

EM 915-1

**Florida Power**  
CORPORATION

June 27, 1980

File: 3-F-2

DOCKET NUMBER **PR-50** (23)  
PROPOSED RULE  
**(45 FR 36082)**



The Secretary of the Commission  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

•Attention: Docketing and Service Branch

Subject: Proposed Rule "Fire Protection Program for  
Nuclear Plants Operating Prior to January 1, 1979"  
New Section 50.48 and Appendix R to 10 CFR 50

Dear Sir:

Florida Power Corporation personnel have reviewed the subject proposed rule and wish to offer the following comments for your consideration.

1. The proposed Appendix R to 10 CFR Part 50 represents an extension of the Commission's authority to establish new regulations to ensure the continued protection of the public health and safety, because it proposes to establish unrealistic requirements which exceed those necessary to fulfill that objective. The most fundamental objection to the proposed regulation relates to its scope. It is stated that Appendix R was developed to resolve 17 generic issues in the fire protection safety evaluation reports for 32 plants where agreement had not been reached between the Staff and the licensees. The requirements which would be mandated by this regulation far surpass that purpose by imposing impractical requirements far in excess of those necessary to resolve issues contested by the various licensees.
2. The proposed regulation is excessively specific, unjustifiably restrictive, and does not allow the latitude necessary to accommodate the differences which exist between currently operating plants. Historically, NRC rules have stated specific objectives to be met and the detailed design and/or implementing procedures to meet those objectives have been the responsibility of the licensees. Proposed Appendix R does not conform to this practice and, therefore, greatly increases the difficulty and cost associated

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with meeting those requirements. We believe that the significant costs associated with Appendix R cannot be justified by a realistic cost/benefit appraisal. The staggering costs of replacement power which will be incurred to implement the proposed modifications, as well as those incurred by not being able to comply with the unreasonable and unattainable implementation dates, and the NRC's lack of response to its already committed dates of review would be unrealistic and unjustifiable.

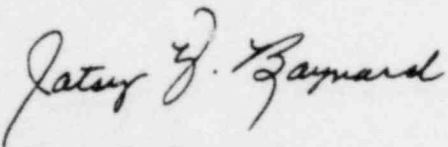
3. The proposed rule addresses many issues and establishes new requirements which were previously documented as having been resolved by the Staff. It is difficult to justify from a safety standpoint, the abandonment of previously agreed upon modifications, based upon plant unique evaluations and, thus, requiring re-review of issues once resolved.
4. Additional specific comments are attached for your consideration.

Florida Power Corporation hereby requests the Commission to modify or revise Appendix R to a practical document/law by taking into consideration the above and attached comments.

Should you have any questions concerning these comments, please contact this office.

Very truly yours,

FLORIDA POWER CORPORATION



Patsy Y. Baynard  
Manager  
Nuclear Support Services

WGLekcF02(DN-98)

Attachment

COMMENTS ON  
APPENDIX R TO 10 CFR 50

Federal Register Vol. 15 P 36082

1. As published in The Federal Register, the notice contains the following statement (P 36083, left column, halfway down) "There are, however, a few instances where the staff has accepted certain fire protection alternatives that would not satisfy some of the requirements of this proposed rule . . . All licensees will be expected to meet the requirements of this rule, in its effective form . . ." This raises at least a possibility that there will be another round of reviews in which each licensee must evaluate his plant with respect to this Appendix and backfit as necessary, previous NRC commitments and SERs notwithstanding. It would appear possible that if some previously approved item were discovered not in accord with this Appendix, it would have to be corrected by the dates given or the plant could be shut down.

2. Dates for implementation of modifications are:

April 1, 1981 for alternate shutdown capability.

December 1, 1981 for dedicated shutdown capability.

November 1, 1980 for all other modifications.

CR-3 is planning to have alternate shutdown capability. Because of the higher priorities given the post-TMI backfits, these schedules will be very difficult to meet. It is suggested that, where NRC approval is required prior to implementing a modification, the date for implementation should be 6 to 18 months after approval, depending on the nature of the modification. In the case of CR-3, the NRC is itself delaying implementation of the presently approved Fire Protection Program by not providing expeditious approval.

3. Section II A, second paragraph, states "The fire protection program shall be under the direction of an individual who has been delegated authority commensurate with the responsibilities of the position. The individual shall be knowledgeable in both fire protection and nuclear safety." This requirement appears to be somewhat different from RG 1.120 and BTP - APCS 9.5-1 which contemplates that overall responsibility is to be assigned to a designated person in the upper level of management, with a staff having delegated responsibility. The RG 1.120 approach would appear to offer many advantages including diversity of experience and viewpoint. It may well be that the industry does not possess the requisite individuals "knowledgeable in both fire protection and nuclear safety."

This paragraph was not included in the earlier drafts of the Appendix. It should be dropped or the requirement of RG 1.120 should be used.

4. Sections II.A.2.a and III.F may require additional detection systems at the nuclear plants. As they now read, detection systems are required if combustibles are present, even if the quantity and location are such that they present no hazard. A suggested rewording of III.F is "Automatic fire detection systems shall be installed in all areas of the plant that contain combustibles that present a fire hazard to systems or components required for safe shutdown, for the mitigation of accidents, or for controlling radioactive wastes."
5. II.A.2.h raises the question of who is qualified, particularly for maintenance and testing. While certain tests do require particular qualifications, the rule should allow most surveillance tests to not require fire protection specialists. Perhaps the words "in fire protection systems" could be dropped.
6. Paragraph II.D states under Manual Fire Suppression: "Hose stations shall be inside PWR containments." This may be a problem due to heat and contamination effects on the hose. It would be better to store outside the containment and carry it in as needed.
7. Paragraph III.G. Reference to the design of the protective features to consider, Items (1a) through (1n), should be deleted. Items (1a) through (1n) are guidelines to consider in the course of performing a Fire Hazard Analysis and should not be regulatory requirements in Appendix R. The considerations should be listed in supporting documents such as a regulatory guide, review guide, or branch technical position.

Reference to minimum fire protective features to be provided, Items (2a) through (2c), should also be deleted. The minimum requirements as listed are too specific to allow flexibility for the purpose of providing the optimum combination of active and passive fire protection features to assure safe shutdown capability. Type of fire protection systems or combination of fire protection features to assure safe shutdown capability cannot be categorized or standardized in tabular form. Physical parameters, such as room geometry, construction, and equipment arrangement are all considerations in determining the best possible protection afforded to assure safe shutdown. Table 1 is too restrictive to allow for this required flexibility. Therefore, Table 1 should be deleted.

8. III.L Alternate Shutdown Capability - In Paragraph III.L.1, capability for maintenance of hot standby for 72 hours is required without offsite power. The 72-hour hot standby requirements requires a very large quantity of emergency feedwater, since decay heat is dissipated by feeding the steam generators and venting

steam to the atmosphere in the event offsite power is unavailable for main condenser operation. Note that Paragraph III.L.3 somewhat contradicts the above, in that capability to maintain hot standby for 72 hours is required if the equipment required for cold shutdown is not available because of fire damage. Perhaps the second paragraph of Section III.L.1 could be modified to read "If there are several such areas, the combinations of systems that provide the shutdown capability may be unique for each critical area. However, the shutdown capability provided for each such area shall be able to achieve and maintain the performance goals of Section 2 below, and shall meet the requirements of Section 3 below."

Clarification is requested on the requirement of Paragraph III.L.4, which states that if repairs are contemplated to reestablish cold shutdown capability, materials and procedures must be available on-site. Also that shutdown systems need not meet seismic or single failure criteria or be qualified for pipe break or other accidents.