



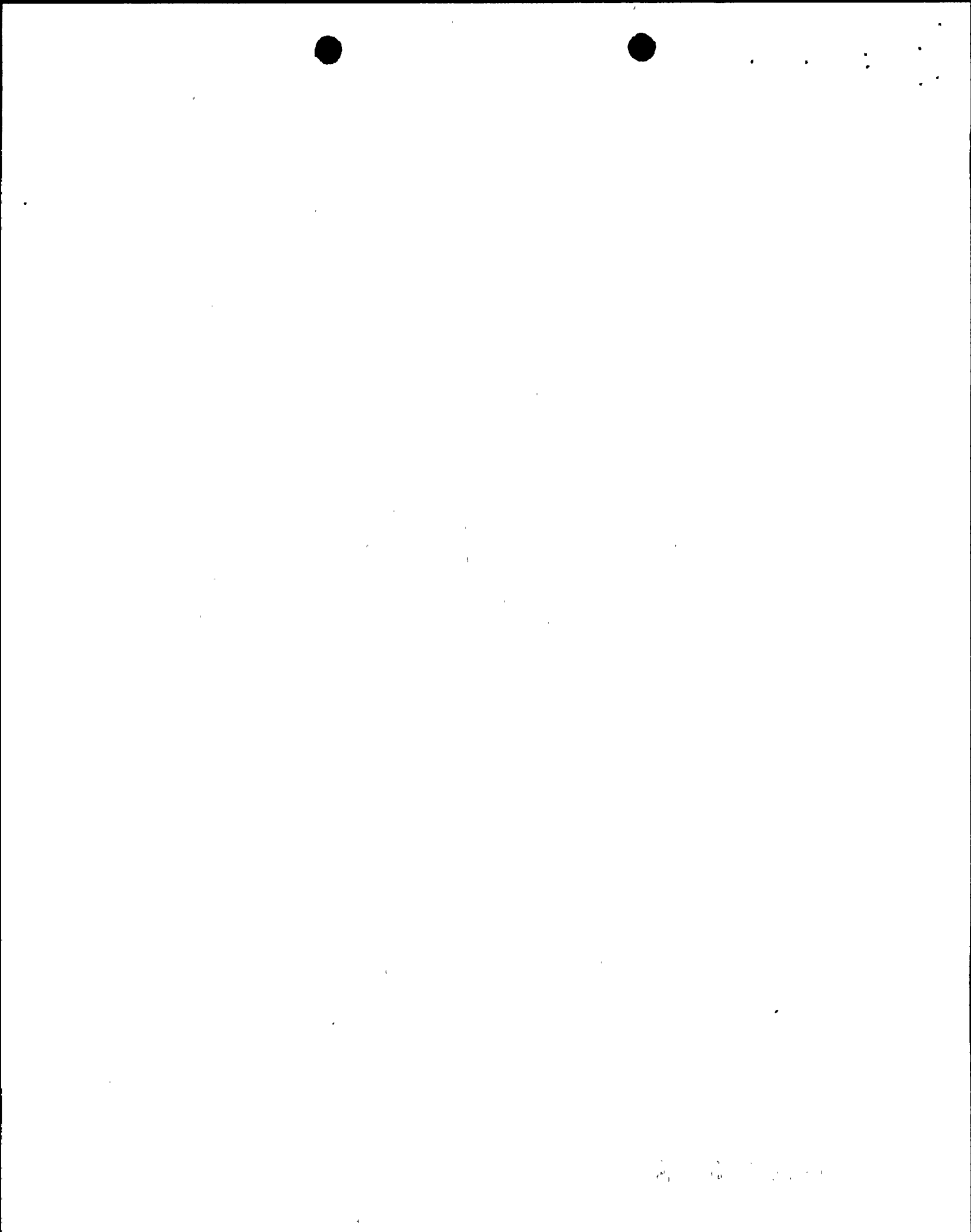
UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 132 TO FACILITY OPERATING LICENSE NO. DPR-63
NIAGARA MOHAWK POWER CORPORATION
NINE MILE POINT NUCLEAR STATION UNIT NO. 1
DOCKET NO. 50-220

