



50-445

UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

April 3, 1996

Mr. Paul Gunter, Director  
Reactor Watchdog Project  
Nuclear Information and Resource Service  
Suite 601  
1424 16th St., N.W.  
Washington, D.C. 20036

Ms. Betty Brink  
Citizens for Fair Utility Regulation  
7600 Anglin Drive  
Fort Worth, Texas 76140

Dear Mr. Gunter and Ms. Brink:

I am responding to your letter of September 26, 1994, in which you requested action with regard to Comanche Peak Steam Electric Station (CPSES), Unit 1, Thermo-Lag 330-1 fire barriers and that your letter be treated as a Petition pursuant to Section 2.206 of Title 10 of the Code of Federal Regulations (10 CFR 2.206).

In your Petition, you requested that the U.S. Nuclear Regulatory Commission (NRC) immediately suspend the CPSES Unit 1 license until corrective action is taken on the part of the licensee with regard to an open item in NRC Inspection Report No. 50-445/93-42; 50-446/93-42 pertaining to Thermo-Lag 330-1 fire barriers.

As the bases for your requests, you stated the following:

- (1) The licensee's records on the original installation of Thermo-Lag fire barriers on conduits and cable trays indicate that its contractor followed specifications for pre-buttering all joints.
- (2) NRC Inspection Report No. 50-445/93-42; 50-446/93-42 found, based on destructive analysis documents, that a concern did exist where Thermo-Lag conduit joints fell apart easily and did not appear to have any residual material of a buttered surface, indicative of a joint that had not been pre-buttered.
- (3) The "dry joint" deficiency appeared in Room 115A and other areas of the unit.
- (4) The licensee directly contradicts a NRC inspector's findings that were determined in part by destructive analysis.
- (5) The "dry joint" or absence of pre-buttering of Thermo-Lag panels can be determined only by destructive analysis and cannot be determined by a walk down visual inspection.

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April 3, 1996

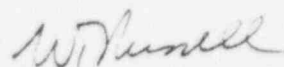
- (6) The findings reported in the CPSES Unit 1 Region IV Inspection Report No. 50-445/93-42; 50-446/93-42, based on the limited amount of destructive analysis conducted at the unit, constitute a substantial documentation of installation deficiencies found in Thermo-Lag fire barriers as documented in NRC Information Notice 91-79 and Supplement 1.
- (7) Neither the NRC nor the industry, by its agent Nuclear Energy Institute, nor a utility, have conducted fire tests on dry fitted or "dry joint" upgraded configurations of Thermo-Lag 330-1.
- (8) The presence of "dry joint" upgraded configurations in CPSES Unit 1 constitutes an untested application of Thermo-Lag fire barriers.

On November 7, 1994, I acknowledged receiving your Petition and denied your request for immediate suspension of the operating license of CPSES Unit 1.

For the reasons stated in the enclosed Director's Decision (DD-96-03), your request is denied. A copy of this Decision will be filed with the Secretary of the Commission for the Commission to review in accordance with 10 CFR 2.206(c). As provided by this regulation, the Decision will constitute the final action of the Commission 25 days after the date of issuance of the Decision unless the Commission, on its own motion, institutes a review of the Decision within that time. The documents cited in the enclosed Decision are available for review at the Commission's Public Document Room, Gelman Building, 2120 L Street, N.W., Washington, D.C., and at the Local Public Document Room for the named facilities.

I have also enclosed a copy of the notice "Issuance of Director's Decision Under 10 CFR 2.206," which includes the complete text of DD-96-03, that is being filed with the Office of the Federal Register for publication.

Sincerely,



William T. Russell, Director  
Office of Nuclear Reactor Regulation

Docket No.: 50-445

Enclosures: 1. Director's Decision  
2. Notice

cc w/encls: See next page

- (6) The findings reported in the CPSES Unit 1 Region IV Inspection Report No. 50-445/93-42; 50-446/93-42, based on the limited amount of destructive analysis conducted at the unit, constitute a substantial documentation of installation deficiencies found in Thermo-Lag fire barriers as documented in NRC Information Notice 91-79 and Supplement 1.
- (7) Neither the NRC nor the industry, by its agent Nuclear Energy Institute, nor a utility, have conducted fire tests on dry fitted or "dry joint" upgraded configurations of Thermo-Lag 330-1.
- (8) The presence of "dry joint" upgraded configurations in CPSES Unit 1 constitutes an untested application of Thermo-Lag fire barriers.

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I have also enclosed a copy of the notice "Issuance of Director's Decision Under 10 CFR 2.206," which includes the complete text of DD-96-03, that is being filed with the Office of the Federal Register for publication.

Sincerely,  
Original Signed By  
WILLIAM T. RUSSELL  
William T. Russell, Director  
Office of Nuclear Reactor Regulation

Docket No.: 50-445

Enclosures: 1. Director's Decision  
2. Notice

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TU Electric Company

Comanche Peak, Units 1 and 2

cc:

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