, Appendix B to 10 CFR Part 50 and 50.48.

4 When we went through the review of operating
5 plants in accordance with Appendix A, the Branch Technical
6 Position, we found a number of areas which the staff could
7 not reach a resolution with licensees and these issues came
8 out to be something in the order of 17. We have compiled
9 the list here down to ten because some of them sort of
10 combined easily. There were I think 17 issues and of the
11 order of 30 plants.

12 COMMISSIONER AHEARNE: A fair background to that
13 was that this has been in spite of approximately five years
14 of effort.

15 MR. VOLLNER: In spite of many years of effort.

16 COMMISSIONER AHEARNE: We iterated visits and
17 discussions and lectures and seminars ---

18 (Laughter.)

19 MR. VOLLNER: Whatever we had we tried it and we
20 could not reach resolution on a number of these issues. So
21 we were faced with two alternatives, issuing orders to each
22 plant specifically telling them to do certain items or to go
23 by rulemaking and thereby require that those plants that did
24 not meet these particular items be required to meet them by
25 the regulations.

1 It was decided that we would go the rulemaking
2 route and Appendix R and 50.48 was the result. As part of
3 the rule the Commission decided that three of the items
4 listed here as 5, 7 and 10 would require backfitting on all
5 plants even though in some cases these areas had been
6 resolved to the staff's satisfaction in their prior review.
7 These particular areas were backfit on all plants whether or
8 not the staff had reached an agreement with licensee or not.

9 CHAIRMAN PALLADINO: These ten items, are they
10 still in controversy or were they settled by Appendix R?

11 MR. VOLLNER: They were settled by Appendix R.
12 They are part of the rule which requires that all plants
13 that are licensed to operate as of January 1st of 1979,
14 which of course covered all the operating reactors at that
15 time, needed to meet Appendix R. In those areas where they
16 had already reached staff agreement they did not have to go
17 back and do anything except for emergency lighting, safe
18 shutdown capability and the reactor coolant pump oil
19 collection system.

20 CHAIRMAN PALLADINO: But if you had achieved
21 resolution with a particular utility why did they have to go
22 back and backfit?

23 MR. VOLLNER: Well, it was the judgment of the
24 Commission at that time I believe.

25 CHAIRMAN PALLADINO: The resolution wasn't as good

1 at that time as you wanted it later?

2 MR. VOLLNER: I don't believe necessarily that
3 that was the thought, but I felt and I think the Commission
4 felt ---

5 COMMISSIONER AHEARNE: The position that Dick is
6 being put in is this was not the staff's recommendation.
7 The Commission decided to do that.

8 CHAIRMAN PALLADINO: You decided to put something
9 in more than they had agreed to in those particular
10 circumstances.

11 COMMISSIONER AHEARNE: Yes.

12 COMMISSIONER BRADFORD: Well, let's see, I think
13 there was a general feeling, wasn't there, that in some of
14 these areas some of the things that the staff had accepted
15 earlier on was really not up to snuff?

16 MR. VOLLNER: The staff did accept in certain
17 licensees' analyses and proposed modifications in these
18 areas. I think, as Commissioner Bradford indicated, some of
19 them perhaps left something to be desired. I think, on the
20 other hand, taking a fresh look at these important areas
21 gave us a level of uniformity that we didn't also have in
22 the previous reviews.

23 On the other hand, some licensees felt a little
24 out of joint perhaps because some of them had been very
25 cooperative and done a good job in trying to meet the

1 staff's requirements on fire protection and they also were
2 backfit the same as some of those who had not tried to meet
3 the staff's requirements. That is the way it turned out
4 anyway.

5 COMMISSIONER BRADFORD: Joe, you had asked whether
6 it settled the matter. Of course, the next bullet indicates
7 that there are still some licensees who are not acquiescent.

8 MR. VOLLNER: That is right. Early in '81 the
9 licensees petitioned the Commission and the court to give
10 them relief on the fire protection rule. As I recall, the
11 Commission denied. They requested release on the
12 backfitting items, as I recall, and the Commission denied
13 that relief. They also petitioned the court for a judicial
14 review of the rulemaking on Appendix R as well as the
15 technical provisions of Appendix R and asked for a stay of
16 the requirement for implementing those requirements. As I
17 recall, the Commission denied that stay and I am not sure
18 what else ---

19 CHAIRMAN PALLADINO: What happened in the court?

20 COMMISSIONER AHEARNE: It is being heard later
21 this month, isn't it, Sheldon?

22 CHAIRMAN PALLADINO: So it is still pending.

23 MR. TRUBATCH: The stay motion was denied.

24 CHAIRMAN PALLADINO: By whom?

25 MR. TRUBATCH: By the court. There was a stay

1 motion before the Commission but the Commission denied that
2 stay motion. Then the petitioners went to court seeking a
3 stay and the court denied the stay motion. Now the court
4 will hear argument on the merits on January 29th.

5 CHAIRMAN PALLADINO: Does that imply that they
6 were supposed to be complying with the rule?

7 MR. TRUBATCH: Unless and until the court reverses
8 the rule the rule stands.

9 MR. VOLLNER: On the next slide we come to the
10 Commission memorandum and order, CLI-80-21 which talks about
11 environmental qualifications and fire protection. This
12 memorandum and order specified a couple of things that are
13 important to the staff's review.

14 One is to define compliance with the General
15 Design Criteria 3 which is the GDC requirement that safety
16 be protected from fire to be met by a combination of
17 Appendix R and the Branch Technical Position.

18 It also specified that modifications, except for
19 those requiring alternate or dedicated shutdown systems be
20 implemented by the licensees, all licensees of operating
21 plants by November 1 of 1980.

22 The CLI-80-21 also said that for alternate and
23 dedicated shutdown systems on non-SEP plants that they had
24 to be implemented by April of '81 for alternate safe
25 shutdown and December of '81 for dedicated safe shutdown.

1 CHAIRMAN PALLADINO: You said STP?

2 MR. VOLLNER: No, SEP, the systematic evaluation
3 program plants, the old plants that we are doing under the
4 SEP evaluation. It was separated out there. Basically what
5 I am trying to say is CLI-80-21 said that everything pretty
6 well had to be wrapped up in the time frame of 1981.

7 At that time there were a number of issues
8 outstanding. Of course Appendix R itself was not issued as
9 a regulation.

10 CHAIRMAN PALLADINO: You say it was not issued as
11 a regulation?

12 MR. VOLLNER: At the time of CLI-80-21. The
13 reason on the previous slide I picked up the fire protection
14 rule is that it started in this proposed rule in 1980 but it
15 didn't get an effective date until February 17th of 1981.
16 So in the meantime, in the interim in May of 1980 CLI-80-21
17 came out and talked about the provisions of Appendix R and
18 it talked about the provisions of the Branch Technical
19 Position and said basically that these are good things that
20 the plant should implement and they should get on with the
21 job and gave dates by which they should get on with the job.

22 It became clear that those particular dates could
23 not very well be met because in many cases we didn't yet
24 have from plants an acceptable fire hazards analysis and
25 proposed modifications to accommodate potentially adverse

1 consequences from a fire.

2 The staff knew very well that when we got these
3 evaluations from the licensee it would take us time to
4 evaluate them and it would take them time to implement them
5 so that the dates could not be met that we indicated in
6 CLI-80-21.

7 CHAIRMAN PALLADINO: Did you know that when you
8 set these dates out?

9 MR. VOLLNER: I am sorry, that was a bit before my
10 time. Can anybody else?

11 CHAIRMAN PALLADINO: I am just trying to say did
12 you believe at that time it could be met and you learned
13 afterwards?

14 MR. FERGUSON: I would say the dates in CLI-80-21
15 were taken from the staff's best estimate of the schedule at
16 that time. We anticipated rulemaking would go much faster
17 and the whole thing would be resolved.

18 COMMISSIONER AHEARNE: My recollection that over a
19 period of five years there really had been a great
20 reluctance on the part of many licensees to move forward in
21 this area. As a result when the staff was trying to get
22 estimates from the licensees of when could something be done
23 there probably by now was quite a little skepticism on our
24 part that the licensees were making estimates. So I think
25 probaby to some extent we put in some dates to try to force

1 them because it really had been extraordinarily difficult to
2 get any motion in spite of the fact that Browns Ferry was a
3 very serious accident.

4 MR. FERGUSON: I think there was one other thing
5 there, the Three Mile Island occurrence, too, that just took
6 manpower away from this program.

7 CHAIRMAN PALLADINO: What was the basis or is the
8 basis for reluctance? Is it that they don't think fire
9 protection was needed or that the consequences of a fire are
10 small?

11 MR. VOLLMER: I think they recognized that fire
12 protection is needed. I think they feel in many cases that
13 what we were requiring was too prescriptive and maybe
14 unwarranted and what they had was adequate.

15 CHAIRMAN PALLADINO: Did they come back with
16 positions saying look, what we have is adequate or here is
17 an alternative system that costs us less?

18 MR. VOLLMER: Yes. I think the answer to that is
19 definitely yes. Maybe Bob could characterize it better.

20 MR. FERGUSON: It was one of those where there
21 were differences between the staff and then at the time the
22 rule was started it was an honest difference in how much is
23 enough. I think going through the rulemaking process for
24 all, except the fire protection for safe shutdown, all the
25 other issues went away. The big issue was how well were

1 associated circuits handled during the initial eva
2 and the second is still in any given area how much
3 protection is enough. Is a ten-foot separation wi
4 cables and manual suppression good enough or do I
5 one-hour barrier and a sprinkler system in the cent
6 area? That same issue exists today I think.

7 CHAIRMAN PALLADINO: It still exists?

8 COMMISSIONER GILINSKY: Yes. I think the
9 still that honest difference of opinion between peo

10 CHAIRMAN PALLADINO: CLI-80-21, that cover
11 operating plants or existing plants?

12 MR. VOLLNER: It covered both. It covered
13 operating plants and said that future plants were ad
14 served by the Branch Technical Position currently in

15 CHAIRMAN PALLADINO: By the what?

16 MR. VOLLNER: By the Branch Technical Posi
17 the guidelines we already had in place and that we w
18 implementing on current OL's.

19 CHAIRMAN PALLADINO: The next bullet implic
20 you came up with a fire protection rule.

21 MR. VOLLNER: Well, I had the problem of be
22 chronological and logical.

23 (Laughter.)

24 MR. VOLLNER: Not being able to do both I w
25 chronological.

1 I might indicate that to bridge the gap between
2 the CLI-80-21 and the issuance of Appendix R, which occurred
3 in February of 1981, a mini-rule was issued I think in
4 October of 1980 which suspended the dates required by
5 CLI-80-21 until the new rule was made effective. So then
6 when the new rule became effective and at that point forward
7 we have been implementing the dates and the schedules as
8 required by Appendix R.

9 Would you take that slide off for a minute and put
10 up the first back-up slide.

11 CHAIRMAN PALLADINO: Are these the ones we don't
12 get copies of?

13 MR. VOLLMER: Pass copies of this slide around,
14 this one here, this Schedule of Requirements.

15 (The copies of the slide were distributed to the
16 Commissioners.)

17 MR. VOLLMER: Appendix R had the technical
18 requirements. 50.48 had some schedule requirements. The
19 rule became effective February 1st, 1981. The rule says
20 that the administrative controls required by Appendix R had
21 to be implemented and in effect 30 days after the effective
22 date of the rule, that modifications which did not require
23 prior NRC approval or any plant shutdown, that they had to
24 be in place nine months after the effective date of the
25 rule.

1 An example of that would be emergency lighting
2 which was something that was backfit on all plants by the
3 Commission, the requirement for eight-hour emergency
4 lighting. It didn't require prior staff approval and didn't
5 generally require shutdown. Now any place where it might
6 require a shutdown they would have gotten a later time. But
7 presuming it didn't require shutdown they were given nine
8 months for that.

9 In the third item, those modifications not
10 requiring prior approval but requiring plant shutdown had to
11 be done on the first refueling outage or the first planned
12 60-day outage or the first unplanned 120-day outage.

13 Finally, modifications requiring NRC approval,
14 they were given dedicated shutdown to be implemented 30
15 months after staff approval. Modifications other than that
16 requiring shutdowns, 100 days, and then you start No. 3's
17 clock. If you had a refueling outage, 181 days after our
18 approval was given then it would have to be done then and so
19 on. Modifications not requiring shutdown had to be done in
20 six-months' time.

21 So those are the schedule of things that we are
22 operating under.

23 The second item of that schedular impact, of
24 course, is that the rule said that fire protection of their
25 safe shutdown capability was the item that did require staff

1 review. That particular requirement is that assurance that
2 a fire cannot destroy the capability to have one train free
3 to provide safe shutdown capability for the plant had to be
4 demonstrated and also that the repair of equipment that
5 might be damaged in a fire and might be needed to achieve
6 cold shutdown had to be effected in 72 hours.

7 Those particular requirements did require staff
8 review. The safe shutdown capability, I might indicate,
9 Appendix R gives criteria for that, that if one has
10 redundant trains that are needed for safe shutdown that they
11 need to be protected either by a three-hour fire barrier or
12 by a 20-foot separation which contained no intervening
13 combustible materials but also was protected by fire
14 detectors and fire suppression systems or a one-hour fire
15 barrier also protected by detectors and suppression systems.

16 So Appendix R delineates three levels or three
17 alternatives of protection that the licensee can achieve to
18 protect trains of safe shutdown.

19 CHAIRMAN PALLADINO: What was that 72-hours?

20 MR. VOLLNER: The 72 hours is one that if a fire
21 did occur we would give them 72 hours to be able to go in
22 and repair or to get to equipment to manually achieve or
23 repair equipment and perhaps pull a few wires to get to cold
24 shutdown. But the hot shutdown, the safe shutdown
25 capability had to be maintained and preserved. There was no

1 time on that. That just had to be preserved by the rule
2 itself.

3 The staff had to review this and this is really
4 the guts of the fire protection review anyway. Since we
5 have to review it and since the licensee's clock does not
6 start running until the staff has given their approval of
7 these areas we find ourself in the usual dilemma of trying
8 to get the information out of the licensee to the staff's
9 satisfaction so that we give them approval so that their
10 clock will start running and that they would have to
11 implement these requirements.

12 I will get to that a little bit more in a minute.

13 CHAIRMAN PALLADINO: How do you motivate them to
14 do that?

15 MR. VOLLNER: Well, that is part of what we talked
16 about in Quarterly Report No. 4 as to how we will motivate
17 them to do that.

18 CHAIRMAN PALLADINO: You talk about where?

19 MR. VOLLNER: We have talked about it in our
20 Quarterly Report No. 4 and I will cover it a little bit in a
21 few minutes when I get to more of our current status.

22 CHAIRMAN PALLADINO: When you talk about clocks
23 you are talking about those clocks in Item 4 on this slide?

24 MR. VOLLNER: Item 4, right. Item 4 is the main
25 clock there because those are the items requiring NRC

1 approval.

2 If we could go back to the slide we had on, please.

3 Now when we met with the Commission on Appendix R
4 they asked us to talk about a fire protection rule for
5 future plants. We discussed this in SECY 81-114 and we said
6 we felt that what we were doing with current plants was
7 adequate and we did not have to forward fit Appendix R
8 provisions to plants that were currently undergoing the
9 operating license phase because basically we were reviewing
10 them to the provisions of Appendix and the Branch Technical
11 Position at that time.

12 So we stated that we would for OL's scheduled
13 after September 1st, '81 require the applicant to evaluate
14 and justify deviations from Appendix R in its fire
15 protection program and the staff would review those to make
16 sure that it met equivalent levels of protection that we
17 would require for the older plants. We certainly didn't
18 want the newer plants to have less protection than we were
19 requiring for the older plants and that is indeed being done.

