

POWER AUTHORITY OF THE STATE OF NEW YORK
INDIAN POINT NO. 3 NUCLEAR POWER PLANT

P. O. BOX 215 BUCHANAN, N. Y. 10511

TELEPHONE: 914-739-8200



August 2, 1982
IP-JAS-2827

Docket No. 50-286
License No. DPR-64

Mr. T. T. Martin, Director
Division of Engineering and Technical Programs
U.S. Nuclear Regulatory Commission
Region 1
631 Park Avenue
King of Prussia, Pennsylvania 19406

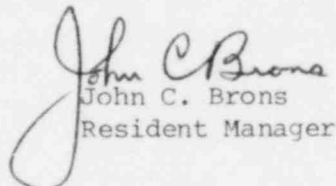
Subject: Inspection
50-286/82-09

Dear Mr. Martin:

This letter responds to your Inspection Report No. 50-286/82-09 dated July 2, 1982 and received at this office on July 6, 1982.

Attachment I to this letter responds to Appendix A of your letter.

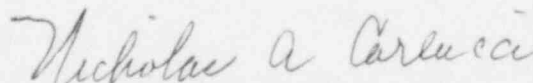
Very truly yours,


John C. Brons
Resident Manager

JAS/ljm
Attachment

cc: IP3 Resident Inspectors' Office
NRR Division of Licensing;
Mr. Steven A. Varga

SUBSCRIBED AND SWORN TO
BEFORE ME THIS 2nd DAY
OF August, 1982


NICHOLAS A. CARLUCCI
Notary Public, State of New York
No. 4651851, Putnam County
Commission Expires March 30, 1993

ATTACHMENT I

NOTICE OF VIOLATION

Appendix A of the subject report identifies as a violation of the Fire Brigade Requirements of Section III, Appendix R to 10 CFR 50 and the Nuclear Regulatory Commission Supplemental Safety Evaluation Report (SER) dated May 2, 1980. However, the requirement of Section III.I of Appendix R does not apply to the Indian Point Unit 3 facility.

Section 50.48(b) of 10 CFR 50 states:

Except for the requirements of Sections III.G, III.J, and III.O, the provisions of Appendix R to this part shall not be applicable to nuclear power plants licensed to operate prior to January 1, 1979; to the extent that fire protection features proposed or implemented by the licensee have been accepted by the NRC Staff as satisfying the provisions of Appendix A to Branch Technical Position BTP APCS 9.5.1 reflected in staff fire protection safety evaluation reports issued prior to the effective date of this rule... (foot note omitted)

Indian Point Unit 3 was licensed to operate on December 12, 1975 and, prior to the effective date of Appendix R received a NRC staff fire protection safety evaluation report with no open items. Indeed, this fact was acknowledged by Mr. Harold R. Denton in paragraph 1 of Section III. of the exemption which he granted on May 5, 1982 ("By completing the modifications described in the FPSER and its supplements, the licensee has completed all the other requirements of the Fire Protection Rules"), and by Mr. David G. Eisenhut in his November 24, 1980 letter which documented that no open items remained from previous NRC staff fire protection reviews based on BTP APCS 9.5.1.

The Authority also contends that it has fulfilled the requirements for Fire Brigade Training as approved by Section 2.5.2 of the May 2, 1980 Supplemental NRC SER, which states in part: "Annually, brigade members participate in training sessions in actual fire extinguishment. Quarterly, brigade members participate in preplanned fire brigade drills." The Authority has always interpreted this requirement such that all Fire Brigade Members would participate in at least one annual training course. Quarterly drills would be designed to include as large a number as possible of the Brigade Members, but not necessarily all individuals; which would be a burdensome task and would detract from normal plant operation. In fact, the Authority has conducted unannounced drills more than monthly during 1982. The Authority considers the existing training program to be adequate and reasonable and in compliance with the SER Requirement. Please note that the inspector's report states that "fourteen of thirty-eight fire brigade members participated in only one in-plant drill", when in fact, fourteen of the thirty-eight participated in two or more drills; the remaining twenty-four individuals participated in one in plant drill.

ATTACHMENT I

NOTICE OF DEVIATION

The subject inspection report also identifies a deviation from a previous Authority commitment to install a closed head, horizontal side-wall type fire protection sprinkler nozzle for safety related cable trays in the cable spreading room and electrical cable tunnel. The Authority has installed radial pattern discharge sprinkler nozzles in lieu of the side-wall type.

The Authority is investigating the rationale behind the decision to utilize the radial type sprinkler nozzles in lieu of the side-wall type and will resolve any concerns which the NRC Office of Nuclear Reactor Regulation (NRR) may have regarding this change. Mr. Steven A. Varga (NRR Division of Licensing) has been notified of this fact verbally and by copy of this statement.