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ACRS-1767
CERTIFIED: 9-3-80

MINUTES OF THE ACRS SUBCOMMITTEE MEETING ON FIRE PROTECTION

9-3-80

WASHINGTON, D. C.

July 9, 1980

The ACRS Subcommittee on Fire Protection held a meeting on July 9, 1980 in Room 1130, 1717 H St., N.W. Washington, D.C. The purpose of the meeting was to discuss the proposed 10 CFR 50 Rule on fire protection for nuclear plants operating prior to January 1, 1979 (SECY-80-88). The proposed rule includes a new Section 50.48 and Appendix R to 10 CFR 50. The Subcommittee was preparing comments for the ACRS concerning the proposed rule. Notice of this meeting was published in the Federal Register on Tuesday, June 24, 1980. A copy of this notice is included as Attachment A. A list of attendees for this meeting is included as Attachment B, and the schedule for the meeting is included as Attachment C. A complete set of handouts has been included in the ACRS files. There was one written statement from Duke Power Company (Attachment D) and two requests for time to make oral statements from KMC Inc. and Edison Electric Institute. The designated Federal Employee for this meeting was Peter Tam.

NRC Staff Views on the Proposed Fire Protection Rule

Mr. R. Ferguson of the NRC Staff briefly described the history of the fire protection issue from the Browns Ferry fire until the writing of the proposed rule. The rule was written to address 17 issues where there was disagreement between the NRC Staff and the licensees on a minimum requirement to meet General Design Criteria 3. The NRC legal staff recommended that a rule be issued on the 17 items because too much time would be spent if individual orders were sent to each licensee on each issue.

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The central issue in the decision to write a rule was the disagreement on the need for a 5-man fire brigade. Mr. Ferguson stated that only two utilities (Florida Power and Light and Northeast Utilities) have not yet committed to having a 5-man fire brigade.

Mr. Ebersole stated that a recent Sequoyah report led him to believe that the fire protection crew was not trained to use discretion when using fire water hoses in certain vital plant areas. He suggested that the NRC Staff investigate this. Mr. Benaroya of the NRC Staff stated that he was shocked that such a situation might exist at Sequoyah.

Mr. Bender questioned whether some items in the proposed rule might force the NRC Staff to re-review all fire protection programs rather than just the ones in dispute. Mr. Ferguson explained that some wording added by the Commissioner will require such a re-review. Mr. Benaroya stated that the NRC Staff plan to ask that re-reviews be written out of the rule since, in the Staff's opinion, such re-reviews are not necessary or cost-effective.

Dr. Siess asked if the proposed rule would make BTP 9.5-1 a legally binding document since it is referenced in the text of the rule. Mr. Benaroya said that the lawyers told him that by simply referencing the BTP that it is not a legally binding part of the rule. Further, Mr. Benaroya said that the BTP could be changed by the NRC Staff at any time without going through rulemaking. However, the legal staff has not given a formal written position on this question. Dr. Siess expressed concern that licensees may be held accountable to the rule. Additionally, the BTP can be changed without ACRS or NRC Commissioners' review.

Dr. Siess¹ questioned the 30-day comment period and the implementation schedule in the rule. Mr. Ferguson said that the NRC Staff recommended the 30-day comment period and that the implementation schedule was based on an original staff recommendation. However, the Commissioners removed the NRC Staff wording which would have allowed the implementation schedule to slip until the first refueling or maintenance outage following the implementation dates. Mr. Ferguson stated that the NRC Staff expected public comments on the implementation dates because they negate previous agreements between the NRC Staff and the licensees.

Mr. Bender asked if the requirements and implementation dates in the rule might be grounds to shut down a plant until the requirement was met. Mr. Ferguson stated that he did not know. However, Mr. M. Stearne of Wisconsin Public Service Corp. explained that the first I&E Inspector that finds a particular requirement of a rule, any rule, is not met by an operating plant, he is duty bound to enforce the rule.