1.0 INTRODUCTION

By letter dated January 7, 1992, Niagara Mohawk Power Corporation (the licensee) submitted a request for changes to the Nine Mile Point Nuclear Station Unit No. 1, Technical Specifications (TS). The requested changes would delete the fire protection technical specifications and their associated Bases and Definitions from the Nine Mile Point Unit 1 Technical Specifications. The deleted requirements have been relocated to the Nine Mile Point Unit 1 Fire Hazards Analysis, which is incorporated into Appendix 10A of the Nine Mile Point Unit 1 Final Safety Analysis Report (Updated). The proposed amendment would augment the Administrative Controls section of the Technical Specifications to require: (1) that written procedures be established, implemented, and maintained for activities involving implementation of the Fire Protection Program, and (2) periodic review of the Fire Protection Program and implementing procedures by a qualified individual/organization, and (3) submittal of recommended changes to the Fire Protection Program and implementing procedures to the Safety Review and Audit Board. Conforming changes would also be made to the Index for the technical specifications. License Condition 2.D.(7) would be revised to: (1) require the licensee to implement and maintain in effect all provisions of the approved Fire Protection Program as described in the Final Safety Analysis Report (Updated) as approved in the Fire Protection Safety Evaluation Report dated July 26, 1979, and in the fire protection Exemption issued March 21, 1983, and (2) to permit the licensee to make changes to the approved Fire Protection Program without prior approval of the NRC only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire. The proposed changes are in accordance with the guidance provided in NRC Generic Letter 88-12, "Removal of Fire Protection Requirements from Technical Specifications," dated August 2, 1988, and NRC Generic Letter 86-10, "Implementation of Fire Protection Requirements," dated April 24, 1986.

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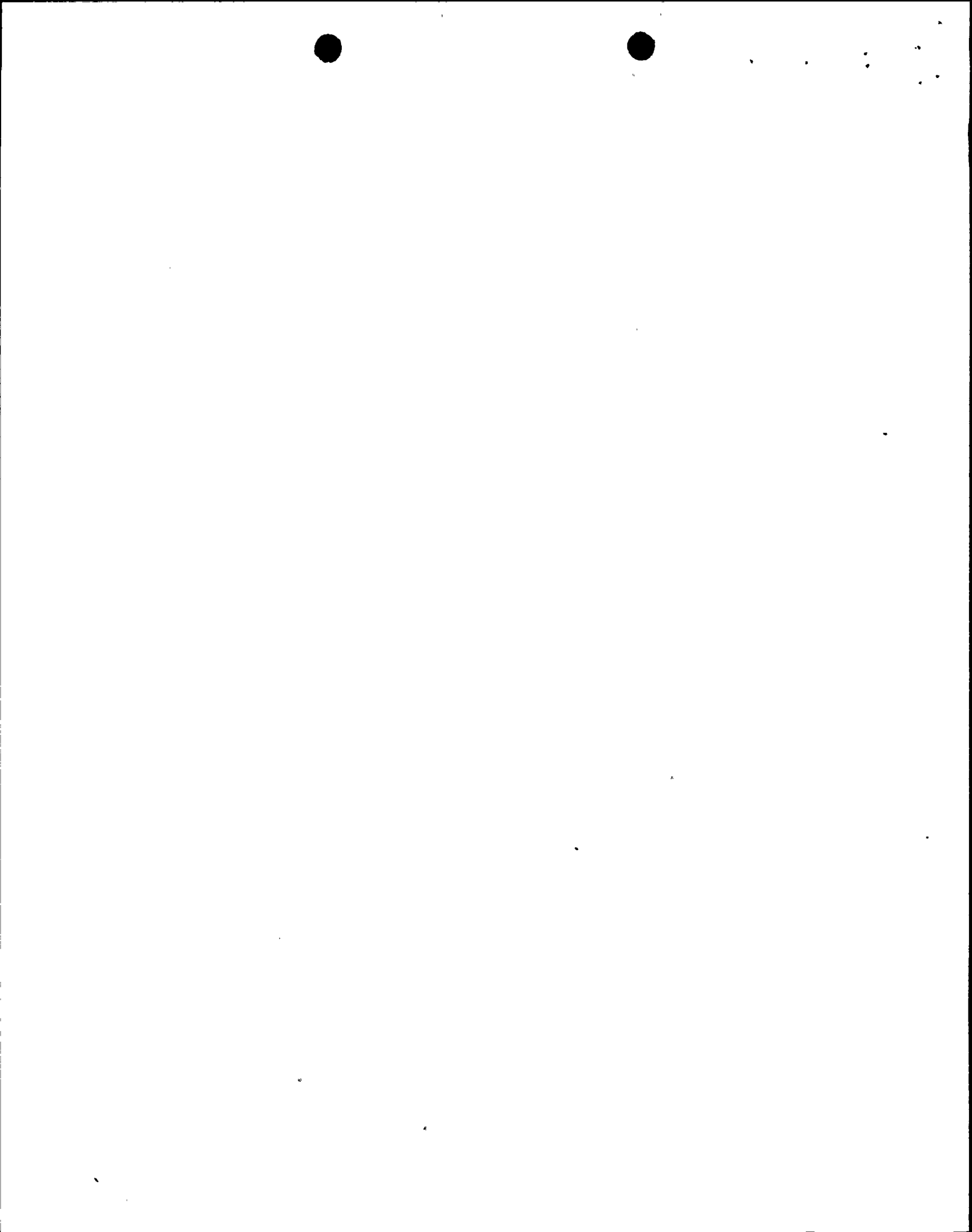
2.0 BACKGROUND