20 We have currently combined the Branch Technical
21 Position and Appendix R requirements into a new Branch
22 Technical Position which is called the Chemical Engineering
23 Branch 9.5-1 which is in our current revision of the
24 Standard Review Plan. So that our current Standard Review
25 Plan and we what will review any forthcoming operating

1 license application to are fully the technical requi
2 of Appendix R and the Branch Technical Position.

3 The reason that we went back and asked the
4 applicant to identify and justify deviations is that
5 the fire protection reviews, and I think Salem is a
6 example, were done years ago. Because of the hiatus
7 it wasn't clear that they really did meet our current
8 Appendix R criteria and it was an attempt to try to m
9 sure that we were indeed meeting all these requirement
10 our current OL's.

11 The staff also committed to prepare a draft
12 protection review for new plants by July of '82. I thi
13 a separate time the staff would like to present the
14 Commission with maybe an alternative to that. We think
15 current criteria are probably adequate and since there
16 aren't too many new plants facing us for construction
17 permits we may wish to not spend our resources on a new
18 but rather go with our current guidance.

19 COMMISSIONER AHEARNE: Let me ask you, Dick, t
20 rule that is in place applies to which plants?

21 MR. VOLLNER: Appendix R applies to plants tha
22 had an operating license on January 1st, 1979. So it do
23 not apply to current plants.

24 COMMISSIONER AHEARNE: So we do have at least
25 I agree it is not a fatal anomaly, but it is an anomaly

1 if you look at our regulations the formal rules we have
2 apply to all of those plants with an operating license prior
3 to that time.

4 MR. VOLLNER: That is correct.

5 COMMISSIONER AHEARNE: The bulk of the plants
6 therefore, all of the ones under current operating license
7 review that are being constructed, there is no regulation
8 that applies fire protection to them?

9 MR. VOLLNER: That is true, but the staff review
10 is based on all that guidance.

11 COMMISSIONER AHEARNE: I understand. I just said
12 it is somewhat anomalous that we have a rule that applies
13 backwards.

14 MR. VOLLNER: The real difference in the staff's
15 evaluation, since we are evaluating and pointing out and
16 making the licensee and us justifying deviations from our
17 current criteria, the difference really is one that the
18 operating plants if they don't meet the specific letter of
19 Appendix R have to do it by exemption. In current operating
20 licenses it would be called out and discussed in the safety
21 analysis report but rather not exempted.

22 CHAIRMAN PALLADINO: Then there may be room for a
23 fire protection rule for plants after September '79.

24 COMMISSIONER AHEARNE: Yes, there is.

25 MR. VOLLNER: There could be, yes. When we talked

1 about a fire protection rule before we gave several
2 options. One is going back to ground zero and
3 reconstructing and developing a new rule. One was going
4 back and just using GDC 3. The middle ground was I think
5 embodied in our current Branch Technical Position.

6 So if the Commission so desires we could adopt
7 that as a rule but I would like to save that for a later
8 date is I could.

9 CHAIRMAN PALLADINO: I don't understand. If I
10 understood Commissioner Ahearne he said that the plants that
11 are built after September '79 don't have any rule to follow.

12 COMMISSIONER AHEARNE: Operating license.

13 MR. VOLLNER: That is correct.

14 CHAIRMAN PALLADINO: Operating license. Now why
15 would you not want to fix that up? Is there any reason?

16 MR. VOLLNER: I guess the only reason I could say
17 that we might not want to fix it up is that if the staff has
18 the licensee now by the license and we can get those things
19 that are required to implement good fire protection done by
20 the staff review process and our Standard Review Plan has a
21 tremendous amount of detail which is not all in regulation
22 form. I think the staff feels that it can get what is
23 needed for a safe program in fire protection just by the
24 review process. It embodies everything in our regulations
25 now for old plants as well.

1 It is just a question of whether or not you want
2 to put out a regulation which is fairly detailed for
3 forthcoming plants. I guess that would be the only real
4 argument I could think of against it.

5 COMMISSIONER BRADFORD: Are you encountering any
6 difficulty in getting compliance in the forthcoming plants
7 as a result of there not being a regulation?

8 MR. BENAROYA: None whatsoever.

9 MR. VOLLMER: Finally on the next slide, and this
10 again if we can get back, this followed by a couple of days
11 the implementation of the regulation, Appendix R and 50.48.
12 We went back and reminded the licensees that they now had a
13 rule to follow and give them some additional guidance on
14 what we wanted in our safe shutdown reviews and gave them
15 some additional guidance on associated circuit concerns.

16 I think that carries us more lengthy than I had
17 hoped in terms of background.

18 CHAIRMAN PALLADINO: I am sorry. I didn't hear
19 what you said last because I was trying to decipher what the
20 top line was.

21 MR. VOLLMER: I am sorry. We sent a letter three
22 days after Appendix R became a rule to all power reactor
23 licensees telling them that you have a rule to follow now
24 and here is what the staff wants you to give us in terms of
25 information so that we can do our reviews and give them some

1 guidance in terms of clarification of points such as
2 associated circuits.

3 CHAIRMAN PALLADINO: They are supposed to give you
4 information by when?

5 MR. VOLLNER: Well, the rule said that they had to
6 meet the requirements as handed out here, but it also said
7 that they had to give us the information that we required by
8 March 19th of 1981 to do our safe shutdown evaluation, a
9 very quick turnaround we felt. Most of the licensees had
10 been asked for this information for years, as Commissioner
11 Ahearne pointed out.

12 COMMISSIONER BRADFORD: And also they had known
13 from the date of the publication of the rule and not just
14 the effective date.

15 MR. VOLLNER: That is right. They had known for
16 some time that it was coming. But even so a number of
17 licensees, and we will get to that in a minute, and it is
18 discussed in fair detail in Quarterly Report 4 also, took
19 advantage of the exemption route to ask for relief in that
20 particular item, many of them saying they didn't understand
21 what was wanted and some saying that they had their hands
22 full with other things they were doing and so on.

23 I think it was recognized obviously that the
24 handwriting was on the wall and they would have to come to
25 grips with all of these requirements by the staff. I think

1 a little bit later we will discuss what procedures we are
2 trying to implement to make sure that we close this issue
3 out by '82.

4 COMMISSIONER BRADFORD: Dick, in the context of
5 exemption requests, just as a matter of curiosity, does NRR
6 ever do a review that compares which plants ask for
7 exemptions from which rules? That is, we get into this
8 situation in which people come in and say we are having a
9 lot of trouble with the NRC's putting so many requirements
10 on us that we just have to request an exemption. It is one
11 thing if it happens just once in a while. But if it were to
12 turn out that we exempted some one set of five or ten plants
13 from all of the requirements falling due in a two-year
14 period and in each case they used that as the justification
15 I guess I would want to know it.

16 MR. VOLLNER: I can't answer that and I don't see
17 anybody jumping up.

18 MR. FERGUSON: I don't know of anybody who has
19 done such an analysis. We haven't even done it for, you
20 know, which plants have fire protection requirements.

21 MR. DIRCKS: I am just guessing, but I think it is
22 one of the responsibilities of a project manager for his own
23 plant to keep some control, but I don't think anyone has
24 tabulated it across the board. We can take a look at that.

25 MR. VOLLNER: I think I can perhaps draw some

1 correlation between people that we have had a tough time on
2 the fire protection and environmental qualifications but
3 that doesn't cover enough categories to give you a very
4 statistical base.

5 COMMISSIONER BRADFORD: Yes.

6 COMMISSIONER AHEARNE: Dick, at the bottom of this
7 slide you say you "Reminded licensees of 50.48." In what
8 what did you remind them of 50.48?

9 MR. VOLLNER: What I was really pointing out is we
10 sent them a copy of the new rule and said, you know, get on
11 with it. That is what is meant there.

12 COMMISSIONER AHEARNE: But it says "Reminded
13 licensees of 50.48 requirements."

14 MR. VOLLNER: The schedule of requirements, when
15 they had to meet the information requirements of the staff
16 and when they had to implement things on their own. Maybe
17 "reminded" is not a good word.

18 COMMISSIONER AHEARNE: Well, it is a lead-in I
19 will get to because there is very similar phraseology used
20 in your provisions that you are proposing in Quarterly
21 Report No. 4. I just wanted to establish that you had
22 already gone through that process once.

23 MR. VOLLNER: Yes, we have.

24 On the next slide, No. 9, I just wanted to go over
25 a couple of points to give you a current status and where

1 our problems exist.

2 We are reviewing or we will review for the next
3 docketed operating license review our Revision 3 for the
4 Standard Review Plan which combines specifically in the
5 Standard Review Plan all of our old Branch Technical
6 Position guidance in Appendix R.

7 This is not any different level of review than we
8 are currently doing. The only difference is that it is now
9 currently under the new standard review plan and the
10 licensees can recognize it as a requirement under the
11 Revision 3 of the Standard Review Plan.

12 Secondly, we are putting in licensed conditions
13 for the operating license which require compliance with the
14 commitments for the fire protection program. Generally the
15 licensed conditions indicate that they will be implementing
16 a fire protection program in accordance with the staff
17 requirements and comply with certain sections, particularly
18 3-G of Appendix R.

19 We have had some problem of course with some
20 licensees wanting to comply with a regulation that applies
21 to older plants. I sort of view this more as legalistic
22 problem. I think we are getting from the licensees the full
23 technical and design and evaluation that the Appendix B
24 looks for and the staff finds acceptable in these currently
25 licensed plants, but in many cases they don't wish to comply

1 with the regulation itself because they say it doesn't apply
2 to them.

3 Again I don't think it is a technical problem. I
4 think the technical requirements we are getting from the
5 licensee. That is part of our ongoing basis for our current
6 OL applications.

7 CHAIRMAN PALLADINO: You say you are getting
8 compliance with the technical requirements?

9 MR. VOLLNER: We are reviewing and getting
10 compliance. Well, to give you an example, we are evaluating
11 them against Appendix R. As in the case of an operating
12 license if there is some deviation, let's say they don't
13 meet the 20-foot separation and they have 18 feet, then we
14 look and see if it is reasonable that 18 feet is adequate.
15 There is not much combustibles and there is not a big fire
16 load in that area. So the staff on an ongoing operating
17 licensed application could make the judgment that that is
18 acceptable for this particular plant and we would say that
19 its fire protection is adequate.

20 Now in the case of an operating plant, since the
21 Appendix R requires 20-foot separation if they don't have
22 the three-hour barrier or the one-foot barrier, then we
23 would have to give them an exemption from the 20 feet with
24 good cause.

25 In both cases we are looking at good case. In one

1 case we would have to issue an exemption. In the
2 current OL's we are just doing it by staff review
3 discussion in our safety evaluation report.

4 CHAIRMAN PALLADINO: You are talking ab
5 already built?

6 MR. VOLLMER: Yes.

7 CHAIRMAN PALLADINO: In other words, if
8 designing one you would stick to your 20-foot req
9 for example?

10 MR. VOLLMER: Yes.

11 The staff is busy processing the safe s
12 evaluations for the operating plants.

13 CHAIRMAN PALLADINO: Do you have all the
14 information you need for that?

15 MR. VOLLMER: No, we don't have the info
16 need. If you will take a look on the next slide,
17 just say what is on there without asking us to put
18 the screen, the next slide says that 44 licensees
19 requested a exemption from the requirement of sub
20 that inforaation to us on March 19th of 1981.

21 COMMISSIONER BRADFORD: Forty-four out of

22 MR. VOLLMER: Sixty-eight, that populati

23 COMMISSIONER BRADFORD: It is 44 out of
24 plants?

25 MR. VOLLMER: Out of all the plants.

1 COMMISSIONER BRADFORD: Not by sites?

2 MR. VOLLNER: That is correct. Forty-four out of
3 all the plants.

4 Now we have been receiving information and
5 processing and doing our reviews since the regulation became
6 effective and the staff is quite busy processing safe
7 shutdown evaluations. Indeed, if all the licensees had
8 complied with the March 19th, '81 date we would still be
9 processing them because, you know, we have already committed
10 our resources to doing that.

11 In a minute I will discuss what our
12 recommendations are for closing out the exemptions for that
13 information.

14 We are also processing exemptions and technical
15 and schedule requirements. If you will look on page 10 we
16 have a fair number of technical exemptions. For example,
17 they say we don't want to have eight-hour battery emergency
18 lighting because we have certain parts of our emergency
19 lighting on safety grade diesel equipment. That is an
20 exemption to Appendix R. It is something we could approve.

21 COMMISSIONER AHEARNE: By 68 individual requests
22 do you mean 68 plants or 68 items?

23 MR. VOLLNER: Sixty-eight items. Isn't that
24 correct?

25 MR. FERGUSON: That is correct.

1 MR. VOLLNER: Sixty-eight items. Some plants have
2 multiple and some plants have none.

3 MR. FERGUSON: In the seven tables which tabulates
4 them it is each line item on those.

5 CHAIRMAN PALLADINO: You say "Processing of safe
6 shutdown evaluations." Then you say "Processing of
7 exemptions to technical and schedular requirements of
8 Appendix R and 50.48." Isn't the safe shutdown evaluation a
9 part of 50.48 or do you mean other?

10 MR. VOLLNER: Well, the safe shutdown evaluation
11 is the one item that the regulation requires the licensee to
12 have prior staff approve on. So that I indicated is
13 separate. We are processing those particular evaluations.

14 CHAIRMAN PALLADINO: Just to make sure I
15 understood. If I put in the next one "Processing of
16 exemptions to other technical and schedular requirements,"
17 that wouldn't be wrong?

18 MR. VOLLNER: That is right.

19 Finally in current time we have a Nuclear Utility
20 Fire Protection Group which covers any number of licensees
21 that have gotten together to try to meet with the staff and
22 to try to get clarification on certain of the fire
23 protection requirements which they consider generic issues
24 and which they staff in their view has not provided them
25 with adequate guidance.

1 We met with them in November and we have another
2 meeting scheduled this month. It has I think been a fairly
3 productive exercise. Information communication with these
4 licensees has indicated that they all intend on closing out
5 the fire protection in their plants this year. That is,
6 they feel that they can within a couple of months give the
7 staff the full package of fire protection information we
8 need for our review and the staff feels that it will be able
9 to close out, if given this good information, the fire
10 protection reviews somewhere in the balance of this calendar
11 '82.

12 CHAIRMAN PALLADINO: You mean of this particular
13 group?

14 MR. VOLLNER: Well, this group and all. This
15 group I am considering representative of the industry. I am
16 hopeful that the staff can come very to close out again if
17 we get the information that the utilities say they promise
18 us and if this group is representative of the industry that
19 we will be to have almost all of our reviews done by the end
20 of this calendar year which means that the licensee is
21 marking time on his own schedule that he has to process it
22 in accordance with that separate schedular requirement sheet
23 that I gave you.

24 CHAIRMAN PALLADINO: Does that mean you are going
25 to resolve all exemptions or are you just talking about all

1 the reviews?

2 MR. VOLLNER: Our plans are resolve all items, all
3 exemptions and all reviews.

4 CHAIRMAN PALLADINO: When you talk about 16
5 issues, are they the consolidated 10 that you listed earlier
6 or are these some other ones?

7 CHAIRMAN PALLADINO: I am sorry, which are those?

8 CHAIRMAN PALLADINO: You mentioned an "Initial
9 meeting to resolve the sixteen issues they defined. . . ."

10 MR. VOLLNER: Those issues were not necessarily
11 the same issues. They were looking for technical
12 clarification. In many cases we found that it was easy to
13 clarify because they didn't understand or their
14 interpretation of the staff requirement was not indeed what
15 the staff was requiring. So that clarification was easy.

