



Duquesne Light

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March 18, 1981

Director of Nuclear Reactor Regulation
United States Nuclear Regulatory Commission
Attn: Harold R. Denton, Director
Office of Nuclear Reactor Regulation
Washington, DC 20555

Reference: Beaver Valley Power Station, Unit No. 1
Docket No. 50-334, License No. DPR-66
Exemption to Appendix R Requirements



Dear Mr. Denton:

This letter is to request, pursuant to 10 CFR 50.12, extension of certain of the schedule dates in paragraph (c) of the newly enacted fire protection regulations in 10 CFR 50.48 for Beaver Valley Unit No. 1. In particular, we request:

- (1) that the date in paragraph (c)(5) for submitting plans and schedules for meeting the provisions of paragraphs (c)(2), (c)(3) and (c)(4) with respect to certain requirements of Sections III.G of Appendix R to Part 50 be extended from March 19, 1981 to December 1, 1981;
- (2) that the date in paragraph (c)(5) for submitting design descriptions of modifications needed to satisfy Section III.G.3 of Appendix R be extended from March 19, 1981 to December 1, 1981;
- (3) that the implementation date in paragraph (c)(2) for installation of modifications required by Section III.G.2 of Appendix R, that do not require prior NRC approval or plant shutdown, be extended from nine months after February 17, 1981 to nine months after December 1, 1981;
- (4) that the implementation date in paragraph (c)(3) for the installation of modifications required by Section III.G.2 of Appendix R, that do not require prior NRC approval, but require plant shutdown, be extended from before startup after the earliest of the specified events commencing 180 days or more after February 17, 1981, to before startup after the earliest of the specified events commencing 180 days or more after December 1, 1981.

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The plans and schedules now available for implementing modifications required by Appendix R are being submitted in a separate letter dated March 19, 1981 to the Director of Nuclear Reactor Regulation. The schedule extensions requested herein relate to those modifications which may be required to satisfy Section III.G and which cannot be specifically identified by March 19, 1981.

Section 50.48 requires that fire protection features required by Section III.G of Appendix R be installed irrespective of previous ongoing discussions with the NRC staff or NRC staff approvals for alternative fire protection features tailored to the specific nuclear facility and appropriate for protection of the public health and safety. Generic Letter 81-12, dated February 20, 1981, from Darrel G. Eisenhower stated that, in implementation of Section III.G, the licensee is required to reassess all relevant areas of the plant to determine whether the requirements of Section III.G.2 are satisfied. The letter went on to say that if the reassessment shows that Section III.G.2 is not satisfied, the licensee must either provide alternative shutdown capability in accordance with Section III.G.3, or request an exemption.

With the publication of the new rule and your letter of November 24, 1980, Duquesne Light Company initiated a review of the requirements of the new rule, especially those of Section III-G by mid-December, 1980. The analysis defines all those associated circuits, specifically non-safety related associated circuits, for those systems required for safe shutdown. An extensive computer search is then initiated to compare each cable with all cables in each of 30 fire areas to demonstrate whether or not redundant and diverse functions are vulnerable to a fire in any given fire area. Within a vulnerable fire area, the location and functional relationship of cables is identified in order to evaluate existing separation, fire suppression and detection.

It is estimated that an additional six (6) weeks will be required to completely define all circuits involved; an additional twenty-four (24) weeks is necessary to complete the computer search, with the remaining six (6) weeks needed to review the data and make recommendations and propose any required modifications.

The requested extension will not be detrimental to health and safety. There are no urgent considerations which would mandate the immediate implementation of the Appendix R requirements. In promulgating the rule, the Commission indicated no sense of urgency and provided no basis or explanation of any safety need for the implementation schedule in Section 50.48. Indeed, the Commission has made it clear on the public record that all operating nuclear plants may continue to operate safely pending compliance with the new requirements. In the case of Beaver Valley, those measures required to be completed in accordance with the dates specified in the SER

have been completed. Our letter to you dated October 30, 1980, referenced in Enclosure 2 of your letter of November 24, 1980, described the status of the remaining SER items to be completed. Those areas which were available to be worked during plant operation (i.e., PT-1A, PT-1F) have been completed. The completion of these items as identified in the SER provide adequate fire protection for the equipment to reasonably assure their continued operation. Additionally, Beaver Valley has alternate shutdown capability that will enable the plant to reach and maintain a HOT STANDBY mode.