Mr. Ebersole questioned the basis for the 50 foot separation criteria in the rule. Mr. Benaroya said that it was based on a consultant's report and that he would be glad to send Mr. Ebersole a copy of the report.

KMC Representatives Views on the Rule

Mr. John Roncaioli of Northeast Utilities representing the KMC owners group of thirteen utilities made a presentation concerning the rule. He described the history of the rule, the impact of the rule, and recommended changes to the rule. He expressed the opinion that the new rule achieves an extremely small benefit to safety which cannot be justified on a cost-benefit basis. He stated that the rule would cost up to \$50 million per operating plant for implementation of the changes. The cost estimate did not include replacement power costs.

Edison Electric Ins. Representatives Views on the Rule

Mr. Edward Sawyer of Yankee Atomic Co. represented the EEI group on fire protection and he expressed great concern over the fact that the proposed rule abrogates the terms of SER's negotiated in good faith between the NRC Staff and licensees. Further, he stated that the implementation dates in the rule are unrealistic.

Subcommittee Comments on the Rule

Mr. Bender polled the Subcommittee members concerning their comments on the proposed rule. Mr. Ebersole said that he could not recommend the rule at present because it was an impasse breaker, and he wants to review the crucial issues of the impasse to see if a rule is necessary. Mr. Ray said he could not recommend the rule because a change to the BTP should be sufficient for the problem at hand. Mr. Bender was also not in favor of the rule, and he suggested that more emphasis should be placed on having a good qualified fire protection team rather than getting a rule on fire protection out on the street. Mr. Bender said that the rule would be discussed at the 243rd (July 1980) ACRS meeting.

The meeting was adjourned at 4:34 P. M.

NOTE: For additional details, a complete transcript of the meeting is available in the NRC Public Document Room, 1717 H St. N.W., Washington, D. C. 20555 or from Alderson Reporters, 300 7th St., S.W. Washington, D. C. (202-554-2345).

Signed at Washington, D.C., this 18th day of June, 1980.

Ian D. LaRoche,

Administrator, Pension and Welfare Benefit Programs, Labor-Management Services Administration, U.S. Department of Labor.

(FR Doc. 80-18523 Filed 6-23-80; 8:45 am)
BILLING CODE 4510-29-M

NATIONAL COMMISSION ON UNEMPLOYMENT COMPENSATION

Meeting

The Twenty-Seventh meeting of the National Commission on Unemployment Compensation is scheduled to be held in the Ravensworth West Room of the Arlington Hyatt, Rosslyn, Virginia on June 28, 29, 30, 1980. The meeting will begin at 9:00 A.M. on Saturday, June 28, and conclude at 3:00 P.M. on Monday,

June 30. Anyone wanting the specific agenda should contact the Commission office.

Since the Commission has concluded its hearings, no testimony will be received at this meeting.

Telephone inquiries and communications concerning this meeting should be directed to: James M. Rosbrow, Executive Director, National Commission on Unemployment Compensation, 1815 N. Lynn Street, Room 440, Rosslyn, Virginia 22209, (703) 235-2782.

Signed at Washington, D.C., this 19th day of June 1980.

James M. Rosbrow,

Executive Director, National Commission on Unemployment Compensation.

(FR Doc. 80-19036 Filed 6-23-80; 8:45 am)
BILLING CODE 4510-27-M

NUCLEAR REGULATORY COMMISSION

Applications for Licenses To Export Nuclear Facilities or Materials

Pursuant to 10 CFR 110.70(b) "Public Notice of Receipt of an Application", please take notice that the Nuclear Regulatory Commission has received the following applications for export licenses. A copy of each application is on file in the Nuclear Regulatory Commission's Public Document Room located at 1717 H St., N.W., Washington, D.C.

Dated this day, June 16, 1980, at Bethesda, Maryland.

For the Nuclear Regulatory Commission.