16 In some other areas we are trying to give them
17 guidance on what we believe is an acceptable type of
18 evaluation of certain fire areas to make their job easier
19 and more consistent and easier for staff review.

20 COMMISSIONER AHEARNE: What are a couple of the
21 toughest issues in the 16?

22 MR. VOLLNER: I am going to turn it over to Vic in
23 this area, but I think the toughest one is coming to grips
24 with what is an acceptable alternative to the specific
25 requirements identified in the regulation. That is, let's

1 say you have an area where you have two cable trays very
2 lightly loaded and no intervening combustibles or anything
3 like that. How far is the staff willing to go in the
4 presence of detection equipment and sprinklers and how far is
5 the staff willing to go to exempt them from the Appendix R
6 regulations of 20 feet or do they have to put in the
7 one-hour fire barrier? It is not always simple. Fire
8 protection is a very complex area.

9 MR. BENAROYA: I foresee that the biggest argument
10 we might have will be on credit for administrative controls.

11 CHAIRMAN PALLADINO: What would be an
12 administrative control?

13 MR. BENAROYA: For instance, that they are not
14 going to have more than a pint or a gallon of some flammable
15 in some area limiting the content or the amount of
16 combustibles.

17 MR. FERGUSON: Thereby saying we can't have a big
18 fire in the control room and we can't have a big fire in the
19 cable spreading room because we have administrative controls
20 that prevent us from having a big fire.

21 COMMISSIONER AHEARNE: When you say in your
22 Quarterly No. 4 the group proposed alternatives from meeting
23 all requirements.

24 MR. VOLLNER: Administrative controls is one of
25 the alternatives, yes. They will say that, gee, we can't

1 have combustibles in there, but we know from experience
2 find them. So it is coming to some sort of an agreement
3 what a reasonable administrative control will be.

4 COMMISSIONER AHEARNE: Now from your earlier
5 answer to the Chairman's question, do I gather correctly
6 that you hope that this group will lead to an industry
7 resolution and not just a resolution for the specific
8 utilities that are involved?

9 MR. VOLLMER: We would intend to give the industry
10 the benefit of whatever resolution this group finds useful
11 to them and we would intend to sort of document the
12 clarification and the discussions that we had with this
13 group and give it to all licensees. So if they found it
14 useful that would be fine.

15 MR. FERGUSON: Hopefully the converse, too, that
16 we would give this group the benefit of solutions which the
17 rest of the industry has found to solve the problems.

18 COMMISSIONER AHEARNE: What I was trying to get
19 is whether or not the negotiations you have underway with
20 this group would affect the issues being raised in court by
21 this other group?

22 MR. JOHNSTON: They are much the same group. So
23 yes, it will.

24 COMMISSIONER AHEARNE: I see. So that if you
25 resolve in this particular set of meetings it may well end

1 up removing the court issue?

2 MR. JOHNSTON: That is correct.

3 MR. VOLLMER: It is a little bit similar to the
4 equipment qualification area unfortunately. We had a
5 similar group that had proposed hearings and one of the main
6 points in the hearing request was the time for a compliance
7 issue but also there were technical issues.

8 COMMISSIONER AHEARNE: Yes.

9 MR. VOLLMER: The Commission acted on the time
10 issue and the staff has I think clarified the specific
11 requirements in many areas for the technical issues.

12 COMMISSIONER AHEARNE: Could I suggest that you
13 get together with the General Counsel's Office who has to go
14 in front of the court later this month at least so they
15 understand the stage of negotiations you are making with
16 respect to this group.

17 MR. VOLLMER: I don't want to characterize them,
18 Commissioner, as negotiations.

19 COMMISSIONER AHEARNE: Well, no, I understand
20 that. We have at times put our lawyers in a somewhat
21 awkward position in being in front of the court and not
22 knowing about things that were going on.

23 (Laughter.)

24 MR. VOLLMER: I would be happy to.

25 MR. TRUBATCH: Well, it would be up to the

1 petitioners to report to the court that certain issues had
2 been resolved. We couldn't report that until they had been.

3 COMMISSIONER AHEARNE: Oh, absolutely. I
4 understand.

5 CHAIRMAN PALLADINO: Dick, do I understand then
6 that you are going to have all the approvals done and all
7 issues settled on fire protection for all of the existing
8 plants; is that right? Are we talking about operating
9 plants?

10 MR. VOLLNER: Operating plants, yes.

11 CHAIRMAN PALLADINO: Then that would start these
12 clocks?

13 MR. VOLLNER: There are goals that everything
14 would have to be implemented.

15 CHAIRMAN PALLADINO: That was that sheet that you
16 handed out to us.

17 MR. VOLLNER: That is right. I think we have a
18 realistic goal here of doing this if we get the licensees to
19 give us the information. I mean, we have scheduled out our
20 reviews.

21 CHAIRMAN PALLADINO: You are still waiting for
22 information?

23 MR. VOLLNER: That is the key problem. We are
24 still waiting for information. As I said, the regulation
25 doesn't start the clock running until we get our approval.

1 COMMISSIONER BRADFORD: Let's see, that is a
2 different clock though. There is a clock that has been
3 running on the providing of the information.

4 MR. VOLLNER: Right.

5 CHAIRMAN PALLADINO: When is that time up?

6 COMMISSIONER BRADFORD: Oh, say about six months
7 ago.

8 MR. VOLLNER: The clock ran out on that March 19th.

9 CHAIRMAN PALLADINO: What makes you optimistic
10 that you are going to get this information within a short
11 period of time?

12 MR. VOLLNER: In the Quarterly Report No. 4, which
13 you haven't had the opportunity to review ---

14 CHAIRMAN PALLADINO: The agenda said Quarterly
15 Report No. 3 and that is what I asked for.

16 MR. VOLLNER: Oh, I am sorry. Well, it is not too
17 different. In this area it is not too different. Quarterly
18 Report No. 3 says that the staff was concerned that we
19 weren't getting licensee responsiveness to our request. At
20 that time we said that we would like to grant schedule
21 exceptions up to some date with the Commission's concurrence
22 but we wanted to find some way to put procedures in place
23 which would put the licensee in penalty if he did not comply
24 with his submittal date, with the submittal deadline.

25 We have such procedures indicated in Quarterly

1 Report No. 4 as Enclosure No. 1. Basically what we are
2 suggesting here is that we grant those schedule exemptions
3 to licensees that we have been holding in abeyance and use
4 the procedures of Enclosure 1 which would try to institute
5 civil penalties if he does not provide us with a quality
6 report containing all the information we need by the
7 deadlines set or by the extension set in our exemption. We
8 don't intend to set any dates for receipt of information
9 beyond July 1st, 1982.

10 Hopefully the intent of this would be for the
11 staff to get all the information we need to do our reviews
12 by July 1st, '82 so that we could indeed complete them by
13 the end of the year.

14 The problem is that giving them civil penalties if
15 they don't give us adequate information. It is a difficult
16 one for the staff to come to grips with because it is much
17 of the eyes of the beholder.

18 COMMISSIONER AHEARNE: Let me go back to a
19 question I raised earlier. Earlier you had said that what
20 you had already done on one of your slides is reminded
21 licensees of 50.48 of 10 CFR Part 50 requirements. In No. 4
22 it says "If the licensee submittal is found to be incomplete
23 the licensee will be in violation of 10 CFR 50.48.

24 MR. VOLLNER: But he has submitted an exemption
25 request.

1 COMMISSIONER AHEARNE: The point is though that
2 you have already told them that they had to get their
3 information in.

4 MR. VOLLNER: So they submit an exemption request.

5 COMMISSIONER AHEARNE: Yes, but some of them I
6 gather, according to your tables, the data that is coming in
7 or is now expected substantially beyond the date that their
8 exemption requests. I was just trying to get an
9 understanding of what additional information this is
10 transmitting to them that suddenly will make them get
11 serious?

12 MR. VOLLNER: I guess as I see it if we respond to
13 their exemption request and give them a date that we have
14 exempted the submittal of information to and not beyond that
15 date then I would hope that we could take civil action
16 against them if they don't meet that date. You could have
17 done it before.

18 COMMISSIONER AHEARNE: Yes. I guess we could have
19 refused the exemptions before.

20 COMMISSIONER BRADFORD: That is right. You can't
21 do it to the ones who have requested exemptions. Now they
22 haven't all requested exemptions though, have they?

23 MR. VOLLNER: No, they have not all requested
24 exemptions, and I assume, is that correct, that they had
25 submitted their information?

1 MR. FERGUSON: Right. There are about 28 plants
2 which did not request exemptions and they had submitted.
3 Those are the ones that are under review right now.

4 COMMISSIONER AHEARNE: If I read your Table I
5 correctly there is a requested date, for example, of
6 December 1st of 1981 and the present status is March 31st of
7 1982. There is another requested date of October 22nd and
8 the status is due in March of '82.

9 So I gather that although they have requested
10 exemptions they have missed the date that they requested the
11 exemption for.

12 MR. FERGUSON: Right.

13 MR. VOLLMER: In some cases they have requested
14 exemptions and they have submitted the information, too,
15 yes. So I would think of using the present status date and
16 saying that they have to have it in by that date and not
17 allowing the one applicant that was looking for a date in
18 October of '82, the Farley I plant, and not granting him
19 that.

20 COMMISSIONER AHEARNE: You do believe that this is
21 more than just saying well, we told you once. This time we
22 really mean it.

23 MR. VOLLMER: Well, I will give you my best shot
24 at it here. They did submit an exemption request and we
25 said okay, we will exempt you until here but no further. I

1 guess that is what I am looking for.

2 CHAIRMAN PALLADINO: Maybe we ought to have an
3 exemption request fee made at the time they request it.

4 (Laughter.)

5 CHAIRMAN PALLADINO: If they meet the deadline
6 they get all but a nominal administrative fee back. If they
7 slip one day it will cost them 10 percent.

8 (Laughter.)

9 CHAIRMAN PALLADINO: That way you might get some
10 attention.

11 COMMISSIONER BRADFORD: I think you are on to
12 something.

13 (Laughter.)

14 COMMISSIONER AHEARNE: Of course, they might come
15 in and say that they petition for rulemaking that is a
16 finite amount of time that the NRC has to review these
17 requests and if we miss it we start paying them or something.

18 (Laughter.)

19 CHAIRMAN PALLADINO: Well, it should be a one-way
20 street.

21 (Laughter.)

22 MR. VOLLNER: The last item was we had Quarterly
23 Report 4 in response to Commissioner Bradford's request we
24 have Enclosure 2 which contains the staff criteria for
25 granting exemptions to Section 3-G.

1 Would you like to mention what they a
2 MR. BENAROYA: In Section 3-G we have
3 exemption requests. In some of them they are g
4 equivalent protection. We are evaluating to see
5 be acceptable. In doing these evaluations we co
6 area description, the walls, floors, ceiling con
7 room volume and things like that, the safe shutd
8 equipment ---

9 CHAIRMAN PALLADINO: Are these technica
10 exemptions you are speaking about?

11 MR. BENAROYA: Yes, right. The schedul
12 exemptions is something else. It is what we eval
13 exemptions to to see whether they are acceptable

14 --- and the number of redundant systems
15 area in a fire zone and the type of equipment, th
16 involved, the fire hazards analysis, like the type
17 combustibles in the area, the quantity of combusti
18 transients, whether they are there, the suppressio
19 that they have or the suppression system that migh
20 the components, what protection is existing or in
21 or they are committing to install, what kind of de
22 systems, extinguishing systems and if they have co
23 things like that.

24 All this is evaluated. Based on this we
25 the conditions and see if it would provide equival

1 protection.

2 We have given in the Quarterly Report some
3 examples of what we would accept and what we would reject.

4 CHAIRMAN PALLADINO: Do you want to highlight one
5 or two examples of acceptance or rejection?

6 MR. BENAROYA: The one that is the most prevalent
7 is a fixed suppression system in the control room. We
8 exempt that because the control room is continuously manned
9 and the fire hazard is limited and the amount of transients
10 that could be brought to the control room are limited.

11 CHAIRMAN PALLADINO: The amount of what?

12 MR. VOLLNER: Transient type combustibles.

13 COMMISSIONER AHEARNE: I have seen a lot of those
14 exemptions going through. Do you expect that that is just
15 going to be a standard exemption?

16 MR. BENAROYA: For the control room, yes.

17 MR. FERGUSON: At least for the newer plants.
18 There is one problem with making a blanket statement, and
19 that is some of the older plants essentially has the cable
20 spreading room right above the control room. There is no
21 separation. It is just, you know, the cables above it. You
22 would have to take the room as it is and evaluate it, but
23 for the most part for the newer plants, yes.

24 MR. BENAROYA: Fort St. Vrain does have a
25 protection system in the control room.

1 COMMISSIONER AHEARNE: Right. The types of sound
2 absorbing materials, rugs and so forth are not ---

3 MR. BENAROYA: Oh, they are very much considered,
4 yes.

5 COMMISSIONER AHEARNE: Oh, they are considered?

6 MR. BENAROYA: Oh, yes.

7 COMMISSIONER AHEARNE: If they turn out not to be
8 combustible?

9 MR. BENAROYA: We require that the carpets be fire
10 retardant.

11 MR. VOLLNER: I think it was at Sequoyah that they
12 had to pull up the existing and put down different carpeting
13 because of that.

14 CHAIRMAN PALLADINO: I guess you also consider
15 other pathways for fire to get in?

16 MR. BENAROYA: Yes. It is plant dependent. Each
17 plant will be different depending on the orientation, where
18 the cable spreading rooms are in respect to the control
19 room, whether it is one unit or two units, how they are
20 separated, whether they have a kitchenette or something next
21 door or whether they have a computer room and how they are
22 separated from each other.

23 CHAIRMAN PALLADINO: Could you start a fire by
24 dropping a light bulb into the appropriate place on the
25 console?

1 MR. BENAROYA: I doubt it.

2 CHAIRMAN PALLADINO: I meant have those kinds of
3 things been explored as well?

4 MR. BENAROYA: Well, we look at it more from
5 shorts from the cables that we have in the cabinets or
6 transients. Mostly transients is what we worry about most.

7 CHAIRMAN PALLADINO: What do you mean by
8 transients?

9 MR. VOLLNER: Paper, alcohol, acetone or something
10 like that being brought into the control room.

11 MR. FERGUSON: For the most part, a fire in terms
12 of a cabinet we consider at least one cabinet would burn up
13 because you can never tell when somebody would leave
14 something in the back of the cabinet and it would just
15 ignite, let's say a cardboard box of wire cuttings with
16 insulation and that sort of thing. So we don't worry about
17 fires as small as just shorting one or two wires apart, but
18 as a minimum at least destroying the entire contents of one
19 cabinet and depending on the configuration how many cabinets
20 would go when a fire initiated.

21 COMMISSIONER BRADFORD: Dick, how many plants at
22 this point actually meet the alternate shutdown or safe
23 shutdown requirements?

24 MR. VOLLNER: How many plants meet it? Well ---

25 MR. BENAROYA: We know Fort St. Vrain does.

1 (Laughter.)

2 COMMISSIONER BRADFORD: Why?

3 MR. BENAROYA: That is very extensively looked
4 at. There are quite a few that claim they have it and we
5 are checking that.

6 COMMISSIONER BRADFORD: Well, I was going to ask
7 that. You do have a fair number who are claiming to be in
8 compliance?