Were we to attempt to formulate and submit plans and schedules for modifications or design descriptions for alternative shutdown capability prior to completion of the plant reassessment, we would not be certain of having developed the most effective means of implementing the required modifications. More importantly, without being able to complete the necessary work in a carefully considered and thorough fashion, we could not be certain that hastily developed plans would enhance health and safety or that they would not be detrimental to public health and safety.

We anticipate that the reassessment will indicate the need to request exemptions from certain requirements of Section III.G.2 for certain areas of the plant as suggested in Generic Letter 81-12. The new rule, by generically imposing the requirements of Appendix R on all plants operating prior to January 1, 1979, ignores the unique and widely varying design features of individual facilities and the intensive efforts undertaken by the licensee and the staff in developing fire protection features which may be better suited to those individual facilities than the generic requirements of Appendix R. Compliance with the new regulation will not necessarily result in better protection of the public health and safety. In fact, unnecessarily increasing the complexity of power plant design features, particularly those involving circuitry and instrumentation or containment penetration, may even be detrimental to safety.

The new Section 50.48 will impose restrictive amendments of operating licenses, and will require backfitting of operating nuclear plants. Yet, the Commission is unilaterally imposing backfit requirements without regard to its own backfitting standards specified in 10 CFR 50.109. It is already apparent to us that many of the modifications required by Appendix R will not provide "substantial, additional protection..." [particularly when viewed against alternative methods of fire protection which we have previously proposed and intend to implement for Beaver Valley]. In fact, we find little or no basis of any sort in the record for the specific requirements articulated in Appendix R.

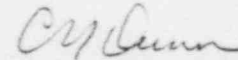
The new regulation also ignores the practical aspects of cost and feasibility or possibility of compliance. In many respects, the application of the new requirements to the Beaver Valley facilities is economically impracticable, without regard to whether it offers compensating benefit necessary for the protection of the public health and safety.

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For example, the costs of designing and implementing alternative shutdown capability, or modifications for compliance with Section III.G.2, could be substantial, without necessarily having met the Section 50.109 standard for requiring backfitting. If additional down time were needed to implement the modifications, replacement power costs could be enormous.

Accordingly, we are at this time requesting the foregoing extensions of the schedule requirements specified in paragraphs 50.48 (c)(2), (3) and (5).

Very truly yours,



C. N. Dunn
Vice President, Operations

Enclosure

cc: D. A. Beckman, Resident Inspector
U.S. Nuclear Regulatory Commission
Beaver Valley Power Station
Shippingport, PA 15001

U.S. Nuclear Regulatory Commission
c/o Document Management Branch
Washington, DC 20555

(CORPORATE SEAL)

Attest:

Thomas Welfer, Jr.

Thomas Welfer, Jr.
Secretary

COMMONWEALTH OF PENNSYLVANIA)

) SS:

COUNTY OF ALLEGHENY)

On this 18th day of MARCH, 1981, before
me, DONALD W. SHANNON, a Notary Public in and for said Commonwealth
and County, personally appeared C. N. Dunn, who being duly sworn, deposed,
and said that (1) he is Vice President of Duquesne Light, (2) he is duly
authorized to execute and file the foregoing Submittal on behalf of said
Company, and (3) the statements set forth in the Submittal are true and
correct to the best of his knowledge, information and belief.

Donald W. Shannon

DONALD W. SHANNON, NOTARY PUBLIC
PITTSBURGH, ALLEGHENY COUNTY
MY COMMISSION EXPIRES JUNE 7, 1983
Member, Pennsylvania Association of Notaries