James R. Shea,

Director, Office of International Programs.

Name of applicant, date of application, date received, application No.	Material type	Material in kilograms		End-use	Country of destination
		Total element	Total isotope		
Westinghouse Electric Co., Apr. 23, 1980, May 2, 1980, XR136				2 PWR's with thermal power level of 2,785 megawatts each, Taiwan	Taiwan
Transnuclear, Inc., June 5, 1980, June 10, 1980, XSNM01889	4.0 pct enriched uranium	17,501.000		nuclear units 7 and 8, Value \$250,000,000. \$20,160 Reload fuel for ISAR (KOK) reactor.	West Germany

(FR Doc. 80-18878 Filed 6-23-80; 8:45 am)
BILLING CODE 7590-01-M

Advisory Committee on Reactor Safeguards, Subcommittee on Advanced Reactors; Meeting

The ACRS Subcommittee on Advanced Reactors will hold a meeting on July 9, 1980 in room 1167, 1717 H St., NW, Washington, DC to continue its review of the NRC funding and program direction or program termination, as appropriate, for the annual ACRS reports to NRC and Congress. Notice of this meeting was published June 20.

In accordance with the procedures outlined in the Federal Register on October 1, 1979, (44 FR 56408), oral or written statements may be presented by members of the public, recordings will be permitted only during those portions of the meeting when a transcript is being kept, and questions may be asked only by members of the Subcommittee, its consultants, and Staff. Persons desiring to make oral statements should notify the Designated Federal Employee as far in advance as practicable so that appropriate arrangements can be made to allow the necessary time during the meeting for such statements.

The entire meeting will be open to public attendance.

The agenda for subject meeting shall be as follows:

Wednesday, July 9, 1980, 8:30 a.m. until the conclusion of business (approximately 12:00 noon).

During the initial portion of the meeting, the Subcommittee, along with any of its consultants who may be present, will exchange preliminary views regarding matters to be considered during the balance of the meeting.

The Subcommittee will then hear presentations by and hold discussions with representatives of the NRC Staff, their consultants, and other interested persons.

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by a prepaid telephone call to the cognizant Designated Federal Employee, Mr. Paul Boehmert (telephone 202/634-3287) between 8:15 a.m. and 5:00 p.m., EDT.

Dated: June 19, 1980.

John C. Hoyle,

Advisory Committee, Management Officer.

(FR Doc. 80-18953 Filed 6-23-80; 8:45 am)
BILLING CODE 7590-01-M

Advisory Committee on Reactor Safeguards, Subcommittee on Fire Protection; Meeting

The ACRS Subcommittee on Fire Protection will hold a meeting on July 9,

1980 in room 1167, 1717 H St., NW, Washington, DC to discuss a proposed fire protection rule for nuclear power facilities operating prior to January 1, 1979 (SECY-80-88). Notice of this meeting was published June 20.

In accordance with the procedures outlined in the Federal Register on October 1, 1979, (44 FR 56408), oral or written statements may be presented by members of the public, recordings will be permitted only during those portions of the meeting when a transcript is being kept, and questions may be asked only by members of the Subcommittee, its consultants, and Staff. Persons desiring to make oral statements should notify the Designated Federal Employee as far in advance as practicable so that appropriate arrangements can be made to allow the necessary time during the meeting for such statements.

The entire meeting will be open to public attendance.

The agenda for subject meeting shall be as follows:

Wednesday, July 9, 1980, 1:00 p.m. until the conclusion of business.

During the initial portion of the meeting, the Subcommittee, along with any of its consultants who may be present, will exchange preliminary views regarding matters to be

ATTACHMENT A

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considered during the balance of the meeting.

The Subcommittee will then hear presentations by and hold discussions with representatives of the NRC Staff, their consultants, and other interested persons.

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by a prepaid telephone call to the cognizant Designated Federal Employee, Mr. Peter Tam (telephone 202/634-1413) between 8:15 a.m. and 5:00 p.m., EDT.