9 MR. BENAROYA: Yes.

10 CHAIRMAN PALLADINO: This table at the end shows
11 22 asked for exemptions. Does that mean the others are
12 going to be in compliance?

13 COMMISSIONER BRADFORD: Is there some dispute over
14 what compliance means in this case? That is, do you have
15 some people who haven't requested exemptions who are
16 claiming to be in compliance on the basis of past reviews or
17 other matters where there is some reason to doubt that they
18 really are in compliance?

19 MR. VOLLMER: I am not sure about the reasons to
20 doubt that they are in compliance. They know what the
21 prescriptions say. I don't think we have yet verified that
22 they are or are not in compliance, those that have not
23 requested exemption.

24 MR. FERGUSON: I think of all of the 3-G
25 exemptions, that number of 22, there is only a small

1 fraction of those which have to do with safe shutdown. Most
2 of the exemption requests have to do with the fire
3 protection features.

4 MR. VOLLMER: I think another point is that there
5 has been a fair amount of upgrading over the years despite
6 the fact we haven't come to a full resolution. There are
7 many fire protection features already in even though they
8 may not meet the full Appendix R requirements as yet. So
9 that the time that will be required for them to put in an
10 alternate where they don't currently meet the other Appendix
11 R requirements is, you know, a completion of the cycle but
12 one which will give them the protection that we are really
13 looking for.

14 COMMISSIONER BRADFORD: How closely coordinated
15 are you with I&E; that is, in the case of plants who haven't
16 requested exemptions and who are now saying that they are in
17 compliance? Is I&E now inspecting against Appendix R?

18 MR. VOLLMER: We have an I&E representative, Jim
19 Taylor.

20 MR. TAYLOR: We have been basically inspecting and
21 our program is built to inspect per the Technical Branch
22 Positions. The modifications that are already pledged are
23 being checked and our quick survey of the regions indicates
24 that that program is being followed.

25 We expect a big workload as the modifications and

1 all the questions are settled with NRR, especially with
2 regard to the safe shutdown condition.

3 COMMISSIONER BRADFORD: What kind of compliance
4 are you finding?

5 MR. TAYLOR: We are finding items of
6 noncompliance. One of the packages is a proposed civil
7 penalty on D. C. Cook which reflects a number of individual
8 commitments and requirements that were not met. The
9 individual items are being picked up. I can't give you a
10 complete summary of them.

11 COMMISSIONER BRADFORD: I am just trying to get a
12 feel for these magnitudes involved. You have the penalty
13 against D. C. Cook. How many plants have been inspected to
14 the level that D. C. Cook was and have turned out to be all
15 right?

16 MR. TAYLOR: Essentially most of the plants in
17 Region I and II have been inspected to all the SER
18 commitments that we currently have and per Appendix R.
19 Region III has 8 of 13 done. I don't have the numbers in
20 Regions IV and V. D. C. Cook was one of those inspected in
21 Region III.

22 COMMISSIONER BRADFORD: It sounds then as though
23 the level of compliance is reasonably good.

24 MR. TAYLOR: I think for those items that have
25 been committed to, yes. D. C. Cook had a whole series of

1 items which I think was the basis upon the Regional
2 Administrator recommended a civil penalty.

3 COMMISSIONER BRADFORD: How big a gap are we
4 talking about between items committed to and the eventual
5 requirements of Appendix R? Are you going to have to go
6 back and inspect a good deal in a number of plants that have
7 already been inspected?

8 MR. TAYLOR: Yes. I think especially where there
9 are committed modifications with regard to the safe shutdown
10 system. That is an area where NRR has something in process
11 and commitments have been made to make modifications or
12 exemptions requested. We have not gone out and completed
13 that work.

14 It was on that basis that Mr. Dircks noted that
15 I&E would probably need contractor assistance and we are
16 planning for that in the forthcoming budgets. There is
17 money that has been requested because we expect a fairly
18 heavy workload over a reasonably short period, over a year
19 or two as we go around to confirm what I call the Big Three
20 mods and especially the safe shutdown condition.

21 COMMISSIONER BRADFORD: Thank's.

22 COMMISSIONER AHEARNE: Can I ask a question. Were
23 you through, Dick?

24 MR. VOLLNER: Yes.

25 COMMISSIONER AHEARNE: On Table 1 you have an item

1 that I am trying to understand the procedures you go
2 through. The rule had a specific date, the March date.

3 MR. VOLLMER: Yes.

4 COMMISSIONER AHEARNE: A number of plants came in
5 with requests for exemption.

6 MR. VOLLMER: That is correct, yes.

7 COMMISSIONER AHEARNE: The column "Requested
8 Date," is that the date that they requested?

9 MR. VOLLMER: These are the dates that they
10 requested in their original submittal.

11 COMMISSIONER AHEARNE: Were these approved?

12 MR. VOLLMER: No, we did not approve any exemption
13 of schedule request.

14 COMMISSIONER AHEARNE: So these are essentially
15 outstanding requests?

16 MR. VOLLMER: These are outstanding requests.

17 COMMISSIONER AHEARNE: Has there been a dialogue
18 discussion with the licensees? For example, let's just go
19 down the list. The first one is Beaver Valley. They
20 requested December 1st and they now have a present status of
21 March 31st. So essentially that is four months later. Has
22 there been a discussion? Do they come in with a revised
23 request.

24 MR. VOLLMER: Let me ask the staff.

25 MR. FERGUSON: I assume the letter came in. What

1 discussion there was I do not know. That would be handled
2 by the project manager.

3 MR. VOLLNER: I would like to ask Tom Wambach to
4 address that really. He has got a better feel for it.

5 MR. WAMBACH: Tom Wambach, Division of Licensing.
6 Yes, as these dates approach the project manager contacts
7 the licensee to see if they are going to meet that date or
8 not. Where you see a status change it is where the licensee
9 has come in with another letter to request a further
10 extension.

11 COMMISSIONER AHEARNE: So there is another
12 letter ---

13 MR. WAMBACH: --- that requests a further
14 extension.

15 COMMISSIONER AHEARNE: For example, then, on
16 Beaver Valley where it says requested date December 1st and
17 the present status March 31st it is really that there has
18 been a subsequent request; is that correct?

19 MR. WAMBACH: Yes, that is correct.

20 COMMISSIONER AHEARNE: All right.

21 Second, if I could ask you, let's take Maine
22 Yankee which the requested date is November 1981, putting
23 aside the looseness of that description. What it now says
24 is "Not received delay unknown." Does the project manager
25 follow up?

1 MR. WAMBACH: Yes. That one we apparently had
2 something fall through the crack because, in addition to
3 their request for a delay until November 1981, they had also
4 requested, which is back in one of these other tables, an
5 exemption from the 72-hour requirement for excluding
6 off-site power.

7 What they planned to submit on November 1981 would
8 have been an alternate safe shutdown description which
9 utilized off-site power. They were informed verbally that
10 that was not going to be acceptable. A denial for their
11 request for exemption was never sent to them. So they say
12 when they get that denial and have to come in with a new
13 design for utilizing only on-site power for the first 72
14 hours that they will need more time. That is what they will
15 submit when they get their denial.

16 COMMISSIONER AHEARNE: You have a similar
17 situation on the next page then on Point Beach where again
18 it is "Not received delay unknown."

19 MR. WAMBACH: That one I am not familiar with what
20 the reason is there. We will have to contact them.

21 CHAIRMAN PALLADINO: Are these the ones where they
22 are supposed to have made a commitment to get information by
23 no later July 1st of '82?

24 MR. VOLLNER: No. What I was proposing is that we
25 would go back and grant the scheduled exemptions, the latest

1 one they have given us, and tell them that they need to get
2 it in by then, but I would not suggest granting anything
3 later than July 1 of 1982. If they have asked for a later
4 date then not give it.

5 CHAIRMAN PALLADINO: You have Three Mile Island I
6 due in October '82. That is a special case I presume.

7 MR. VOLLNER: As I recall the staff SER in TMI-1
8 said that the information -- well, I would not intend on
9 granting it beyond that. That was safe shutdown review
10 again. I would not intend on granting it beyond July of '82.

11 CHAIRMAN PALLADINO: There are so many problems
12 with that one that if that date slips then maybe other
13 things will slip, too.

14 (Laughter.)

15 CHAIRMAN PALLADINO: All right.

16 COMMISSIONER AHEARNE: On Table 2 could you
17 explain the Nine Mile Point 1 entry. It says "Licensee
18 Position: Will meet Appendix R - details 5/19/81." Does
19 that mean that they provided details on 5/19/81 or that
20 details were due on 5/19.

21 MR. WAMBACH: No, the details were due on 5/19.
22 They were examined and we have an additional request for
23 information. This is one point I would like to clarify with
24 regard to the consideration of how many licensees have
25 requested additional time and how many were able to meet the

1 March 19th date.

2 The regulatory requirement to make a submittal by
3 March 19th could be met by making a submittal saying nothing
4 about the quality. So there are a number of these in the
5 table where they didn't request an exemption. Although they
6 made a submittal, they could have used more time because
7 what they gave us wasn't sufficient and we have had to go
8 back to them with a request for additional information.

9 Some have said they are ready for review but a
10 good enough review hasn't been done to determine whether we
11 are going to need additional information from them or not.

12 I think when these tables first appeared in
13 Quarterly Report No. 2 we tried to identify that, that
14 although we have this number of requests for delay we
15 suspect from what we have seen thus far of the submittals
16 that other people could have used more time also.

17 CHAIRMAN PALLADINO: Dick, I was trying to
18 summarize in my own mind a statement that you had made
19 earlier about soon resolving all the issues and starting the
20 clocks. Then you said more information is needed. I then
21 couldn't figure out how soon we would be resolving all these
22 issues because some of the information may not come in until
23 July 1st of this year.

24 MR. VOLLNER: I think if we indeed get good
25 substantive information at the end of these that is received

1 like in July of '82 the staff schedules, and we have
2 consultants working with the staff on turning out these
3 reviews, we project that they would end up near the end of
4 this year.

5 CHAIRMAN PALLADINO: The fiscal year?

6 MR. VOLLNER: No, the calendar year. So what I
7 was trying to say is if we can find a mechanism to get
8 responsiveness from the licensee and if they do indeed get
9 the information that we would hope to have the bulk of it
10 wrapped up by the end of this calendar year and thereby all
11 the licensees' clocks would be started to achieve
12 implementation.

13 CHAIRMAN PALLADINO: Thank you.

14 Do you have more questions, Peter?

15 COMMISSIONER BRADFORD: Let's see, if you wanted
16 to, Dick, do you feel that you have the option of a faster
17 course; that is, requiring information sooner and
18 conceivably penalizing those who haven't provided it? In
19 other words, the extensions from now till July of '82 wind
20 up giving people another six months to provide information
21 that we originally thought they could provide in 30 days.

22 MR. VOLLNER: What I had said was that in granting
23 the schedular exemptions that we would not grant them all to
24 July but not grant any later than that.

25 COMMISSIONER BRADFORD: Right, I understand.

1 MR. VOLLNER: I think if we received all the
2 information from all licensees to the level that we wanted
3 it right now we still couldn't turn around our reviews and
4 get everything done a lot quicker than I am projecting
5 anyway.

6 If that not true?

7 MR. JOHNSTON: That is true.

8 MR. FERGUSON: That is correct.

9 MR. BENAROYA: (Nodding affirmatively.)

10 MR. VOLLNER: I think if we could get some way of
11 getting current information reviewed and get everything
12 wrapped up from the licensee by July the best the staff
13 could do would be turn around all this by the end of the
14 year anyway.

15 COMMISSIONER BRADFORD: Was that sort of staff
16 schedular consideration not so fully appreciated a year ago
17 or have you lost manpower in the last year in this area?

18 MR. VOLLNER: I think we recognized that the safe
19 shutdown capability review would take a fair amount of staff
20 manpower and that is the reason we had the tolling provision
21 in the regulation that after NRC approval that their clock
22 would start running.

23 I will ask Vic if he feels that we underestimated
24 it then. I don't have a really good feel for that.

25 (Laughter.)

1 MR. VOLLNER: The heads keep turning.

2 (Laughter.)

3 MR. VOLLNER: How about Sam. Would you like to
4 comment?

5 MR. FERGUSON: When we had originally started with
6 the rule we had four dedicated review teams looking at these
7 plants. By the time the rule was issued those teams had
8 been disbanded and subsequently we have changed all the
9 manpower. We have got all new people working on it and that
10 sort of thing.

11 When the Quarterly Report No. 1 or 2 when we first
12 started giving you a summary of the plants, based on the
13 manpower that was currently available at that time it went
14 along pretty well with the schedule that would be produced
15 if we granted these exemptions, in other words, not going
16 into a panic thing and trying to get five or six more people
17 involved and train them.

18 COMMISSIONER BRADFORD: You say at one point you
19 lost all the people who had been working on it? Did I
20 understand you correctly?

21 MR. FERGUSON: Yes.

22 COMMISSIONER BRADFORD: Where did they go?

23 MR. FERGUSON: Different assignments within the
24 organization.

25 MR. VOLLNER: You are referring, Bob, to the teams

1 that were assembled back in '78 in the Division of Operating
2 Reactors.

3 MR. FERGUSON: Right. They were first on it.
4 Then even before the reorganization as work slacked off
5 because we were not getting submittals and we were waiting
6 for the rulemaking proceeding to go forward so we could
7 start getting resolution of these things those people were
8 reassigned to other jobs.

9 COMMISSIONER BRADFORD: Within the framework that
10 you are proposing what happens in the case of a licensee who
11 submitted inadequate information within the time and
12 therefore hasn't requested an exemption?

13 MR. VOLLNER: We would go back and try to reach
14 some sort of agreement for resubmittal of information with
15 him on a time not to exceed July of '82 and hopefully much
16 quicker.

17 The licensees that we have talked to that are part
18 of this group, many of them say, just the initial meetings
19 they have in understanding what we want, a number of them
20 have said that they feel they will be able to get their
21 packages in to us in the next couple of months.

22 Again, hopefully using that as sort of a criteria
23 or a sort of a guideline, I am hopeful that we can work out
24 dates with licensees which will not extend them at all
25 beyond July but hopefully get timely submittals to the staff

1 so that we don't get on July 1st with a bunch of them.

2 COMMISSIONER BRADFORD: Do the ones who submitted
3 inadequate information know that you think they submitted
4 inadequate information?

5 MR. FERGUSON: Yes. I think when the package
6 comes in it is reviewed and within two or three weeks they
7 get it back and call the licensees and try to set up a
8 meeting and make arrangements informally without an exchange
9 of letters of getting the information in.

10 MR. VOLLNER: What have we done about dates in
11 those cases? I think that may be the thrust of it.

12 Tom?

13 MR. WAMBACH: The detailed reviews on these for
14 the alternate safe shutdown are being done by Brookhaven
15 National Lab under contract. They have I believe two review
16 teams. So they are limited to the number they can look at
17 simultaneously.

18 When they have gone through a submittal in
19 sufficient detail to identify the deficiencies I think in
20 the previous Commission meetings you were reticent to have
21 us go back in a question and answer mode with them. So what
22 we are doing is we are setting up conference calls and
23 discussing with them and they usually come back and say
24 well, we can provide that information within such and such a
25 time. We tried to get it down to within 30 to 60 days where

1 we can get the information to try to keep close to the
2 schedule that we originally indicated in our Quarterly
3 Report No. 2. Whether we will be able to maintain tha
4 not I am not sure.

