

## Southern California Edison Company 387 FEB - 6 AM 10 12

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H. E. MORGAN

February 3, 1987

U. S. Nuclear Regulatory Commission Region V 1450 Maria Lane, Suite 210 Walnut Creek, CA 94596

Attention: Mr. J. B. Martin

Regional Administrator

Dear Sir:

Subject: Docket Numbers 50-361 and 50-362

San Onofre Nuclear Generating Station, Units 2 & 3

On January 15, 1987, during a routine follow-up inspection by Mr. P. Qualls of your staff, discussions were held with Mr. M. A. Wharton, Deputy Station Manager, et al., regarding an apparent item of noncompliance relating to the storage of combustible materials. Because of the contrasting views expressed at the meeting, SCE believes it would be beneficial to provide Region V with the basis for our position that combustible materials were, in fact, properly administratively controlled in accordance with applicable regulatory requirements.

The San Onofre fire protection safety analysis report is the Fire Hazards Analysis (FHA). The FHA was originally submitted in October 1977. The FHA has been revised routinely to update the descriptions of the SONGS 2 and 3 fire protection features and fire hazards analyses. Furthermore, SCE has been changing systems and procedures described in the fire protection safety analysis report (i.e., FHA), using the provisions of 10CFR50.59 (50.59). SCE has made a number of such changes, one of which is now being considered as a potential item of noncompliance on the basis that it is inconsistent with the original FHA which was referenced in License Condition 2.C.(12). SCE contends that its use of 50.59 was reasonable and prudent, and that License Condition 2.C.(12) was never intended to restrict improvements to the facility.

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Specifically, the San Onofre Unit 3 License Condition 2.C.(12) states:

"SCE shall maintain in effect and fully implement all provisions of the approved Fire Protection Plan as amended through Amendment 12 and the NRC staff's Fire Protection Review described in the SER, Supplements 4 and 5 to the SER, and in the Safety Evaluation issued with this license. In addition, SCE shall meet the technical requirements of Section III.G, 'Fire Protection of Safe Shutdown Capability;' III.J, 'Emergency Lighting' and III.O, 'Oil Collection System for Reactor Coolant Pump' of Appendix R to 10CFR50. Only those deviations from the Fire Protection Plan that violate the requirements of Section III.G, III.J and III.O of Appendix R to 10CFR50 and are not otherwise subject to Technical Specifications Limiting Conditions for Operation shall be reported in accordance with License Condition 2.G."

The FHA contains literally thousands of design details. In the same manner as changes are made to FSAR design details, the provisions of 50.59 are relied upon to permit changes to the FHA conditions as long as the change does not constitute a change to the Technical Specifications or constitute an unreviewed safety question. The specific change in the facility, which was implemented in accordance with 50.59, and which is now being questioned, is in compliance with the NRC's current fire protection direction established in 10CFR50, Appendix R, as discussed below.

This item, identified in the inspection, regards the Fire Hazards Analysis, Amendment 12, dated July 1982, Section III, Table III-1, Page III-10, Item B.2, "Method of Compliance or Basis for Noncompliance." The FHA Item B.2 states "A station order controls the use of combustible materials and specifically prohibits the bulk storage of combustible materials inside or adjacent to safety related buildings or systems."

In 1986, SCE identified the need to take an essentially empty area (Tool Decon Room, Room 202, 30 Ft. Level, Fuel Handling Building, Unit 3), and store combustible materials (i.e., consumable materials used frequently, reasonably accessible to users). A fire protection engineering evaluation was performed in accordance with 50.59 to evaluate the fire loads associated with the proposed storage activities. Because the 50.59 analysis determined that the storage of combustibles did not involve a change to the Technical Specifications nor an unreviewed safety question, Commission approval (via License Amendment) was considered not to be required.

In recognition of the determination made in accordance with the 50.59 review, the equivalent section to Table III in the recently submitted UFHA clarifies the specific combustible storage language to be consistent with current NRC regulations in 10CFR50, Appendix R. Section K, Paragraph 2, requires administrative controls be established to "prohibit the storage of combustibles in safety related areas or establish designated storage area with appropriate fire protection." The subject area will, in fact, be designated as a storage area (with appropriate fire protection features, i.e., storage lockers) in the UFHA.

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During the January 13-15, 1987 inspection, the inspector noted that substantial quantities of materials were being stored in the Tool Decon Room. The inspector considered the quantity of material present to apparently violate the 1982 described condition in the FHA, Section III, Table III-1, Item B.2, notwithstanding that the 50.59 analysis concluded that from a fire protection standpoint, the new fire load was within acceptable limits.

The NRC has recognized the difficulty in inspection and enforcement of license conditions for fire protection and has proposed a solution in NRC Generic

The NRC has recognized the difficulty in inspection and enforcement of license conditions for fire protection and has proposed a solution in NRC Generic Letter 86-10 (GL 86-10), "Implementation of Fire Protection Requirements," dated April 24, 1986. GL 86-10 requests that licensees incorporate the fire protection program into the FSAR for the facility and then request an amendment to its license to incorporate a standard license condition which was delineated in GL 86-10. In accordance with GL 86-10, SCE requested on February 2, 1987, a license amendment to revise License Condition 2.C.(12) to incorporate the specific language of the GL 86-10 standard license condition.

The significance of GL 86-10 is that apparently, without the standard license condition, any change to the facility, which would result in a condition differing from that described in the FHA, would require a License Amendment prior to the change. This does not seem reasonable or practical. For example, License Condition 2.C.(11) required installation of a turbocharger gear assembly system to the diesel generators following the first refueling in 1984. This installation added additional fire load to the diesel generator building, above that specified in the FHA, Amendment 12, Section II, Page II-68, Item 10, "Combustibles." However, the 50.59 evaluation established that this additional fire load was acceptable and did not constitute an unreviewed safety question. Had SCE been required to file for a License Amendment to License Condition 2.C.(12), in lieu of utilizing the provisions of 50.59, it may not have been possible to perform License Condition 2.C.(11) in a timely manner.

SCE believes that requiring a license amendment in lieu of permitting a 50.59 analysis could result in the submittal of numerous, unnecessary license amendments each year by affected licensees. SCE estimates that there were literally hundreds of facility changes in 1986 which affected the fire loading of specific areas, similar to the example above. Considering the generic nature of this problem, SCE believes that requiring a license amendment in lieu of a 50.59 analysis, would create an untenable workload for the NRC Office of Nuclear Reactor Regulation (NRR) in processing license amendments.

SCE believes it was the intent of GL 86-10 to correct this situation without the use of enforcement action, and that it would be inappropriate to take enforcement action in this case. SCE notes that enforcement action has not been taken against other licensees, with similar license conditions, who have made changes in accordance with 50.59. SCE is pursuing the GL 86-10 suggested solution.

Mr. J. B. Martin -4-February 3, 1987 Because there is no safety significance to this issue, SCE requests that resolution of this administrative clarification proceed concurrent with the overall fire protection review currently in progress by NRR. Sincerely, HEMORScc: F. R. Huey (Senior Resident Inspector, Units 1, 2 & 3) H. Rood (Project Manager, USNRC, Office of Nuclear Reactor Regulation)