Dated: June 19, 1980.
John C. Hoyle,
Advisory Committee, Management Officer.
[FR Doc. 80-18964 Filed 6-23-80; 8:45 am]
BILLING CODE 7590-01-M

During the initial portion of the meeting, the Subcommittee, along with any of its consultants who may be present, will exchange preliminary views regarding matters to be considered during the balance of the meeting.

The Subcommittee will then hear presentations by and hold discussions with representatives of the NRC Staff, the Tennessee Valley Authority (TVA), their consultants, and other interested persons.

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by a prepaid telephone call to the cognizant Designated Federal Employee, Dr. Richard Savio (telephone 202/634-3267) between 8:15 a.m. and 5:00 p.m., EST or EDT.

I have determined, in accordance with Subsection 10(d) of the Federal Advisory Committee Act, that it may be necessary to close some portions of this meeting to protect proprietary information. The authority for such closure is Exemption (4) to the Sunshine Act, 5 U.S.C. 552b(c)(4).

Dated: June 18, 1980.
John C. Hoyle,
Advisory Committee, Management Officer.
[FR Doc. 80-18966 Filed 6-23-80; 8:45 am]
BILLING CODE 7590-01-M

[Docket No. 50-32]

Metropolitan Edison Co. (Three Mile Island Nuclear Station, Unit 2); Issuance of Director's Decision Under 10 CFR 2.206

On September 14, 1979, a notice was published in the Federal Register that a petition by the Anti-Nuclear Group Representing York (ANGRY) was being considered under 10 CFR 2.206. ANGRY's petition requested that the Commission prepare an environmental impact statement concerning the venting of radioactive gases from the reactor building of the Three Mile Island Nuclear Station, Unit 2. Because this action will not cause any significant environmental impact, it has been determined not to prepare an environmental impact statement. Accordingly, ANGRY's petition is denied.

A copy of the formal decision denying the petition is available for inspection in the Commission's Public Document Room at 1717 H Street NW., Washington, D.C. 20555 and in the local public document rooms at the State Library of Pennsylvania (Government Publications Section), Education

Building, Commonwealth and Walnut Streets, Harrisburg, Pennsylvania 17128 and the York College of Pennsylvania, Country Club Road, York, Pennsylvania 17405. A copy will also be filed with the Secretary for the Commission's review in accordance with 10 CFR 2.206(c). As provided in 10 CFR 2.206(c) this decision will become the final action of the Commission twenty days after issuance unless the Commission elects to review the decision on its own motion within that time.

Dated at Bethesda, Maryland, this 13th day of June, 1980.

For the Nuclear Regulatory Commission,
Edson G. Case,
Acting Director, Office of Nuclear Reactor Regulation.

[FR Doc. 80-18966 Filed 6-23-80; 8:45 am]
BILLING CODE 7590-01-M

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Public Meeting To Outline and Discuss Proposed Guidelines and Procedures Regarding Rock Island Railroad and Employee Assistance Act and Milwaukee Railroad Restructuring Act

On Wednesday, June 25, 1980, at 10:00 a.m., the Federal Railroad Administration (FRA) will hold a meeting in Room 8334 of the Nassif Building, 400 7th Street, Southwest, Washington, D.C. to outline and discuss the proposed guidelines and procedures to be issued by the Department of Transportation (DOT), under which the public may submit applications for directed service under section 104 of the Rock Island Railroad Transition and Employee Assistance Act (Pub. L. 96-254) and section 18 of the Milwaukee Railroad Restructuring Act (45 U.S.C. 916), and the proposed criteria which the Department will use to evaluate those applications.

The meeting is open to the public, including interested states and organizations who are considering applying for directed service under Pub. L. 96-254.

Issued in Washington, D.C., on June 20, 1980.