5 COMMISSIONER AHEARNE: How many people are w
6 on this full time in NRR?

7 MR. VOLLMER: In NRR?

8 COMMISSIONER AHEARNE: Yes.

9 MR. VOLLMER: Except for project managers, al
10 that is only part of their responsibility, just the sta
11 that Bob has.

12 MR. FERGUSON: We have two different things.
13 have been talking mostly about alternative shutdown sys

14 COMMISSIONER AHEARNE: I mean the fire protec
15 rule.

16 MR. FERGUSON: Well, technical exemptions of
17 protection, we have two people working on those now. W
18 have two fire protection engineers. The alternate shut
19 reviews, those are being reviewed by Brookhaven and the
20 one staff man who is coordinating that effort with some
21 assistance from other branches of different expertise.
22 would say probably that would come up to about the
23 equivalent of two men. I think there are three or four
24 at Brookhaven. I know there are three in industry.

25 MR. VOLLMER: So two people in Power Systems,

1 Systems, and four at Brookhaven?

2 MR. WAMBACH: Yes, I think four, isn't it, two
3 teams of two.

4 MR. VOLLNER: And two in your section.

5 MR. FERGUSON: Right, working purely on fire
6 protection features, yes.

7 MR. VOLLNER: That excludes the work that is going
8 on for current plant licensing?

9 MR. FERGUSON: Right.

10 MR. VOLLNER: And Gage Babcock is not doing any of
11 these for OL's?

12 MR. FERGUSON: No. We started Gage Babcock as a
13 contractor, but we found that really the decision in
14 granting an exemption is a balancing thing which is really
15 our own responsibility and we found no way we could really
16 delegate it to them or purely accept their recommendations.
17 So now we have dropped that and we are doing it ourselves.

18 We have really not tackled these 3-G exemptions
19 because we had been giving priority to the case work. But
20 now that has slacked up and so we are trying to resolve what
21 exemptions we have in house from a fire protection
22 standpoint by the end of the month.

23 CHAIRMAN PALLADINO: Any other questions, John?

24 COMMISSIONER AHEARNE: (Nodding negatively.)

25 CHAIRMAN PALLADINO: Tom?

1 COMMISSIONER ROBERTS: (Nodding negatively.)
2 CHAIRMAN PALLADINO: Peter?
3 COMMISSIONER BRADFORD: (Nodding negatively.)
4 CHAIRMAN PALLADINO: Well, thank you very much.
5 It has been very helpful.
6 Unless there are any other items that ought to
7 come before us at this time, we will stand adjourned.
8 (Whereupon, at 3:50 p.m., the meeting adjourned.)

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NUCLEAR REGULATORY COMMISSION

This is to certify that the attached proceedings before the
COMMISSION MEETING

in the matter of: BRIEFING ON FIRE PROTECTION RULE SCHEDULES AND
EXEMPTIONS - PUBLIC MEETING

Date of Proceeding: January 12, 1982

Docket Number: _____

Place of Proceeding: Washington, D. C.

were held as herein appears, and that this is the original transcript
thereof for the file of the Commission.

Mary C. Simons

Official Reporter (Typed)

Mary C Simons

Official Reporter (Signature)

BACKGROUND

- FIRE AT BROWNS FERRY NUCLEAR POWER PLANT MARCH 22, 1975
- RECOMMENDATIONS RELATED TO BROWNS FERRY FIRE
 NUREG-0050 FEBRUARY 1976

SPECIAL REVIEW GROUP DETERMINED LESSONS LEARNED FROM BROWNS FERRY FIRE. RECOMMENDED IMPROVEMENTS OF:

1. NRC FIRE PROTECTION GUIDELINES,
2. NRC EVALUATION, INSPECTION AND ENFORCEMENT PROCEDURES,
3. FIRE PROTECTION PROGRAMS AT FACILITIES, AND
4. LOCAL GOVERNMENT EMERGENCY PROCEDURES.

R. Ferguson
X28005
January 11, 1982

- DEVELOPED BRANCH TECHNICAL POSITION APCSB 9.5-1 " GUIDELINES FOR FIRE PROTECTION FOR NUCLEAR POWER PLANTS" JUNE 1976

FIRE PROTECTION GUIDELINES FOR NEWLY DOCKETED PLANTS COVERING:

1. FIRE PROTECTION PROGRAMS
2. ADMINISTRATIVE CONTROLS
3. FIRE BRIGADE
4. QUALITY ASSURANCE
5. GENERAL PLANT FEATURES
6. SPECIFIC PLANT AREAS
7. FIRE DETECTION AND SUPPRESSION SYSTEMS

- ISSUED APPENDIX A TO BTP APCS 9.5-1, "GUIDELINES FOR FIRE PROTECTION FOR NUCLEAR POWER PLANTS DOCKETED PRIOR TO JULY 1, 1976" AUGUST 1976

PROVIDED ACCEPTABLE ALTERNATIVES FOR OPERATING PLANTS AND PLANTS UNDER CONSTRUCTION

- LETTERS SENT TO ALL APPLICANTS AND LICENSEES ANNOUNCING THESE NEW GUIDELINES SEPTEMBER 1976

STATED THESE GUIDELINES WOULD BE USED FOR OUR REVIEW AND PROVIDE SUPPLEMENTARY GUIDANCE FOR THE CONTENTS OF THE FIRE HAZARDS ANALYSIS OF THE PLANT

R. Ferguson
X28005
January 22, 1982

● PROPOSED REGULATORY GUIDE 1.120, "FIRE PROTECTION GUIDELINES
FOR NUCLEAR POWER PLANTS" JUNE 1976

SAME GUIDANCE AS BRANCH TECHNICAL POSITION APCSB 9.5-1

PUBLIC COMMENTS INCLUDED IN REVISION 1 AND DISCUSSED WITH ACRS

ACRS MEETING

MAY 1977

REVISION 1 ISSUED FOR PUBLIC COMMENT

NOVEMBER 1977

REVISION 1 WAS ISSUED FOR A SECOND COMMENT PERIOD OF ONE YEAR
BECAUSE IT WAS NOT APPROVED BY THE ACRS.

IT WAS NOT APPROVED BY ACRS BECAUSE:

1. IT WAS TOO PRESCRIPTIVE.
2. DID NOT ENCOURAGE DEDICATED SHUTDOWN SYSTEM
(BUNKERED SYSTEM)

RESEARCH WAS REQUESTED TO EVALUATE THE BENEFITS OF A "BUNKERED"
SYSTEM AS AN ALTERNATIVE FOR PRESERVING SAFE SHUTDOWN FUNCTION
IN FEBRUARY 1978.

● INTERNAL GUIDELINES ISSUED AS REQUIRED BY REVIEW EXPERIENCE

1. FIRE HAZARDS ANALYSIS SEPT. 1976

2. NUCLEAR PLANT FIRE PROTECTION FUNCTIONAL RESPONSIBILITIES, ADMINISTRATIVE CONTROLS AND QUALITY ASSURANCE JUNE 1977
 - 2.1 ADMINISTRATIVE CONTROLS
 - 2.2 QUALITY ASSURANCE
 - 2.3 FUNCTIONAL RESPONSIBILITIES
 - 2.4 FIRE BRIGADE ORGANIZATION AND TRAINING

3. SAFE SHUTDOWN CAPABILITY SEPT. 1979

4. TECHNICAL SPECIFICATIONS JUNE 1977

5. MANPOWER REQUIREMENTS FOR OPERATING REACTORS JUNE 1978

● §50.48 FIRE PROTECTION AND APPENDIX R TO 10 CFR PART 50

(PROPOSED RULE APPROVED BY COMMISSION APRIL 1980)

(PROPOSED RULE PUBLISHED MAY 29, 1980)

(FINAL RULE PUBLISHED NOVEMBER 19, 1980)

(EFFECTIVE DATE FEBRUARY 17, 1981)

THE RULE AND ITS APPENDIX R WERE DEVELOPED TO ESTABLISH THE MINIMUM ACCEPTABLE FIRE PROTECTION REQUIREMENTS NECESSARY TO RESOLVE CERTAIN AREAS OF CONCERN IN CONTEST BETWEEN THE STAFF AND LICENSEES OF PLANTS OPERATING PRIOR TO JANUARY 1, 1979. THE AREAS OF CONCERN ARE:

1. WATER SUPPRESSION SYSTEMS
2. FIRE DETECTION SYSTEMS
3. FIRE PROTECTION FOR SAFE SHUTDOWN CAPABILITY
4. FIRE BRIGADE ORGANIZATION AND TRAINING
5. EMERGENCY LIGHTING*
6. ADMINISTRATIVE CONTROLS
7. SHUTDOWN CAPABILITY*
8. CABLE PENETRATION SEAL QUALIFICATION
9. FIRE DOORS
10. REACTOR COOLANT PUMP OIL COLLECTION SYSTEM*

*TO BE BACKFITTED IN ALL PLANTS (3 ITEMS)

● NINE LICENSEES PETITIONED THE D.C. COURT OF APPEALS TO REVIEW THE FINAL RULE FOR FIRE PROTECTION

R. Ferguson
X28005
1/11/82

- MEMORANDUM AND ORDER CLI-80-21 MAY 23, 1980
- FIRE PROTECTION RULE FOR FUTURE PLANTS SECY-81-114
FEBRUARY 19, 1981

1. FOR OL'S SCHEDULED AFTER SEPTEMBER 1, 1981, APPLICANT TO IDENTIFY AND JUSTIFY DEVIATIONS FROM BTP ASB 9.5-1 AND APPENDIX R TO 10 CFR PART 50. CURRENTLY COMBINED IN CMEB 9.5-1.
2. THE STAFF COMMITTED TO PREPARE THE DRAFT FOR A FIRE PROTECTION RULE FOR FUTURE PLANTS BY JULY 1982.

R. Ferguson
X28005
1/11/82

- LETTER TO ALL POWER REACTOR LICENSEES CONCERNING
IMPLEMENTATION OF APPENDIX R FEBRUARY 20, 1981

REMINDED LICENSEES OF 50.48 OF 10 CFR PART 50 REQUIRE-
MENTS AND PROVIDED GUIDANCE AS TO THE INFORMATION
NEEDED TO COMPLETE THE REVIEW OF POST-FIRE SHUTDOWN
CAPABILITY AND ASSOCIATED CIRCUIT CONCERNS.

R. Ferguson
X28005
1/11/82

CURRENT LICENSING IMPLEMENTATION OF FIRE PROTECTION
REQUIREMENTS

- SECTION 9.5.1 OF STANDARD REVIEW PLAN, REV. 3 FOR CURRENT OL'S.
- LICENSE CONDITION REQUIRES COMPLIANCE WITH COMMITMENTS MADE BY AN APPLICANT AND AGREED TO BY THE STAFF.
- PROCESSING OF SAFE SHUTDOWN EVALUATIONS.
- PROCESSING OF EXEMPTIONS TO TECHNICAL AND SCHEDULAR REQUIREMENTS OF APPENDIX R AND 50.48.
- NUCLEAR UTILITY FIRE PROTECTION GROUP REPRESENTING EIGHTEEN LICENSEES FORMED TO DEFINE GENERIC FIRE PROTECTION ISSUES.

INITIAL MEETING TO RESOLVE THE SIXTEEN ISSUES THEY DEFINED WAS HELD ON NOVEMBER 17, 1981. SECOND MEETING IS SCHEDULED FOR JANUARY 21, 1982.

R. Ferguson
X28005
1/11/82

● FIRE PROTECTION RULE EXEMPTION REQUESTS

<u>EXEMPTIONS</u>	<u>NO. OF PLANTS</u>
SCHEDULAR EXEMPTIONS	
III.G SUBMITTAL SCHEDULE	44
IMPLEMENTATION SCHEDULE	14
TECHNICAL EXEMPTIONS	
III.G FIRE PROTECTION OF SAFE SHUTDOWN CAPABILITY	22
III.J EMERGENCY LIGHTING	10
III.O OIL COLLECTION SYSTEM FOR REACTOR COOLANT PUMPS	13
SECTIONS OTHER THAN III.G, III.J, III.O	10

WE HAVE RECEIVED 68 INDIVIDUAL REQUESTS FOR EXEMPTIONS FROM TECHNICAL REQUIREMENTS. THE STATUS OF EVALUATION OF THE REQUESTS IS:

APPROVED	11
DENIED	13
DO NOT NEED EVALUATION	25
UNDER REVIEW	19

R. Ferguson
X28005
1/11/82

Advance Copy

January 11, 1982

SECY-82-13

For: The Commissioners

From: William J. Dircks
Executive Director for Operations

Subject: FIRE PROTECTION RULE SCHEDULES AND EXEMPTIONS
(QUARTERLY REPORT NO. 4)

Objective: To inform the Commission of the status of the implementation of 10 CFR 50.48 and Appendix R to 10 CFR Part 50, as requested by a November 3, 1980, memo from Samuel J. Chilk to William J. Dircks, and to request the Commission's concurrence on the granting of exemptions to 10 CFR 50.48 schedular requirements.

Discussion: On February 17, 1981, the fire protection rule for nuclear power plants, 10 CFR 50.48 and Appendix R to 10 CFR 50, became effective. This rule required all licensees of plants licensed prior to January 1, 1979, to submit by March 19, 1981: (1) plans and schedules for meeting the applicable requirements of Appendix R, (2) a design description of any modifications proposed to provide alternative safe shutdown capability pursuant to Paragraph III.G.3 of Appendix R, and (3) exemption requests for which the tolling provision of Section 50.48(c)(6) was to be invoked.

Contact:
G. Harrison, NRR
492-4564

SECY NOTE: This paper is identical to advance copies which were circulated to Commission offices on January 12, 1982.

~~D. PC~~
8201260510

The seven tables attached indicate the fire protection status of all the operating plants affected by 10 CFR 50.48. These tables have been revised and annotated to display the changes that have taken place since the third quarterly report (SECY-81-666) through December, 1981.

Table I lists the 44 plants which have requested a schedule exemption from the requirement to submit information by March 19, 1981, concerning reanalysis and modifications proposed for protection of safe shut down capability. Table II lists the 28 plants which have not requested schedular exemptions.

Tables III, IV, V, and VI list those plants which have requested exemptions from technical requirements of Appendix R Sections III.G, III.O, III.J, and the remainder of Section III respectively. These tables identify each specific exemption requested prior to December 1, 1981, the licensee's basis for requesting an exemption, and state the status of the NRC review effort of the exemptions requested. The staff now has 19 requests for technical exemptions under review; we have denied 13, approved 11, and determined that 25 do not require an exemption. Table VII lists requests for exemption from other schedule requirements.

In our next quarterly report, we will not issue these seven tables. We will issue new tables which only list those exemptions remaining to be processed.

In our third quarterly report, we indicated that we would propose a plan to the Commission for the implementation of alternative shutdown modifications in those cases where the information requested for staff review is not provided by the extended date granted to the licensee. We have developed procedures which would grant schedular exemptions up to July 1, 1982, and subject the licensees to enforcement action if complete submittals are not received by the extended date. These procedures are provided in Enclosure 1. OELD concurs in the procedures.

In Quarterly Report No. 3, we indicated that we had met in November, 1981 with the Nuclear Utility Fire Protection Group to discuss Appendix R impacts. By letter dated December 9, 1981, this group identified 16 technical issues to discuss with the staff. Their characterization of the NRC's requirements on these issues indicated that they understood our requirements on all but a few issues. In our discussions with this group on December 17, 1981, we clarified our requirements on these few issues.

The group also proposed alternatives for meeting our requirements. However, these issues were not discussed in sufficient detail to be assured that they have been resolved. We have scheduled another meeting with this group for January 21, 1982, to discuss specific examples of these issues on specific plants. We previously reported that the utilities represented by this group may request further schedular exemptions; however, at the December 17, 1981 meeting the utilities present indicated that they are planning to meet their present schedules.

