

POWER AUTHORITY OF THE STATE OF NEW YORK

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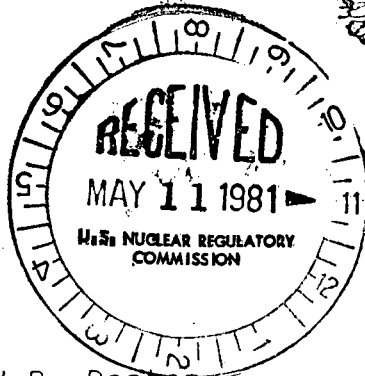
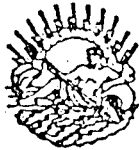
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March 19, 1981

IPN-81-19

Mr. Harold R. Denton  
Director of Nuclear Reactor Regulation  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Subject: Indian Point No. 3 Nuclear Power Plant  
Docket No. 50-286  
Request for Exemption From The Implementation  
Schedule of The Commission's Fire Protection  
Regulations (10 CFR 50 and Appendix R Thereto):

Dear Mr. Denton:

On November 19, 1980, the Nuclear Regulatory Commission amended its regulations and issued Section 50.48 and Appendix R to 10 CFR 50 to require certain provisions for fire protection in operating nuclear power plants. Part 50.48 which became effective February 17, 1981, requires that nuclear power plants licensed to operate prior to January 1, 1979, shall satisfy the requirements of Sections III.G., III.J. and III.O of Appendix R to 10 CFR 50. The Power Authority has reviewed these sections of Appendix R and has determined that insufficient time was available to meet the schedule of 50.48(c) to 10 CFR 50. Consequently, for the reasons set forth more fully below, the Power Authority submits that an exemption from the schedular requirements governing the implementation of Sections III.G., III.J. and III.O of Appendix R for the Indian Point No. 3 Facility is necessary and appropriate.

Pursuant to 10 CFR Part 50.12(a) and 10 CFR Part 50.48(c)(6), the Power Authority hereby petitions the Commission for an exemption to the schedular provisions of 10 CFR Part 50.48(c) governing the implementation of Sections III.G., III.J. and III.O of Appendix R to 10 CFR 50. The specific requirements from which the exemption is sought at this time include 10 CFR Part 50.48(c)(2), (3), (4), (5), and (6) both insofar as those paragraphs establish dates for the submission of plans, schedules, exemption requests or design descriptions of modifications required to meet the provisions of Sections III.G., III.J. and III.O of Appendix R, and insofar as those paragraphs establish implementation dates for such

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modifications. The Power Authority requests that the March 19, 1981 deadline established by 10 CFR Part 50.48(c)(5) be extended to March 19, 1982. Also, the Power Authority requests that the period for requesting exemptions pursuant to 10 CFR 50.48(c)(6) be extended to June 22, 1981 for exemptions from Appendix R Sections III.J. and III.O, and March 19, 1982 for exemptions from Appendix R Section III.G. The essential reason for this request is that insufficient time is allotted by 10 CFR Part 50.48(c) for the Power Authority to investigate adequately the requirements of Sections III.G., III.J and III.O. of Appendix R to determine the optimum manner of meeting such requirements or any exemptions thereto.

The Power Authority is in the process of performing an extensive re-examination of the fire protection configuration for the Indian Point No. 3 facility in accordance with the requirements of Section III.G. of Appendix R to 10 CFR 50. This re-examination, which is necessary to formulate plans and schedules for meeting the requirements of Section III.G., is not expected to be completed until March 19, 1982. However, this date is preliminary and subject to confirmation upon completion of the Power Authority's action plan which is concurrently under development. This action plan is being developed in an effort to systematically meet each of the requirements mentioned above and provide timely fire protection improvements as appropriate. The action plan, which includes the detail schedule for performing the re-examination mentioned above, will be submitted to the Commission on June 22, 1981. At that time it is also the Power Authority's intention to submit the plans and schedule for meeting the requirements of Sections III.J and III.O. It should be noted that the Power Authority does not at this time seek an exemption from the entire Section III.G. or from particular plant areas. It is probable, however, that the Power Authority will have specific substantive exemption requests as the reviews and analyses are completed for all plant areas.