Following the fire at the Browns Ferry Nuclear Power Plant on March 22, 1975, the Commission undertook a number of actions to ensure that improvements were implemented in the Fire Protection Programs for all power reactor facilities. Because of the extensive modification of Fire Protection Programs and the number of open issues resulting from staff evaluations, a number of revisions and alterations occurred in these programs over the years. Consequently, licensees were requested by Generic Letter 86-10 to incorporate the final NRC-approved Fire Protection Program in their Final Safety Analysis Reports (FSARs). In this manner, the Fire Protection Program including the systems, the administrative and technical controls, the organization, and other plant features associated with fire protection would have a status consistent with that of other plant features described in the FSAR. In addition, the Commission concluded that a standard license condition, requiring compliance with the provisions of the Fire Protection Program as described in the FSAR, should be used to ensure uniform enforcement of fire protection requirements. Finally, the Commission stated that with the requested actions, licensees may request an amendment to delete the fire protection TS that would now be unnecessary.

The licensees for the Callaway and Wolf Creek plants submitted lead-plant proposals to remove fire protection requirements from their TS. This action was an industry effort to obtain NRC guidance on an acceptable format for license amendment requests to remove fire protection requirements from TS. Additionally, in the licensing review of new plants, the staff has approved applicant requests to remove fire protection requirements from TS issued with the operating license. Thus, on the basis of the lead-plant proposals and the staff's experience with TS for new licenses, Generic Letter 88-12 was issued to provide guidance on removing fire protection requirements from TS.

3.0 EVALUATION

Generic Letter 86-10 recommended the removal of fire protection requirements from the TS. Although a comprehensive Fire Protection Program is essential to plant safety, the basis for this recommendation is that many details of this program that are currently addressed in TS can be modified without affecting nuclear safety. Such modifications can be made provided that there are suitable administrative controls over these changes. These details, that are presently included in TS and which are removed by this amendment, do not constitute performance requirements necessary to ensure safe operation of the facility and, therefore, do not warrant being included in TS. At the same time, suitable administrative controls ensure that there will be careful review and analysis by competent individuals of any changes in the Fire Protection Program including those technical and administrative requirements removed from the TS to ensure that nuclear safety is not adversely affected. These controls include: (1) the TS administrative controls that are applicable



to the Fire Protection Program; (2) the license condition on implementation of, and subsequent changes to, the Fire Protection Program; and (3) the 10 CFR 50.59 criteria for evaluating changes to the Fire Protection Program as described in the FSAR.

The specific details relating to fire protection requirements removed from TS by this amendment include those specifications for fire detection systems, fire suppression systems, fire barriers, and fire brigade staffing requirements. The administrative control requirements have been modified to include Fire Protection Program implementation as an element for which written procedures must be established, implemented, and maintained. In addition, the technical review responsibilities of Station Operations Review Committee will be expanded to include the review of the Fire Protection Program and implementing procedures and submittal of recommended changes to the Safety Review and Audit Board.

