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December 23, 2013
L-13-387

Confirmatory Order EA-12-254

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

SUBJECT:

Beaver Valley Power Station, Units No. 1 and 2
BVPS-1 Docket No. 50-334, License No. DPR-66
BVPS-2 Docket No. 50-412, License No. NPF-73
Application for License Amendment to Adopt NFPA 805, "Performance Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants (2001 Edition)"

The Code of Federal Regulations, Title 10, Part 50.48(c) (10 CFR 50.48(c)), allows a licensee to maintain a fire protection program that complies with National Fire Protection Association Standard 805, "Performance-Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants, 2001 Edition" (NFPA 805) as an alternative to compliance with existing fire protection program requirements. 10 CFR 50.48(c) further requires the licensee to submit a request to comply with NFPA 805 in the form of an application for license amendment.

By letter dated August 29, 2012 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML12243A245), FirstEnergy Nuclear Operating Company (FENOC) established a formal regulatory commitment to submit an application for license amendment to implement 10 CFR 50.48(c) at Beaver Valley Power Station, Units 1 and 2 (BVPS) on or before December 31, 2013. By letter dated February 20, 2013 (ADAMS Accession No. ML12335A270) the Nuclear Regulatory Commission (NRC) issued Confirmatory Order EA-12-254, modifying License Nos. DPR-66 and NPF-73, for BVPS Units 1 and 2, respectively, as follows:

- A. FENOC will submit an acceptable license amendment request for Beaver Valley Power Station, Units 1 and 2, to adopt NFPA Standard 805 by no later than December 31, 2013.

Attachments C, D, E, G, S, V, and W of the enclosure to this letter contain security-related information, and should be withheld from public disclosure in accordance with 10 CFR 2.390. Upon removal of Attachments C, D, E, G, S, V, and W, this letter and its enclosure are uncontrolled.

ADD
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- B. FENOC will continue to receive enforcement discretion until December 31, 2013. If the NRC finds that the LAR is not acceptable, the NRC will take steps consistent with the Enforcement Policy.

Pursuant to the above described Confirmatory Order, and in accordance with the Code of Federal Regulations, Title 10, Part 50.90, "Application for amendment of license, construction permit or early site permit," FENOC hereby requests amendment of the BVPS Unit Nos. 1 and 2 Facility Operating Licenses granting the approval of a performance-based, risk-informed fire protection program consistent with 10 CFR 50.48(c) and NFPA 805.

FENOC is implementing the methodology described in Nuclear Energy Institute (NEI) 04-02, Revision 2, "Guidance for Implementing a Risk-Informed, Performance-Based Fire Protection Program Under 10 CFR 50.48(c)" to transition BVPS from the current fire protection licensing basis to the new requirements as outlined in NFPA 805. The NRC issued Regulatory Guide (RG) 1.205, Revision 1, "Risk-Informed, Performance-Based Fire Protection for Existing Light Water Nuclear Power Plants," endorsing NEI 04-02, with exceptions, in December 2009.

The enclosure to this letter, "FirstEnergy Nuclear Operating Company Beaver Valley Power Station Units 1 and 2, Transition to 10 CFR 50.48(c) - NFPA 805, Performance-Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants, 2001 Edition," hereafter referred to as the Transition Report, describes the transition methodology utilized and documents how FENOC complies with the new requirements for BVPS. This Transition Report provides information:

- Required by 10 CFR 50.48(c).
- Recommended by NEI 04-02 and appropriate Frequently Asked Questions.
- Recommended by RG 1.205, Revision 1.

The Transition Report is provided in a format consistent with a template developed by the industry with the support of NEI and used for prior industry applications for NFPA 805 license amendments. Major topics addressed in the Transition Report are presented in attachments, including the technical and regulatory justifications required to support this application.

FENOC is fully committed to the improvement of fire protection programs through voluntary implementation of 10 CFR 50.48(c) at BVPS. Until such time that the proposed license amendment is approved and implemented, FENOC will continue to maintain fire safety at BVPS in accordance with the facility operating licenses. FENOC requests a period of 180 days following the issuance of the amendments to fully implement the requirements of the new license conditions.

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Regulatory commitments established in this letter and its enclosure are identified in the attachment. If there are any questions or if additional information is required, please contact Mr. Thomas A. Lentz, Manager - Fleet Licensing, at 330-315-6810.

I declare under penalty of perjury that the foregoing is true and correct. Executed on December 23, 2013.

Sincerely,



Eric A. Larson

Attachment:
Regulatory Commitment List

Enclosure:
"FirstEnergy Nuclear Operating Company Beaver Valley Power Station Units 1 and 2, Transition to 10 CFR 50.48(c) - NFPA 805, Performance-Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants, 2001 Edition"

cc: Director - NRC Office of Enforcement (w/o Enclosure)
NRC Regional Administrator - Region I (w/o Enclosure)
NRC Resident Inspector (w/o Enclosure)
NRC Project Manager (w/o Enclosure)
Director - State of Pennsylvania BRP/DEP (w/o Enclosure)
Site Representative - State of Pennsylvania BRP/DEP (w/o Enclosure)

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Regulatory Commitment List
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The following list identifies those actions committed to in this document and its enclosure by FirstEnergy Nuclear Operating Company (FENOC) for Beaver Valley Power Station, Units No. 1 and 2. Any other intended or planned actions discussed in the submittal are described for information only and are not considered regulatory commitments.

Regulatory Commitment

1. Implementation of the new NFPA 805 fire protection program, including procedure changes, process updates, and training affected plant personnel, will occur within 180 days after issuance of the license amendments. See enclosure Attachment S, Table S-3.
2. Enclosure Attachment S, Tables S-1 and S-2, provides a listing of plant modifications associated with the transition to NFPA 805 and their implementation status (open or complete). Modifications will be completed by the startup following the second refueling outage (for each unit) after the issuance of the license amendments.

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