It is the Power Authority's primary concern that modifications made to the Indian Point No. 3 facility in the interest of reducing fire safety hazards be accomplished in a thorough comprehensive manner and that the resources allocated for such safety improvements be optimized. Our initial review of Section III.G. indicates that there are several design modification options which may satisfy the requirements of this Section for the Indian Point No. 3 facility. Each of those options is being evaluated to ascertain design and implementation feasibility as well as the impact upon resources and manpower availability. The results of those evaluations will be reviewed in order to achieve an integrated design which will best enhance plant safety while avoiding unnecessary costs or plant outage time.

Substantial improvements have been made over the past few years which contribute largely to reducing fire hazards. Therefore, the Power Authority submits that the extension of time to permit full evaluation of each option is warranted. The numerous hardware and

procedural modifications made to the Indian Point No. 3 facility Fire Protection program to date, have already cost in excess of \$7,000,000. These modifications have substantially reduced the potential for fires in critical areas, added fire resistant protection to critical equipment, and upgraded and expanded fire detection and suppression systems. These provisions provide a high degree of assurance that at least one means of achieving and maintaining a safe shutdown condition is available after a postulated fire within the plant. The implementation of administrative procedures, additional training, establishment of a trained fire brigade, along with a strong management commitment to fire protection have also substantially reduced potential fire hazards at the Indian Point No. 3 facility. Thus, the Power Authority considers that the requested exemption, resulting solely in an extension of time to adequately evaluate all options, can be granted without compromising plant safety and, if granted, may well lead to safety improvements which otherwise would not be adequately considered.

Basically, the purpose of Section III.G., "Fire Protection of Safe Shutdown Capability", is to protect the facility's safe shutdown capability by ensuring that at least one means of achieving and maintaining a safe shutdown condition will remain available during and after any postulated fire within the plant. Prior to determining which of the options provided in Section III.G. will be satisfactory for the Indian Point No. 3 facility, comprehensive analysis must be performed for all safety related circuits and all associated non-safety related circuits of each of the facility's fire zones. This analysis will identify the critical circuits, equipment, and fire zones and will assess the potential adverse impact the loss of each may have on the facility's ability to achieve and maintain a safe shutdown condition within the criteria of Section III.G.

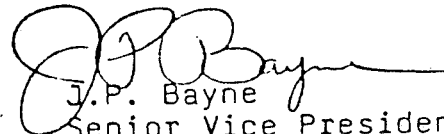
The Power Authority is near completion of the extensive review of the safety related circuits. A similar review of the non-safety related associated circuits has just begun. However, this effort has been complicated by the lack of consistency in the various guidance defining the precise scope of the associated circuits requirement. Nevertheless, when the final results of these reviews are available, a fire zone analysis will be performed to identify the critical fire zones and any modifications required.

In conclusion, it is emphasized that the Power Authority, in essence, is requesting additional time to implement the requirements of Sections III.G., III.J. and III.O. Accordingly, pursuant to Sections 10 CFR 50.12(a) and 50.48(c)(6), the Power Authority requests approval to a) submit an action plan to timely evaluate the requirements of Section III.G. and to provide plans and schedules for the implementation of Sections III.J. and III.O. or any exemptions thereto by June 22, 1981 and b) to provide plans and schedules to implement the request of Section III.G. or exemption

thereto by March 19, 1982. This request is authorized by 10 CFR Part 50.48(c) and its approval will not endanger life and property and is in the public interest.

Should further information be required, please do not hesitate to contact me.

Very truly yours,

  
J.P. Bayne  
Senior Vice President  
Nuclear Generation

cc: T. Rebelowski  
Resident Inspector, U.S. NRC  
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