**Stephen B. Bram**
Vice President

Consolidated Edison Company of New York, Inc.
Indian Point Station
Broadway & Bleakley Avenue
Buchanan, NY 10511
Telephone (914) 734-5340

June 9, 1994

Re: Indian Point Unit No. 2
Docket No. 50-247

Mr. Wayne D. Lanning
Deputy Director
Division of Reactor Projects
Region I
U.S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406-5000

SUBJECT: Technical Specification Guidance - Fire Protection

This letter responds to statements contained in Inspection Report No. 50-247/94-02, dated April 22, 1994, concerning internal Con Edison guidance on the application of Technical Specifications related to fire protection. We also request further review of this guidance by the NRC.

The inspection report stated that the licensee "provided incorrect guidance by recommending the application of the system Technical Specification (TS) versus a more restrictive component TS pertaining to maintenance of a fire protection hose station." Several days prior to the sequence of events on March 10, 1994 as described in the inspection report, the Operations Planning Group presented the work plan on the fire protection system and requested guidance from the Nuclear Safety and Licensing (NS&L) group. The proposed work required the isolation of the entire PAB fire protection system. Because of the extent to which the high pressure water fire protection system would be affected, it was believed that taking the component level action of running hoses to each of the hose stations affected was not the conservative action to take. The understanding was that the component level action was intended for outages of isolated components and not all of the components in an entire building. The more conservative action was to declare the fire protection system inoperable "in a manner other than permitted by Specification 3.13.A.2," which addresses the inoperability of one or more fire pumps or water supplies. The fire protection system would, of course, still be available to support the portions of the system not affected by the planned maintenance.



JE01 1/1

The inspection report assumes that the requirements in the Limiting Conditions for Operation (LCO) action statement for the component TS are more restrictive than the LCO action statement for system level TS and should have been implemented in conjunction with the system action statements. We are unable to concur in this assumption, for the following reasons:

1. Even though the time allowed to take action may be less for the component action statement, the action required on the system level is more comprehensive and restrictive. Thus the use of the component action statement would be less conservative. It has been a long standing practice in the industry to have more restrictive TS requirements at the system level than at the component level. This forms the basis for Technical Specification interpretation philosophy. Most safety related systems allow a component to be inoperable for a defined time period. There are very few instances where a system is allowed to be inoperable for any time period without immediate action.

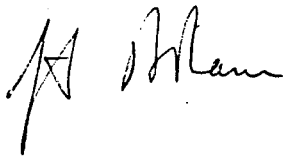
2. The Technical Specification interpretation provided by NS&L led to more comprehensive corrective action. In the particular case of the fire protection system Technical Specification, the component TS action statement consists of routing a fire hose from an operable hose station or hydrant. This hose may be in-place for an indefinite period of time and may be installed without any notification to the NRC. The system TS LCO action statement, on the other hand, requires an alternate fire protection system to be established within 24 hours and requires notification to the NRC within 24 hours. A follow up letter must include the cause of the inoperability and the plans and schedule for restoring the system to operable status.

3. A fundamental principle of Technical Specifications is that they are not interdependent such that both system and component TS covering the same equipment are to be applied simultaneously. For example, TS 3.3.B.2 allows one containment spray pump to be inoperable for up to 72 hours. If the spray pump is inoperable then it could be said that the valves downstream of the pump could not perform their intended safety function because the source of water to them had been isolated. In this example, if one were to apply the component level TS for the valves in the containment spray system per TS 3.3.B.2.c, entry into TS 3.0.1 (more than one valve inoperable) would occur, and unit shutdown would be required in 7 hours. Thus if the logic of the inspection report were to be applied generically, it would in

practical effect prevent the on line testing of many safety related components. This in turn would cause a severe hardship on the industry without a concomitant safety benefit, and with virtually no prior notice or opportunity to comment.

On March 9, 1994, the decision to declare the fire protection system out of service was discussed with members of the NRC staff, including the Resident Inspector. It appears from the guidance received from region based inspectors, that there may be a difference of opinion within the NRC as to which action statements are more restrictive and their manner of application in specific circumstances. We therefore request that the NRC conduct a review of this matter and determine the appropriate Technical Specification guidance to be followed. Should you have any questions regarding this matter, please contact Mr. Charles W. Jackson, Manager, Nuclear Safety and Licensing.

Very truly yours,



cc: Document Control Desk
US Nuclear Regulatory Commision
Mail Station P1-137
Washington, DC 20555

Mr. Thomas T. Martin
Regional Administrator - Region I
US Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406

Mr. Francis J. Williams, Jr., Project Manager
Project Directorate I-1
Division of Reactor Projects I/II
US Nuclear Regulatory Commission
Mail Stop 14B-2
Washington, DC 20555

Senior Resident Inspector
US Nuclear Regulatory Commission
PO Box 38
Buchanan, NY 10511