By memorandum to W. J. Dircks dated December 31, 1981, Commissioner Bradford requested that this quarterly report address the staff criteria for granting technical exemptions to Section III.G of Appendix R to 10 CFR Part 50 and the inspection program for assuring compliance with fire protection requirements, license conditions, and SER commitments (enclosure 2). Our criteria for III.G exemptions are attached. The regional offices have been conducting fire protection inspections based on commitments made in the SER. However, as detailed in the July 27, 1981 memorandum to Commissioner Bradford from Dircks, contractor support will be required to completely verify the implementation of fire protection plans by all licensees as required by Appendix R.

Summary:

The staff is reviewing technical exemption requests and alternate shutdown capability modifications. We believe that resources will permit full resolution of most issues by the end of 1982.

The staff is concerned that some licensees may not be responsive to our requests for timely information on proposed alternative shutdown systems. Therefore, we have developed procedures to expedite response to our February 20, 1981 letter under penalty of enforcement action. We intend to grant schedular exemptions up to July 1, 1982 in conjunction with these procedures. Staff review should then be complete in 1982 and the timing of licensee implementation would be dictated by Section (c)(3) of 50.48.

Recommendation:

We recommend that the Commission concur in the staff's procedures for granting schedular exemptions up to July 1, 1982.



William J. Dircks
Executive Director for Operations

Enclosures:

1. Procedures for Schedular Exemptions
2. Staff Criteria for Granting Section III.G Exemptions
3. Tables I thru VII

Commissioners' comments should be provided directly to the Office of the Secretary by c.o.b. Tuesday, January 26, 1982.

Commission Staff Office comments, if any, should be submitted to the Commissioners NLT January 19, 1982, with an information copy to the Office of the Secretary. If the paper is of such a nature that it requires additional time for analytical review and comment, the Commissioners and the Secretariat should be apprised of when comments may be expected.

DISTRIBUTION:

Commissioners
Commission Staff Offices
EDO
ACRS
ASLBP
SECY
OELD

ENCLOSURE 1

PROCEDURES FOR GRANTING
EXEMPTIONS TO PARAGRAPH 50.48(c) (5) SCHEDULE REQUIREMENTS

Paragraph 50.48(c)(5) requires licensees to submit by March 19, 1981, plans and schedules for modification and design descriptions of modifications to satisfy Section III.G.3 of Appendix R (herein after referred to as the reanalysis package). Several licensees requested schedular exemptions from this requirement. The staff has reviewed these requests and deemed them justified. The staff recommends that the exemptions be granted.

We are concerned that implementation may be further delayed if the reanalysis packages are not complete when submitted by the licensees. Paragraph 50.48(c) (4) sets the implementation date for shutdown system modifications (III.G.3) at a specified time after staff approval. If the required information is not developed completely when submitted by licensees, completion of the staff review is delayed and, therefore, the implementation dates are delayed. To resolve this concern, we recommend that schedular exemptions be granted up to the dates requested, with the latest date for schedular exemption set at July 1, 1982. The exemptions being granted will only be from the requirement to submit the reanalysis package by March 19, 1981. The exemption will not relieve the licensee from the requirement to submit a complete reanalysis package. If the licensee's submittal is found to be incomplete, the licensee will be in violation of 10 CFR 50.48 (c) (5) even if the reanalysis package is submitted within the time limits of the exemption. Such a violation will be a continuing one and a civil penalty may be assessed for each day that the violation continues.

For the licensee submittal to be considered complete, the following information must be provided:

1. A complete response to each question in Section 8 of Enclosure 1 and to each question in Enclosure 2 of the February 20, 1981 letter to the licensees. All tables requested in these enclosures must be included in the response.
2. An implementation schedule for each modification. For modifications which are subject to staff review, the implementation schedules should allow six months for staff review.

The following procedure will be used to process the exemption requests:

1. Exemptions will be granted up to the dates requested with the latest date for schedular exemption set at July 1, 1992. Those licensees who requested a schedular exemption, and who have already submitted the reanalysis package, will be given 30 days from the date of the letter granting the exemption in which to complete their reanalysis package;
2. The staff will review the results of the reanalysis packages in accordance with the schedule given on the attached table;
3. If the licensee's submittal is sufficiently complete to issue the staff evaluation report (SER) with only open items that require confirmatory documentation, the staff will issue the SER with the implementation date specified;
4. If the licensee's submittal is not sufficiently complete to issue the staff evaluation with only open items that require confirmatory documentation, the licensee will be in violation of 30 CFR 60.48(c) (5) and subsequent enforcement action may result; and

5. A copy of this procedure will be sent to all affected licensees so that they will know that poor or incomplete reanalysis may result in imposition of civil penalties.

As reported in SECY 81-414, there are three unique cases not covered by these procedures because the plants are now shutdown for extended periods. We recommend that exemptions be granted to Dresden 1, Humboldt Bay, and Three Mile Island 2, with the condition that required modifications be completed prior to restart.

REQUESTS FOR SCHEDULAR EXEMPTIONS

FOR III G REANALYSIS

Plant	Reanalysis Submitted	Staff Review Complete
Oconee 1, 2 & 3*	4/81	1/82
Cooper	3/82	8/82
Vermont Yankee	7/81	1/82
Robinson 2	3/82	7/82
Pilgrim	3/82	9/82
Calvert Cliffs 1	10/81	2/82
Maine Yankee	11/81	4/82
Point Beach 1 & 2	12/81	6/82
Prairie Island 1 & 2	12/81	5/82
Three Mile Island 1	12/81	5/82
Fitzpatrick	12/81	5/82
Brunswick 1 & 2	1/82	6/82
Oyster Creek	1/82	5/82
Millstone 1 & 2	2/82	7/82
Haddam Neck	2/82	6/82
Calvert Cliffs 2	2/82	6/82
Arkansas 2	2/82	7 & 8/82
Beaver Valley 1	3/82	9/82
Crystal River 3	3/82	8/82
Farley 2	3/82	9/82
Hatch 1 & 2	3/82	8/82
Indian Point 3	3/82	8/82
Peach Bottom 2 & 3	3/82	7/82
Monticello	4/82	9/82
San Onofre 1	4/82	10/82
Arkansas 1	5/82	10/82
St. Lucie 1	5/82	10/82
Turkey Point 3 & 4	5/82	10/82
Browns Ferry 1, 2 & 3	6/82	11/82
Farley 1 **	10/82	1/83
Dresden 1	Indefinite	Prior to Restart
Three Mile Island 2	Indefinite	Prior to Restart
Humboldt Bay	Indefinite	Prior to Restart

*Dedicated Shutdown System

**We will request Applicant to provide

ENCLOSURE 2

STAFF CRITERIA FOR GRANTING SECTION III.G EXEMPTIONS

STAFF CRITERIA:

These criteria for evaluation Section III.G exemption requests are given in 10 CFR Part 50 paragraph 50.48 Fire Protection. These criteria are:

- . Modifications required to meet Section III.G would not enhance fire protection safety above that provided by present commitments.
- . Modifications required to meet Section III.G would be detrimental to overall facility safety.
- . An evaluation must be made for each fire area for which an exemption is requested. During these evaluations, the staff considers the following parameters:
 - A. Area Description
 - walls, floor, and ceiling construction
 - ceiling height
 - room volume
 - ventilation
 - congestion
 - B. Safe Shutdown Equipment
 - number of redundant systems in area
 - whether or not system or equipment is required for hot shutdown
 - type of equipment/cables involved
 - C. Fire Hazard Analysis
 - type of combustibles in area
 - quantity of combustible
 - ease of ignition and propagation
 - heat release rate potential
 - transient and installed combustibles
 - suppression damage to equipment
 - D. Fire Protection Existing or Committed
 - fire detection systems
 - fire extinguishing systems
 - hose station/extinguisher
 - radiant heat shields
 - propagation retardants

The decision process for these requests, as well as, for deviation requests in OL applications, is as follows: The above information is assembled and, taken together, gives a fire protection engineer an assessment of the total situation. The engineer decides any specific exemption requests using the criteria given above.

More specific criteria for granting exemption requests does not exist. The reviewer's decision is criticized by other staff engineers in the CMES fire protection section prior to its finalization. Thus, the decision process for III.G exemption requests involves the collection of data, the use of a fire protection engineer, staff/peer review, and a bias towards the conservative side of a safety issue.

To illustrate the configurations for which exemptions/deviations would be granted, we offer the following examples:

1. III.G requires a fixed suppression system in the control room; however, we would grant an exemption because the fire hazard is light and the control room is continuously manned.
2. III.G requires a fixed suppression system in areas containing redundant systems required for shutdown if they are not separately ^{by} 20' free of combustibles. If the area does not contain a high concentration of combustibles, the fire severity is 15-30 minutes, and a one hour barrier is provided for the protected equipment, we would grant an exemption for the lack of fixed suppression system. If the area contains a high concentration of combustibles, has a high probability of transient combustibles, has a fire severity greater than 30 minutes, ^{and} has poor access for manual fire fighting, we would not grant an exemption for this lack of a fixed suppression system.
3. If the redundant components of safe shutdown systems are located in areas where the fire severity is very low, and in such a manner (e.g. high above the flow in a large open area) that involvement in a fire is highly unlikely, an exemption would be granted for the lack of both the fire barrier and the fixed suppression system.

ENCLOSURE 3

TABLE I

PLANTS REQUESTING SCHEDULAR EXEMPTION FROM SUBMITTAL
OF SEPARATION REANALYSIS AND MODIFICATIONS
PROPOSED FOR PROTECTION OF SAFE SHUTDOWN CAPABILITY (III.G)

<u>PLANT NAME</u>	<u>REQUESTED DATE</u>	<u>PRESENT STATUS</u>
Arkansas 1	Specific Tech. Exemp. 3/28 Modification design desc. 5/82	No Change
Arkansas 2	Specific Tech. Exemp. 11/81 Modification design desc. 2/82	No Change
4 Beaver Valley 1	December 1, 1981	Mar. 31, 1982
Browns Ferry 1/2/3	June 1, 1982	No Change
Brunswick 1/2	January 15, 1982	1-1/2 month slip
4 Calvert Cliffs 1/2	October 1, 1981 - Unit 1 February 1, 1982 - Unit 2	Received No Change
4 Cooper	October 22, 1981	Due in Mar., 1982
Crystal River	March 30, 1982	No Change
Dresden 1	Prior to restart June 1986	No Change
Farley 1	October 1982	No Change
Farley 2	March 1982	No Change
4 Fitzpatrick	December 28, 1981	Due in Jan., 1982
Haddam Neck	February 1, 1982	No Change
Hatch 1/2	March 19, 1982	No Change
Indian Point 3	March 19, 1982	No Change
Maine Yankee	November 1981	Not received delay unknown
Millstone 1/2	February 1, 1982	No Change
4 Monticello	December 19, 1981	Due in Apr. 1982
3 Oconee 1/2/3	April 17, 1981	SER by Mar. 1982
Oyster Creek	January 17, 1982	No Change
Peach Bottom 2/3	March 1, 1982	No Change

TABLE I (CONTINUED)

	<u>PLANT NAME</u>	<u>REQUESTED DATE</u>	<u>PRESENT STATUS</u>
Q4	Pilgrim	October 31, 1981	Due in Mar., 1982
	Point Beach 1/2	December 31, 1981	Not received delay unknown
Q4	Prairie Island 1/2	December 19, 1981	Received
Q4	Robinson 2	February 1, 1982	Due in Mar., 1982
	St. Lucie 1	May 31, 1982	No Change
	San Onofre 1	April 1, 1982	No Change
	Three Mile Island 1	December 15, 1981	Due in Oct. 1982
	Three Mile Island 2	Indefinite	No Change
	Turkey Point 3/4	May 31, 1982	No Change
Q4	Vermont Yankee	July 30, 1981	SER by March, 1982
	Humboldt Bay	Indefinite	No Change

PLANTS NOT REQUESTING SUPPLEMENTAL EXEMPTION

<u>PLANT</u>	<u>LICENSEE POSITION</u>	<u>STAFF COMMENTS</u>
4 Big Rock Point	Submitted plans and sched. to meet Appr. R, G. J and O.	SER by March, 1982
Cook 1/2	Claims meets Appendix R	Ready for I&E inspection
Davis Besse	Will meet App. R.	Additional Information
4 Dresden 2/3	Will meet App. R details 5/19/81	SER by March, 1982
Duane Arnold	Meet J & O. Will meet G.	Additional Information
4 Ft. Calhoun	Meet App. R; Alternative Safe Shutdown design submitted.	SER by March, 1982
Ft. St. Vrain	Meets App. R.	Ready for I&E inspection
4 Ginna	Will meet App. R; Alternative Safe Shutdown design submitted.	SER issued 12/18/81 with 5 open items
Indian Point 2	Meets App. R; Alternative Safe Shutdown design submitted.	Ready for Review
4 Kewaunee	Will meet App. R; Alternative Safe Shutdown design submitted.	SER issued on 11/13/81
LaCrosse	A.S.S. design submitted.	Ready for Review
Nine Mile Point 1	Will meet App. R - details 5/19/81	Additional Information
North Anna 1/2	Meets App. R; Alternative Safe Shutdown design submitted.	Additional Information Required
Palisades	Will meet App. R - Alternative Safe Shutdown design submitted.	SER by March, 1982
Quad Cities 1/2	Will meet App. R - Alternative Safe Shutdown design submitted.	Ready for Review
Rancho Seco	Meet intent of App. R III G.	Under Review
Salem 1/2	Will meet App. R with certain exemptions. Alternative Safe Shutdown	SER by March, 1982
4 Surry 1/2	Meet App. R	SER issued 11/13/81 with 4 open items

TABLE II (continued)

<u>PLANT</u>	<u>LICENSEE POSITION</u>	<u>STAFF COMMENTS</u>
Trojan	Meet the intent of App. R	Under Review
C4 Yankee Rowe	Will meet with proposed Alternative Safe Shutdown.	SER by March, 1982
C4 Zion 1/2	Meet App. R.	SER by March, 1982

PLANT REQUIREMENTS EXEMPT FROM TECHNICAL REQUIREMENTS OF SECTION
 111.G. FIRE PROTECTION OF SAFE SHUTDOWN CAPABILITY

<u>PLANT</u>	<u>EXEMPTION</u>	<u>BASIS</u>	<u>STATUS</u>
Arkansas 1/2	All requirements including 111.G.	Previous SER approval	Staff denies never approved
4 Brunswick 1/2	Fixed fire suppression in Control Room and Cable Spreading Room	Would not enhance previous SER approval modifications.	Control Room Granted Cable Spreading Room Under Review
4 Cooper	Separation and Barrier Reqmts.	Previous SER approval and insufficient time	Submittal due March 15, 1962
14 Hatch 1/2	Separation & Barrier Reqmts. and Alternative Safe Shutdown Reqmts. for Intake Structure	Fire Hazards Analysis and Previous SER Approval	Under Review with Alt. S.S
24 Hatch 1/2	Fire suppression in Control Room.	Continually manned; manual suppression; previous SER approval.	Staff intends granting
Oconee 1/2/3	Fixed Suppression for east and west penetration rooms	3 hr. barrier between rooms and safe shutdown not affected	No exemption required
14 Oconee 1/2/3	Fixed suppression in Control Room	Same as Hatch 1/2	Staff intends granting
Pilgrim	1 hr. encl. of 1 division in the cable spreading room	Auto CO ₂ protection, detection, and alternative safe shutdown available	Exemption not needed
Pilgrim	Fixed Suppression for Control Room	Continually manned; Manual suppression; previous SER approval	Staff granted
Pilgrim	Fixed Suppression for Switchgear Room	3 hr. fire proofing of 1 division	Under Review
Pilgrim	Fixed suppression for Vital P/g Set Room	Only one valve circuit is involved; Alternative safe shutdown available	Under Review

