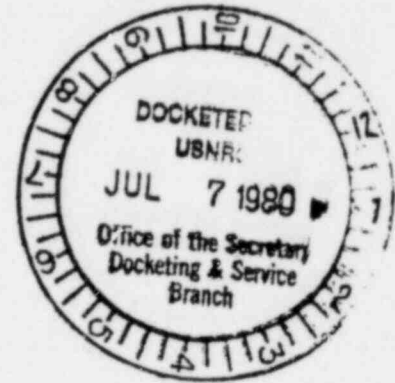


AMERICAN NUCLEAR INSURERS

BURT C. PROOM, CPCU
President

PROPERTY ENGINEERING DEPARTMENT
John J. Carney, Vice President



June 30, 1980

Secretary of the Commission
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Attention: Docketing and Service Branch

Dear Sirs:

Subject: 10 CFR Part 50
Fire Protection Program for Nuclear Power Plants Operating Prior to
January 1, 1979

Action: Proposed Rule

DOCKET NUMBER 40
PROPOSED RULE PR 50 (45 FR 36082)

The following comments are offered:

1. Rule making is generally not in anyone's best interests. It is unfortunate that everyone did not concentrate initially on a dedicated remote shutdown capability as the clear-cut solution to the fire risk, as well as other risks, rather than directing so much energy toward trying to retrofit imperfect fire protection solutions to compensate for safety system inadequacies. Having taken this latter complex route, it was probably inevitable that the process would be frustrating and out of that frustration comes the decision by NRC that rule making is necessary. It would have been much more constructive if well qualified engineers would have been allowed to work out prompt interim solutions until dedicated shutdown capability could be installed. This is not meant to be critical of the fine efforts of those assigned NRC personnel that adapted the best fire protection engineering practices employed in the conservation of property in trying to meet their responsibility for public health and safety. I only suggest that there are limitations to this adaptation. Your attention should not be diverted from the ultimate solution of dedicated remote shutdown capability or, if a case can truly be proven, for alternate shutdown capability. If the rule making proposal prevails, provisions should be made so that solutions and conflicts can be worked out by qualified engineers, including fire protection engineers, on the basis of best engineering practice.

Acknowledged by card: 7-7-80 *weh*

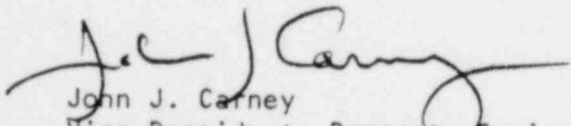
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2. Our outstanding Comments on the Proposed Fire Stop Test Method are reiterated. Copy attached. (Ref: Letter dated August 30, 1979 from Robert G. Sawyer, Senior Administrative Engineer, Fire/All Risk Section and William H. Bornhoeft, Senior Staff Engineer, Technical Review Section, to the Secretary of the Commission re DRAFT REGULATORY GUIDE AND VALUE/IMPACT STATEMENT: TASK RS 809-5: QUALIFICATION TEST FOR CABLE PENETRATION FIRE STOPS FOR USE IN NUCLEAR POWER PLANTS.)
3. This Document appears to exceed the scope of the NRC's charge. Non safety related areas can be included by interpretation.
4. The timing for completion of all items may be unrealistic. The short time allowed for compliance may result in quick installations without proper engineering evaluation, design and review.
5. Compliance with some recommendations could result in extensive impairments, in some cases, with limited benefit to the public safety (Ex: Provide curb box valves on hydrants). The risk vs. gain has to be weighed. (See comment on "rule making")
6. The Document does not reference consensus standards for guidance, e.g., ANSI/ANS 59.4 - 1979 paragraphs 4.1.1, 5.4, 6.2.2.

Thank you for the opportunity to present these comments.

Respectfully submitted,


John J. Carney
Vice President- Property Engineering

JJC/tc
Attachment