The TS changes proposed by the licensee are in accordance with the guidance provided by Generic Letter 88-12, as addressed in the items below.

- (1) Specification 6.5.2, Technical Review and Control, was revised to add the review of the fire protection program implementation and the submittal of recommended changes to the Safety Review and Audit Board.
- (2) Specification 6.8, Procedures, was revised to add Fire Protection Program implementation to those programs for which written procedures shall be established, implemented, and maintained.
- (3) Specification 3.6.6, Fire Detection instrumentation, its associated Surveillance Requirements, and Bases were removed.
- (4) Specifications 3.6.7, 3.6.8, 3.6.9, 3.6.10.2, and 3.6.10.3, Fire Suppression systems, their associated Surveillance Requirements, and Bases were removed.
- (5) Specification 3.6.10.1, Fire Barrier Penetrations, its associated Surveillance Requirements, and Bases were removed.
- (6) Specification 6.2.2.g on fire brigade staffing requirements was deleted.

The licensee proposed to change License Condition 2.D.(7) to read as follows:

Niagara Mohawk Power Corporation shall implement and maintain in effect all provisions of the approved Fire Protection Program as referenced in the Final Safety Analysis Report (Updated) for the facility and as described in the Nine Mile Point Nuclear Station Unit 1 Fire Hazards Analysis as referenced in the Final Safety Analysis Report (Updated), subject to the following provision:

Niagara Mohawk Power Corporation may make changes to the approved Fire Protection Program without prior approval of the Commission only if those



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changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

However, since the standard fire protection license condition provided in Generic Letter 86-10 requires this proposed license condition to include the approval date of the NRC staff's Fire Protection Safety Evaluation Report, License Condition 2.D.(7) is being revised to read as follows:

Niagara Mohawk Power Corporation shall implement and maintain in effect all provisions of the approved Fire Protection Program as described in the Final Safety Analysis Report (Updated) for the facility and as approved in the Fire Protection Safety Evaluation Report dated July 26, 1979, and in the fire protection Exemption issued March 21, 1983, subject to the following provision:

Niagara Mohawk Power Corporation may make changes to the approved Fire Protection Program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

The NRC staff discussed this proposed change for License Condition 2.D.(7) with licensee representatives who agreed with the proposed changes. The proposed change does not affect the proposed no significant hazards consideration and is consistent with the guidance provided in Generic Letter 86-10 and is, therefore, acceptable.

As required by Generic Letter 86-10, the licensee confirmed that the NRC-approved Fire Protection Program has been incorporated into the FSAR.

The licensee confirmed that the operational conditions, remedial actions, and test requirements associated with the removed fire protection TS have been included in the Fire Protection Program incorporated into the FSAR. This is in accordance with the guidance of Generic Letter 88-12.

License Amendment No. 71 (issued April 1, 1985) was prepared and issued in response to the licensee's response to Generic Letter 81-12, "Fire Protection Rule (45 FR 76602, November 19, 1980)." License Amendment No. 71 added technical specifications (Limiting Conditions for Operation, Surveillance Requirements, and Bases) requiring the operability of the Remote Shutdown Panels. The Remote Shutdown Panels provide the capability for achieving and maintaining hot shutdown conditions in the event of a fire in the main/auxiliary control room. The technical specifications added by License Amendment No. 71 remain in effect and are unchanged by this amendment.

On the basis of its review of the above items, the staff concludes that the licensee has met the guidance of Generic Letter 88-12. Therefore, the staff finds the proposed changes acceptable.



4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the New York State official was notified of the proposed issuance of the amendment. The State official had no comments.

5.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20. The NRC staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendment involves no significant hazards consideration, and there has been no public comment on such finding (56 FR 4489). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributors:

T. Dunning
D. Brinkman

Date: October 2, 1992



Mr. Ralph B. Sylvia

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October 2, 1992

A copy of the related Safety Evaluation is enclosed. A Notice of Issuance will be included in the Commission's next regular biweekly Federal Register notice.

Sincerely,

Original Signed By:

Donald S. Brinkman, Senior Project Manager
Project Directorate I-1
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Enclosures:

1. Amendment No. 132 to DPR-63
2. Safety Evaluation

cc w/enclosures:
See next page

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