<u>PLANT</u>	<u>EXEMPTION</u>	<u>BASIS</u>	<u>STATUS</u>
Pilgrim	Fixed Suppression for Rx Bldg. closed cooling Water Pump Room B	Fire Barriers & physical arrangement	Under Review
Pilgrim	Fixed suppression for Rx Bldg. Elev. 51'0"	Fire barriers and sprinklers	Under Review
Pilgrim	Fixed suppression for Swgr. Room A	No effect on safe shutdown capability	Exemption not needed
Pilgrim	Feedwater B Turbine Bldg. Elev. 6' to 47' 1 hr. enclosure	Proposed addition of fire resistive wrap & marinite board	Under Review
Pilgrim	Fixed suppression for CRD Module Area West	Proposed addition of marinite board	Under Review
Pilgrim	Fixed suppression for CRD Module Area East	Proposed addition of fire resistive wrap	Under Review
Pilgrim	Fixed suppression for all areas with only one division	Does not enhance fire protection safety	
24 Rancho Seco	No fixed suppression for control room	Continually manned; Manual Suppression Previous SER approval	Staff intends granting
Rancho Seco	No fixed suppression Fire Areas 47, 48, 49, and 58	Small fire loading 1 hr. enclosure portable CO ₂ & hose	Under Review
24 Robinson	No fixed suppression for Control room	Continually manned; Manual suppression; Previous SER approval	Staff intends granting
Salem 1/2	1½ hr. doors/dampers as part of 3 hr. barrier	FHA established fire loading. Previous SER approval	Under Review
Salem 1/2	No automatic fire suppression with 1 hr. barriers. ½ hr. barriers with sprinklers	FHA established low fire loading. Previous SER approval	Under Review
Salem 1/2	Redundant, independent sprinklers in lieu of barriers for AFW	Barriers would degrade manual operation of AFW	Staff denies

TABLE III (continued)

	<u>PLANT</u>	<u>EXEMPTION</u>	<u>BASIS</u>	<u>STATUS</u>
Q4	St. Lucie	Fire rating requirements for 6 doors and assemblies	Water-tight doors, substantial design, locking lugs	Exemption not required*
	St. Lucie	All requirements for all areas previously approved by SER	NRC has not shown that compliance will enhance safety	Lacks specificity staff denied
	St. Lucie	Dampers in safety related ducts	Dampers would violate radiological control and could prevent cooling of safety related equipment	Staff denied
	Three Mile Island 2	All requirements	Plant is in cold shut down and will remain so with decay heat loss to ambient completely passive decay heat removal	Require revised FHA for present condition.
	Turkey Pt. 3/4	All requirements for all areas previously approved by SER	NRC has not shown that compliance will enhance safety	Lacks specificity staff denied
Q4	Trojan	5 Areas	Previous FHA will not enhance fire protection.	Under Review will complete by Feb., 1982
Q4	Crystal River	No fixed suppression for AFWs (3.18)	Only one safety division will be affected	Under Review will complete by Feb., 1982.
Q4	Three Mile Island 1	Partial Barriers and no fixed suppression systems submitted on Dec. 15, 1981	Not required	Revised FHA to be submitted by Oct. 15, 1982

* Fire door ratings are not specifically covered by Appendix R, therefore, no exemption request is required. The applicant will address this item in a January, 1982, submittal.

TABLE IV

PLANTS REQUESTING EXEMPTION FROM TECHNICAL REQUIREMENTS OF SECTION
III.J. EMERGENCY LIGHTING

<u>PLANT</u>	<u>EXEMPTION</u>	<u>BASIS</u>	<u>STATUS</u>
Monticello	Except for Control Room & D/G Room safe shutdown areas	D/G's can provide light power for greater than 8 hrs.	Staff denied
Pilgrim	8 hr. battery powered Emergency Lighting	Would not enhance fire protection safety. Their placement of 8 hr. lights previously approved.	Meets the rule. No exemption needed.
St. Lucie	Licensee commits to meet requirements. If NRC disagrees, exemption is requested.	None	Denied
Q4 Three Mile Island 2	Any additional Emergency Lighting needed as a result of III.G.	Exemption request for III.G	No exemption require
Turkey Pt.	Licensee believes his plant meets requirements. If NRC disagrees, exemption is requested.	None	Denied
Q4 Trojan	Redundant supply from diesel generators in lieu of batteries.	Equivalent to or better than III.J. requirements.	Staff intends to deny
Rancho Secb	No emergency lights in Rx Bldg.		Not needed.
Q4 Prairie Island	8 hr. battery powered Emergency Lighting	Equivalent III.J Requirements	Request withdrawn Licensee is install 8 hr. battery power lights

TABLE V

PLANTS REQUESTING EXEMPTION FROM TECHNICAL REQUIREMENTS OF SECTION
III.O. OIL COLLECTION SYSTEM FOR REACTOR COOLANT PUMPS

	<u>PLANT</u>	<u>EXEMPTION</u>	<u>BASIS</u>	<u>STATUS</u>
Q4	Crystal River 3	Seismic requirements	No effect on safe shutdown; previous SER approval.	Comply with requirements - No exemption required.
Q4	Haddam Neck	Seismic requirements	Seismically designed oil system; previous SER approval.	Staff intends granting.
Q4	Millstone 2	Seismic requirements	Seismically designed oil system; previous SER approval.	Staff intends granting.
Q4	LACBWR	No Oil Collection System	Replace oil with non-flammable liquid.	Staff intends granting
	Pilgrim	No Oil Collection System	Containment inerted	Exemption not needed.
	Robinson	Automatic sprinklers in lieu of oil collection system	Fire in pump bay will not adversely affect safe shutdown.	Under review.
	St. Lucie	Oil collection system will not withstand LOCA	LOCA environment will put out fire.	Exemption not needed.
Q4	Three Mile Island 2	No Oil Collection System	RCP's not used	Require Revised FHA
	Turkey Pt.	Oil collection system will not withstand LOCA	LOCA environment will put out fire.	Exemption not needed
Q4	Vermont Yankee	No Oil Collection System	May inert	Staff intends granting.
Q4	Indian Pt. 3*	Seismic Requirement	Analysis	No exemption required
Q4	Three Mile Island 1*	Seismic Requirement	Meets Appendix R	No exemption required

* New additions to Table V

<u>PLANT</u>	<u>EXEMPTION</u>	<u>BASIS</u>	<u>STATUS</u>
Three Mile Island 1	III.E. Fire hose test pressure	NRC incorrectly cited NFPA Std. Licensee meets correct std.	Rule being corrected. No exemption needed.
Three Mile Island 1	Fire hose stations auto water suppression in diesel room basement	Not needed for safe shutdown anymore	Under review. Requested revised FHA for present condition.

PLANTS REQUESTING EXEMPTION FROM TECHNICAL REQUIREMENTS OTHER THAN
III.G., III.J, AND III.O.

<u>PLANT</u>	<u>EXEMPTION</u>	<u>BASIS</u>	<u>STATUS</u>
Calvert Cliffs 1/2	III.N. Water Curtain in lieu of fire door	Actuation as reliable as door closure; will perform rating test	Under review
LACBWR	III.A. No additional fire pump	Modif. to increase capacity of existing pumps and use of emergency service water supply	Under review
Maine Yankee	III.L. Loss of Off- site Power for 72 hours	Reliability of off- site power	Under review
Pilgrim	II.M. Fire Barrier Cable Penetration Seal Qualification	Would not enhance safety. Previously approved by NRC	Not an open item. Exemp- tion not needed.
Point Beach 1/2	Shift supervisor as member of fire bri- gade	Would enhance fire protection safety	Staff denied
Robinson	III.L.3 Cold shut- down in 72 hours w/o offsite power	Unnecessary risk to safety to cool down w/o offsite power	Under review
Robinson	III.M.2. Acceptance criteria for fire barrier cable pene- tration seal quali- fication	Detrimental to over- all safety to replace seals	Under review
St. Lucie	III.A. NFPA-20 Control* lers for fire pumps	NFPA-20 controllers do not meet Class IE requirements	No Exemption Request Required
St. Lucie	III.A. Fire pumps* powered by vital bus during DBA signal	Could overload D/G. No DBA concurrent with fire	No Exemption Request Required
Three Mile Island 1	III.N. Supervision of fire doors	Previously approved by NRC	Not an open or backfit item. No exemption needed.

*Fire pump details are not specifically covered by Appendix R, therefore, no exemption request is required. The applicant will address this item in a January, 1982 submittal.

TABLE VII
OTHER SCHEDULAR EXEMPTIONS.

<u>PLANT</u>	<u>EXEMPTION</u>	<u>SLIPPAGE</u>
Turkey Point 3/4	Compliance with III.A. Modify standpipe in existing tank and install new water supply tank	From 11/17/81 to 3/31/84
Vermont Yankee	Compliance with III.I. Hands on fire fighting	Completed
Vermont Yankee	Compliance with III.H. Shift supervisor not on fire brigade	Completed
Q4 Cooper	Plans and schedules for meeting III.J.	Compiled with III.J. on November 17, 1981
Crystal River 3	Completion of Reactor Building standpipe modification	From 1981 refuel to outage after 6/82
Dresden 1	All requirements of Appendix R and FPSER	From 10 CFR 50.48 schedules to prior to start-up 6/86
Humboldt Bay	All requirements of Appendix R and Appendix A to BTP 9.5-1	Indefinite
Q4 Indian Point 3	Plans and schedules and exemption requests for III.J.	Compiled with III.J. on November, 1981.
Peach Bottom 2/3	Equipment for fire brigade	Misinterp. not needed
Point Beach 1/2	Plans and schedules for III.0 Implementation for III.0	From 3/19/81 to 6/30/81 From 9 mos. after 3/19/81 to 9 mos. after 6/30/81
St. Lucie	Completion of installation of fire doors, completion of re-routing of cable for fire pumps	11 mos. 1 year

November 24, 1981



SECY 81-666

RULEMAKING ISSUE
(Notation Vote)

For: The Commissioners

From: William J. Dircks
Executive Director for Operations

Subject: FIRE PROTECTION RULE SCHEDULES AND EXEMPTIONS
(QUARTERLY REPORT NO. 3)

Objective: To inform the Commission of the quarterly status of the implementation of 10 CFR 50.48 and Appendix R to 10 CFR Part 50, as requested by a November 3, 1980, memo from Samuel J. Chilk to William J. Dircks, and to request the Commission's concurrence on the granting of exemptions to 10 CFR 50.48 schedular requirements.

Discussion: On February 17, 1981, the fire protection rule for nuclear power plants, 10 CFR 50.48 and Appendix R to 10 CFR 50, became effective. This rule required all licensees of plants licensed prior to January 1, 1979, to submit by March 19, 1981: (1) plans and schedules for meeting the applicable requirements of Appendix R, (2) a design description of any modifications proposed to provide alternative safe shutdown capability pursuant to Paragraph III.G.3 of Appendix R, and (3) exemption requests for which the tolling provision of Section 50.48(c)(6) was to be invoked.

The seven tables attached identify the changes that have taken place since the second quarterly report (SECY-81-414) through September 1981.*

Contact:
G. Harrison, NRR
492-4564

*However, at a recent meeting in November with utility management on Appendix R impacts, several licensees verbally indicated that they will be requesting additional extensions. These requests will probably be received during the next reporting period. As a result of these requests, we expect further consideration for schedular exemptions may be needed for those with good reason.

Handwritten:
DJP
51121705498

There are two areas which the staff wishes to highlight for the Commission attention.

First, the majority of those licensee responses submitted in response to the February 20, 1981, Fire Protection Rule - Generic Letter 81-12 (mostly plants listed in Table II) have not been complete. When the inadequacy of the licensee's response is finally made clear to each licensee, commitment dates for the revised responses are established. However, these dates do not support completion of the technical evaluation by our consultant, Brookhaven National Laboratories, on the original schedule. Therefore, we will issue safety evaluation reports which contain open items to be resolved after adequate responses from the licensees are received. While this approach will facilitate the early identification of unresolved items, it will also result in additional staff effort and will extend the date by which Appendix R concerns can be completed.

We are concerned that alternative shutdown modifications will not be scheduled for implementation by the licensees until we complete our review and approve the modifications. Therefore, we will propose to the Commission in the near future a plan for requiring a fixed date for compliance with the alternative shutdown option in those cases where the information requested for staff review has not been provided by the extended date granted to the licensee.

The second area is the request for schedular and technical requirements. Table I lists the 42 plants which requested an exemption from the requirement to submit information by March 19, 1981.

In our second quarterly report, we indicated that we intended to grant schedular exemptions up to March 19, 1982. This would grant the exemptions as requested except for Arkansas 1, Browns Ferry 1, 2 and 3, Crystal River, Farley 1, St. Lucie 1, San Onofre 1, and Turkey Point 3 and 4. The licensees for these plants have requested schedule dates that extend from March 30, 1982 to October 1982. We have taken no action pertaining to any schedular exemptions pending a decision by the Commission.

Tables III, IV, V, and VI list all plants which requested exemptions from technical requirements. These tables identify each specific exemption requested prior to October 1, 1981, the licensee's basis for requesting an exemption, and states the status of the NRC review effort of the sixty-one exemptions requested. The staff has thirty-one under review, denied nine, and approved or determined no exemption was required for twenty-two.

Summary:

The staff is proceeding with the fire protection reviews of operating plants and believes that resources will permit resolution of most issues early in 1982. Licensees would be obligated to proceed in accordance with the tolling provisions of Appendix R. We are concerned, however, that some licensees may not be responsive to our requests for information on proposed alternative shutdown systems. Therefore, we will propose to the Commission in the near future a means to expedite response to our February 20, 1981 letter under penalty of enforcement action.

We intend to grant schedular exemptions up to March 19, 1982, a one year extension.

Recommendation:

We request that the Commission concur in this action so that we can process those exemptions which are not pending responsiveness of licensees.



William J. Dircks

Executive Director for Operations

Enclosures:

Tables 1 thru VII

Commissioners' comments should be provided directly to the Office of the Secretary by c.o.b. Thursday, December 10, 1981.

Commission Staff Office comments, if any, should be submitted to the Commissioners NLT December 3, 1981, with an information copy to the Office of the Secretary, if the paper is of such a nature that it requires additional time for analytical review or comment, the Commissioners and the Secretariat should be apprised of when comments may be expected.

