

August 4, 2015

MEMORANDUM TO: Alexander R. Klein, Chief
Fire Protection Branch
Division of Risk Assessment
Office of Nuclear Reactor Regulation

FROM: Barry W. Miller, Sr. Project Manager */RA/*
Fire Protection Branch
Division of Risk Assessment
Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF THE JULY 23, 2015, CATEGORY 2 PUBLIC MEETING
REGARDING THE NATIONAL FIRE PROTECTION ASSOCIATION
STANDARD 805 FREQUENTLY ASKED QUESTIONS PROCESS

On July 23, 2015, the U.S. Nuclear Regulatory Commission (NRC) staff held a public teleconference with stakeholders and the public to discuss Frequently Asked Questions (FAQs) at plants that are adopting National Fire Protection Association Standard 805 (NFPA 805). The meeting notice was made available at Agencywide Document Access and Management System (ADAMS) Accession No. ML15188A193.

Industry stakeholders and the NRC staff discussed all four currently open FAQs:

1. Revision 0f of FAQ 14-0070, "Use of Non-Fire Treated Wood," (ADAMS Accession No. ML15203A019) was provided to the NRC staff two days before this meeting. This revision was in response to NRC staff comments (ADAMS Accession No. ML15146A167) provided at the previous FAQ meeting held on May 27, 2015 (meeting summary at ADAMS Accession No. ML15148A686). The NRC staff provided additional verbal comments on Revision 0f during this meeting. Industry stakeholders requested that the NRC document these comments in writing to help ensure they can be addressed in the next revision. In accordance with this request, the NRC staff's comments are documented in this meeting summary as follows:

In the first paragraph of the "Modify Appendix K" section, the second sentence of the first paragraph doesn't mention if it applies to wood. Also, there is not a paragraph discussing the use of untreated wood as waste, debris, and packing materials for Section 3.3.1.2(3), similar to the 4th paragraph discussion section. The last sentence of the third paragraph indicates that wood incidental items would only be used where non-wood items are not feasible or readily available. This language would seem to limit plant staff to only use metal broom handles and hammer handles (since those are readily available).

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2. The next currently open FAQ discussed was FAQ 14-0071, "Acceptable Uses for Non IEEE 383 Cables" (ADAMS Accession No. 15126A268). There was an action from the May 27, 2015, FAQ meeting for the industry to review the FAQ and consider whether its scope should be expanded to include applications other than crane cables. The industry indicated that this action has not yet been completed but that it expects to provide the NRC with a new revision of the FAQ in early August 2015.
3. FAQ 14-0073, "Acceptable Uses of Fuel Fired Equipment," (ADAMS Accession No. ML14311A505) was last discussed at a technical level during the December 16, 2014, FAQ meeting. The NRC staff provided written comments in advance of that meeting at ADAMS Accession No. ML14336A078. For this meeting, the industry provided written responses (at ADAMS Accession No. ML15204A102) to the NRC staff's previously written comments. The NRC staff provided additional verbal comments on these responses during this meeting. Industry stakeholders requested that the NRC document these comments in writing to help ensure they can be addressed in the next revision of the FAQ. In accordance with this request, the NRC staff's comments are documented in this meeting summary as follows:

Based on the written comments received prior to the meeting, the NEI Working Group's position is that the approved fire protection program is sufficient to address the use of fuel fired equipment. The staff noted during the meeting that this FAQ arose from differing interpretations of the rule language addressing fuel fired equipment. If industry stakeholders are confident that the program addresses fuel fired equipment, then there is no need for this FAQ. If the industry stakeholders would like more confidence regarding future interpretation, then the staff would expect to see more discussion regarding the limitations and conditions for the use of fuel fired equipment, in general plant areas and under what specific conditions (such as continuously staffed, etc.).

4. FAQ 15-0075, "Treatment of Changes to Attachment S Modifications During Transition," Revision 0 (ADAMS Accession No. ML15146A249) was submitted as a new FAQ prior to the May 27, 2015, FAQ meeting. This FAQ evolved from discussions at NRC/NEI Management public meetings as well as an April 13, 2015, stand-alone public meeting regarding an industry desire to change the NFPA 805 transition license condition to allow licensees to incorporate new data and methods into their Fire PRA and remove planned modifications during the NFPA 805 transition period without prior NRC approval. During this meeting, NRC staff reiterated comments that were also communicated at the July 16, 2015, NRC/NEI Management public meeting a week earlier.

Specifically, the NRC staff stated that it has not been able to reconcile its concerns with the FAQ. Allowing licensee self-approval during transition using the risk thresholds in Regulatory Guide 1.174, "An Approach for Using Probabilistic Risk Assessment in Risk-Informed Decisions on Plant-Specific Changes to Licensing Basis," would grant licensees the same authority to approve risk-informed changes as the NRC staff. Additionally, the 90-day notification to the NRC prior to any modification changes, as proposed in the FAQ, would be outside any existing process and would provide the NRC no regulatory recourse to disapprove any modification changes because the authority to make the changes would have already been granted to licensees. The NRC staff said that, alternatively, the license amendment request (LAR) process (10 CFR 50.90) is the established process that can and should be utilized to address modification changes during NFPA 805 transition. The staff further suggested that to address implementation timeline concerns, licensees could concurrently submit a request for a delay in

modification implementation commensurate with any modification changes that are requested through the LAR process.

The NRC staff indicated that it had planned to ask the industry to withdraw FAQ 15-0075 altogether, but that the industry had counter-proposed to transform the FAQ into a template-like document that would provide specific guidance for the content of a LAR that would seek to remove modifications during NFPA 805 transition. The NRC staff stated that they would support reviewing such a revision. Finally, the NRC staff indicated that if licensees were to submit a request to delay the implementation of a modification commensurate with modification changes being requested, that all of the requests could be included in a single LAR or the licensee could choose to submit them in separate LARs. The NRC also clarified that any modification implementation delay must be requested through a LAR and that a scheduler exemption request per 10 CFR 50.12 would not be appropriate for this type of delay request.

An opportunity for public comment was provided at the end of the meeting. No members of the public attended and therefore no comments were received.

The latest NRC NFPA 805 FAQ Status and History document is available at ADAMS Accession No. ML15208A472. This document contains a full reference history of FAQ revisions and NRC staff comments.

A list of meeting attendees is enclosed with this memorandum.

Enclosure:
As stated

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DISTRIBUTION:

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ADAMS Accession No.: ML15208A395

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**NATIONAL FIRE PROTECTION ASSOCIATION STANDARD 805
FREQUENTLY ASKED QUESTIONS PROCESS MEETING
LIST OF ATTENDEES**

July 23, 2015

**U. S. Nuclear Regulatory
Commission Staff**

B. Miller
D. Frumkin
H. Barrett
S. Dinsmore
A. Klein
S. Rosenberg

Stakeholders

V. Anderson (NEI)
R. Rolland (NEI)
J. Reed (NEI)
B. Montgomery (NEI)
M. Lilley (Exelon)
A. Ratchford (RDS)
J. Quinn (EPM)
B. Simril (TVA)
J. Ross (First Energy)
M. Murtha (First Energy)
S. Short (PNNL)
T. Swiecicki (Entergy)
R. Conrad (FPL)
M. Hulet (APS)
C. Rochon (Westinghouse)
J. LeMaire (EPM)
M. Schairer (EPM)
J. Lechner (Jensen Hughes)

ENCLOSURE