Michael T. Haley
Acting Chief Counsel.
[FR Doc. 80-19115 Filed 6-20-80; 2:58 pm]
BILLING CODE 4010-06-M

Advisory Committee on Reactor Safeguards, Subcommittee on the Sequoyah Nuclear Plant; Meeting

The ACRS Subcommittee on the Sequoyah Nuclear Plant will hold a meeting on July 9, 1980, in Room 1046, 1717 H St., NW, Washington, DC to review the Tennessee Valley Authority (TVA) request for a license to operate this plant. Notice of this meeting was published June 20, 1980.

In accordance with the procedures outlined in the Federal Register on October 1, 1979, (44 FR 56408), oral or written statements may be presented by members of the public, recordings will be permitted only during those portions of the meeting when a transcript is being kept, and questions may be asked only by members of the Subcommittee, its consultants, and Staff. Persons desiring to make oral statements should notify the Designated Federal Employee as far in advance as practicable so that appropriate arrangements can be made to allow the necessary time during the meeting for such statements.

The entire meeting will be open to public attendance except for those sessions during which the Subcommittee finds it necessary to discuss proprietary information. One or more closed sessions may be necessary to discuss such information. (Sunshine Act Exemption 4.) To the extent practicable, these closed sessions will be held so as to minimize inconvenience to members of the public in attendance.

The agenda for subject meeting shall be as follows:

Wednesday, July 9, 1980, 8:30 a.m. until the conclusion of business.

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MINUTES OF THE ACRS SUBCOMMITTEE MEETING ON FIRE PROTECTION

WASHINGTON, D. C.

July 9, 1980

ATTENDEE LISTACRS

M. Bender, Chairman
 J. Ray
 J. Ebersole
 C. Siess (Part time)
 P. Tam, Designated Federal Employee
 G. Young, ACRS Staff
 J. McKinley, (Part time) ACRS Staff

Edison Electric Institute

J. Evans
 P. Kelsey

Yankee Atomic Co.

E. Sawyer

Duke Power Co.

J. Hendricks

American Nuclear Insurers

P. Giaccaglia

Northeast Nuclear Co.

J. Summa

Northeast Utilities

J. Roncaioli

Baltimore Gas & Electric Co.

G. Powell
 L. Wenger

Florida Power & Light Co.

T. Grozan
 G. Patrissi
 H. Paduano, Jr.

NRC STAFF

R. Ferguson
 D. Notley
 V. Benaroya
 T. Wambach
 G. Harrison
 S. Hudson
 P. Sears
 R. Anand

Consolidated Edison Co. of N.Y.

D. Rosh

KMC, Inc.

R. Schaffstall

Arkansas Power & Light Co.

D. James

Wisconsin Public Service

M. Stern

EPRJ

R. Leyse

Boston Edison Co.

G. Venkatonaman
 A. Capato

Debevoise & Liberman

K. Armstrong

Doub & Muntzing

J. Shoemaker

Nixon, Hargrave, et. al.

J. Balcerak

REVISED 7/3/80

ACRS SUBCOMMITTEE MEETING ON FIRE PROTECTION
JULY 9, 1980
WASHINGTON, DC
ROOM 1167

SCHEDULEAPPROXIMATE TIME

- 1:00 p.m. Opening Remarks, M. Bender, Chairman
- 1:15 p.m. NRC Staff Presentation and Discussion
- Background for Proposed Rule, Comparison with BTP 9.5-1 Guidelines, and Impact of Rule on Present SER Commitments (R. Ferguson - 15 mins.)
 - Discussion (1 hr.)
- 2:30 p.m. Public and Licensee Comments
- KMC Representative (15 mins.)
(Mr. John Roncaioli, Northeast Utilities)
 - EEI Representative (10 mins.)
(Mr. Ed Sawyer, Yankee Atomic)
 - Discussion (1 hr.)
- 4:00 p.m. ACRS Discussion Session
- 5:00 p.m. Adjournment

ATTACHMENT C