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Table 1

TABLE I

PLANTS REQUESTING SCHEDULAR EXEMPTION FROM SUBMITTAL
OF SEPARATION REANALYSIS AND MODIFICATIONS
PROPOSED FOR PROTECTION OF SAFE SHUTDOWN CAPABILITY (III.G)

	<u>PLANT NAME</u>	<u>REQUESTED DATE</u>	<u>PRESENT STATUS</u>
	Arkansas 1	Specific Tech. Exemp. 3/28 Modification design desc. 5/82	No Change
	Arkansas 2	Specific Tech. Exemp. 11/81 Modification design desc. 2/82	No Change
	Beaver Valley 1	December 1, 1981	No Change
	Browns Ferry 1/2/3	June 1, 1982	No Change
Q3	Brunswick 1/2	January 15, 1982	1-1/2 month slip
	Calvert Cliffs 1/2	October 1, 1981 - Unit 1 February 1, 1982 - Unit 2	No Change No Change
Q3	Cooper	October 22, 1981	Inadequate Response Ltr. sent on 9/22/81 requesting additional information
	Crystal River	March 30, 1982	No Change
	Dresden 1	Prior to restart June 1986	No Change
	Farley 1	October 1982	No Change
	Farley 2	March 1982	No Change
	Fitzpatrick	December 28, 1981	No Change
	Haddam Neck	February 1, 1982	No Change
	Hatch 1/2	March 19, 1982	No Change
	Indian Point 3	March 19, 1982	No Change
	Maine Yankee	November 1981	No Change
	Millstone 1/2	February 1, 1982	No Change
	Monticello	December 19, 1981	No Change
Q3	Oconee 1/2/3	April 17, 1981	SER by Nov, 1981
	Oyster Creek	January 17, 1982	No Change
	Peach Bottom 2/3	March 1, 1982	No Change

TABLE I (Continued)

	<u>PLANT NAME</u>	<u>REQUESTED DATE</u>	<u>PRESENT STATUS</u>
	Pilgrim	October 31, 1981	No Change
	Point Beach 1/2	December 31, 1981	No Change
	Prairie Island 1/2	December 19, 1981	No Change
Q3	Robinson 2	February 1, 1982	Licensee preparing schedule change to February 1982
	St. Lucie	May 31, 1982	No Change
	San Onofre 1	April 1, 1982	No Change
	Three Mile Island 1	December 15, 1981	No Change
	Three Mile Island 2	Indefinite	No Change
	Turkey Point 3/4	May 31, 1982	No Change
Q3	Vermont Yankee	July 30, 1981	SER by Dec. 1981
	Humboldt Bay	Indefinite	No Change

TABLE 2

TABLE II
PLANTS NOT REQUESTING SCHEDULAR EXEMPTION

	<u>PLANT</u>	<u>LICENSEE POSITION</u>	<u>STAFF COMMENTS</u>
Q3	Big Rock Point	Submitted plans and sched. to meet Appr. R, G. J and O.	SER by Oct., 1981
Q3	Cook 1/2	Claims meets Appendix R	Ready for I&E Inspectio
Q3	Davis Besse	Will meet App. R.	Additional Information Required
Q3	Dresden 2/3	Will meet App. R details 5/19/81	SER by Dec., 1981
Q3	Duane Arnold	Meet J & O. Will meet G.	Additional Information Required
Q3	Ft. Calhoun	Meet App. R; A.S.S. design submitted	SER by Oct., 1981
Q3	Ft. St. Vrain	Meets App. R.	Ready for I&E Inspectio
Q3	Ginna	Will meet App. R; A.S.S. design submitted.	SER by Oct., 1981
Q3	Indian Point 2	Meets App. R; A.S.S. design submitted.	Ready for Review
Q3	Kewaunee	Will meet App. R; A.S.S. design submitted.	SER by Oct., 1981
Q3	LaCrosse	A.S.S. design submitted.	Ready for Review
Q3	Nine Mile Point 1	Will meet App. R - details 5/19/81	Additional Information Required
Q3	North Anna 1/2	Meets App. R; A.S.S. design submitted.	Ready for Review
Q3	Palisades	Will meet App. R - A.S.S. design submitted.	SER by Dec., 1981
Q3	Quad Cities 1/2	Will meet App. R - A.S.S. design submitted.	Ready for Review
Q3	Rancho Seco	Meet intent of App. R III G.	Ready for Review
Q3	Salem 1/2	Will meet App. R with certain exemptions. A.S.S. questionable	SER by Dec., 1981
Q3	Surry 1/2	Meet App. R	SER by Nov., 1981

TABLE II (continued)

	<u>PLANT</u>	<u>LICENSEE POSITION</u>	<u>STAFF COMMENTS</u>
Q3	Trojan	Meet the intent of App. R	Under Review
Q3	Yankee Rowe	Will meet with proposed A.S.S.	SER by Nov., 1981
Q3	Zion 1/2	Meet App. R.	SER by Nov., 1981

TABLE 3

TABLE III

PLANTS REQUESTING EXEMPTION FROM TECHNICAL REQUIREMENTS OF SECTION
III.G. FIRE PROTECTION OF SAFE SHUTDOWN CAPABILITY

<u>PLANT</u>	<u>EXEMPTION</u>	<u>BASIS</u>	<u>STATUS</u>
Arkansas 1/2	All requirements including III.G.	Previous SER approval	Staff denies; never approved
Brunswick 1/2	Fixed fire suppression in Control Room and Cable Spreading Room	Would not enhance previous SER approval modifications.	Staff intends granting Control Room. Cable Spreading Room under review.
Q3 Cooper	Separation and Barrier Reqmts.	Previous SER approval and insufficient time	Submittal due Oct. 22, 1981
Hatch 1/2	Separation & Barrier Reqmts. and Alternative Safe Shutdown Reqmts. for Intake Structure	Fire Hazards Analysis and Previous SER Approval	Under Review
Hatch 1/2	Fire suppression in Control Room.	Continually manned; manual suppression; previous SER approval.	Staff intends granting
Ocone 1/2/3	Fixed Suppression for east and west penetration rooms	3 hr. barrier between rooms and safe shutdown not affected	No exemption required
Ocone 1/2/3	Fixed suppression in Control Room	Same as Hatch 1/2	Staff intends granting
Pilgrim	1 hr. encl. of 1 division in the cable spreading room	Auto CO ₂ protection, detection, and alternative safe shutdown available	Exemption not needed
Pilgrim	Fixed Suppression for Control Room	Continually manned; Manual suppression; previous SER approval	Staff intends granting
Q3 Pilgrim	Fixed Suppression for Switchgear Room	3 hr. fire proofing of 1 division	Under Review
Pilgrim	Fixed suppression for Vital Mg Set Room	Only one valve circuit is involved; Alternative safe shutdown available	Under Review

TABLE III (continued)

	<u>PLANT</u>	<u>EXEMPTION</u>	<u>BASIS</u>	<u>STATUS</u>
Q3	Pilgrim	Fixed Suppression for Rx Bldg. closed cooling Water Pump Room B	Fire Barriers & physical arrangement	Under Review
Q3	Pilgrim	Fixed suppression for Rx Bldg. Elev. 51'0"	Fire barriers and sprinklers	Under Review
	Pilgrim	Fixed suppression for Swgr. Room A	No effect on safe shutdown capability	Exemption not needed
Q3	Pilgrim	Feedwater B Turbine Bldg. Elev. 6' to 47' 1 hr. enclosure	Proposed addition of fire resistive wrap & marinite board	Under Review
Q3	Pilgrim	Fixed suppression for CRD Module Area West	Proposed addition of marinite board	Under Review
Q3	Pilgrim	Fixed suppression for CRD Module Area East	Proposed addition of fire resistive wrap	Under Review
	Pilgrim	Fixed suppression for all areas with only one division	Does not enhance fire protection safety	Exemption not needed
	Rancho Seco	No fixed suppression for control room	Continually manned; Manual Suppression Previous SER approval	Staff intends granting
	Rancho Seco	No fixed suppression Fire Areas 47, 48, 49, and 58	Small fire loading 1 hr. enclosure portable CO ₂ & hose	Under Review
	Robinson	No fixed suppression for Control room	Continually manned; Manual suppression; Previous SER approval	Staff intends granting
	Salem 1/2	1½ hr. doors/dampers as part of 3 hr. barrier	FHA established fire loading. Previous SER approval	Under Review
	Salem 1/2	No automatic fire suppression with 1 hr. barriers. ½ hr. barriers with sprinklers	FHA established low fire loading. Previous SER approval	Under Review
Q3	Salem 1/2	Redundant, independent sprinklers in lieu of barriers for AFW	Barriers would degrade manual operation of AFW	Staff denied

TABLE III(continued)

<u>PLANT</u>	<u>EXEMPTION</u>	<u>BASIS</u>	<u>STATUS</u>
Salem 1/2	No fixed suppression for control room	Continually manned; Manual suppression; Previous SER approval	Staff intends granting
St. Lucie	Fire rating requirements for 6 doors and assemblies	Water-tight doors, substantial design, locking lugs	Under Review
St. Lucie	All requirements for all areas previously approved by SER	NRC has not shown that compliance will enhance safety	Lacks specific staff denied
Q3 St. Lucie	Dampers in safety related ducts	Dampers would violate radiological control and could prevent cooling of safety related equipment	Staff denied
Three Mile Island 2	All requirements	Plant is in cold shut-down and will remain so with decay heat loss to ambient completely passive decay heat removal	Under review. Require revised FHA for present condition.
Turkey Pt. 3/4	All requirements for all areas previously approved by SER	NRC has not shown that compliance will enhance safety	Lacks specific staff denied
Q3 Trojan	5 Areas	Previous FHA will not enhance fire protection.	SER by Nov.
Q3 Crystal River	No fixed suppression for AFWs (3.18)	Only one safety division will be affected	SER by Nov.

TABLE 4

TABLE IV

PLANTS REQUESTING EXEMPTION FROM TECHNICAL REQUIREMENTS OF SECTION
III.J. EMERGENCY LIGHTING

<u>PLANT</u>	<u>EXEMPTION</u>	<u>BASIS</u>	<u>STATUS</u>
Q3 Monticello	Except for Control Room & D/G Room safe shutdown areas have D/G powered lighting	D/G's can provide light power for greater than 8 hrs.	Staff denied
Pilgrim	8 hr. battery powered Emergency Lighting	Would not enhance fire protection safety. Their placement of 8 hr. lights previously approved.	Meets the rule. No exemption needed.
St. Lucie	Licensee commits to meet requirements. If NRC disagrees, exemption is requested.	None	Denied
Three Mile Island 2	Any additional Emergency Lighting needed as a result of III.G.	Exemption request for III.G	Under review. Requested revised FHA for present condition.
Turkey Pt. 3/4	Licensee believes his plant meets requirements. If NRC disagrees, exemption is requested.	None	Denied
Q3 Trojan	Redundant supply from diesel generators in lieu of batteries.	Equivalent to or better than III.J. requirements.	Under review.
Rancho Seco	No emergency lights in Rx Bldg.		Not needed.

TABLE 5

TABLE V

PLANTS REQUESTING EXEMPTION FROM TECHNICAL REQUIREMENTS OF SECTION
III.O. OIL COLLECTION SYSTEM FOR REACTOR COOLANT PUMPS

<u>PLANT</u>	<u>EXEMPTION</u>	<u>BASIS</u>	<u>STATUS</u>
Crystal River 3	Seismic requirements	No effect on safe shutdown; previous SER approval.	Under review.
Haddam Neck	Seismic requirements	Seismically designed oil system; previous SER approval.	Staff intends granting.
Millstone 2	Seismic requirements	Seismically designed oil system; previous SER approval.	Staff intends granting.
LACBWR	No Oil Collection System	Replace oil with non-flammable liquid.	Under review.
Pilgrim	No Oil Collection System	Containment inerted	Exemption not needed.
Robinson	Automatic sprinklers in lieu of oil collection system	Fire in pump bay will not adversely affect safe shutdown.	Under review.
St. Lucie	Oil collection system will not withstand LOCA	LOCA environment will put out fire.	Exemption not needed.
Three Mile Island 2	No Oil Collection System	RCP's not used.	Staff intends granting.
Turkey Pt. 3/4	Oil collection system will not withstand LOCA	LOCA environment will put out fire.	Exemption not needed.
Vermont Yankee	No Oil Collection System	May inert	Under review.

TABLE 6

TABLE VI

PLANTS REQUESTING EXEMPTION FROM TECHNICAL REQUIREMENTS OTHER THAN
III.G., III.J., AND III.O.

<u>PLANT</u>	<u>EXEMPTION</u>	<u>BASIS</u>	<u>STATUS</u>
Calvert Cliffs 1/2	III.N. Water Curtain in lieu of fire door	Actuation as reliable as door closure; will perform rating test	Under review
LACBWR	III.A. No additional fire pump	Modif. to increase capacity of existing pumps and use of emergency service water supply	Under review
Maine Yankee	III.L. Loss of Off- site Power for 72 hours	Reliability of off- site power	Under review
Pilgrim	III.M. Fire Barrier Cable Penetration Seal Qualification	Would not enhance safety. Previously approved by NRC	Not an open item. Exemp- tion not needed
Point Beach 1/2	Shift supervisor as member of fire bri- gade	Would enhance fire protection safety	Staff denied
Robinson	III.L.3. Cold shut- down in 72 hours w/o offsite power	Unnecessary risk to safety to cool down w/o offsite power	Under review
Robinson	III.M.2. Acceptance criteria for fire barrier cable pene- tration seal quali- fication	Detrimental to over- all safety to replace seals	Under review
St. Lucie	III.A. NFPA-20 Control- lers for fire pumps	NFPA-20 controllers do not meet Class IE requirements	Under review
St. Lucie	III.A. Fire pumps powered by vital bus during DBA signal	Could overload D/G. No DBA concurrent with fire	Under review
Three Mile Island 1	III.N. Supervision of fire doors	Previously approved by NRC	Not an open or backfit item. No exemption needed

PLANT

EXEMPTION

BASIS

STATUS

Three Mile
Island 1

III.E. Fire hose test
pressure

NRC incorrectly cited
NFPA Std. Licensee
meets correct std.

Rule being cor-
rected. No
exemption
needed.

Three Mile
Island 1

Fire hose stations auto
water suppression in
diesel room basement

Not needed for safe
shutdown anymore

Under review.
Requested re-
vised FHA for
present con-
dition.

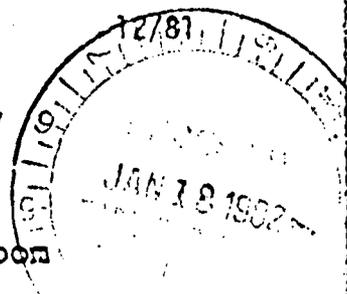
TABLE 7

TABLE VII
OTHER SCHEDULAR EXEMPTIONS

<u>PLANT</u>	<u>EXEMPTION</u>	<u>SLIPPAGE</u>
Turkey Point 3/4	Compliance with III.A. Modify standpipe in existing tank and install new water supply tank	From 11/17/81 to 3/31/84
Q3 Vermont Yankee	Compliance with III.I. Hands on fire fighting	Completed
Q3 Vermont Yankee	Compliance with III.H. Shift supervisor not on fire brigade	Completed
Q3 Cooper	Plans and schedules for meeting III.J.	Submittal due 10/22/81
Crystal River 3	Completion of Reactor Building standpipe modification	From 1981 refuel to outage after 6/82
Dresden 1	All requirements of Appendix R and FPSER	From 10 CFR 50.48 schedules to prior to start-up 6/86
Q3 Fitzpatrick	Will comply	No exemptions needed. Submittal due Dec. 10, 1981
Humboldt Bay	All requirements of Appendix R and Appendix A to BTP 9.5-1	Indefinite
Q3 Indian Point 3	Plans and schedules and exemption requests for III.J.	Under review
Peach Bottom 2/3	Equipment for fire brigade	Misinterp. not needed
Point Beach 1/2	Plans and schedules for III.0 Implementation for III.0	From 3/19/81 to 6/30/81 From 9 mos. after 3/19/81 to 9 mos. after 6/30/81
St. Lucie	Completion of installation of fire doors, completion of re-routing of cable for fire pumps	11 mos. 1 year

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Meeting Title:

Briefing on Fire Protection Code
Schedule and Examples

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1/12/82

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