

8/21/02 DSA  
release

## **MANUAL ACTIONS ET BRIEF**

**AUGUST 21, 2002**

**Objective:** To decide how to address industry concern regarding the use of feasible manual actions in lieu of the Fire Protection safe shutdown provisions of 10 CFR 50, Appendix R III G.2. Industry's concern is that the current regulation may result in a large number of exemption requests and enforcement findings that would be an unnecessary regulatory burden to both the industry and the NRC.

**Success:** To authorize the staff to proceed with rulemaking.

**Briefing Topics:**

**Issue**

The Current Regulation  
Safety Approach  
Industry Position

**Background**

Inspector Training  
NEI letter January 11, 2002  
CRGR review and NRC Response  
Meeting with NEI  
NRC Staff Analysis

**Planned Actions**

Rule Change  
Interim Enforcement Policy  
Interim Inspection Guidance

**Next Step**

Decision

0/25

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## **The Current Regulation**

- **10 CFR part 50, appendix R, section III.G.2 requires redundant train separation within the same fire area**
  - **three hour rated fire barriers;**
  - **one hour rated fire barriers with detection and suppression; or,**
  - **20 foot horizontal separation, no intervening combustibles, and detection and suppression**

## **Safety Approach**

- **A Fire in a redundant train area without this level of train separation could challenge post-fire safe shut down capability**
- **NRC has allowed appropriate manual actions in lieu of the above separation provisions**
  - **in original licensing basis**
  - **through exemptions and deviations**
- **Some licensees have put manual actions in place to comply with III.G.2 under their change control process**

## **Industry Position**

- **Licensee basis: no adverse impact on ability to achieve post-fire safe shut down**
- **No exemption or deviation request thought necessary for feasible manual actions**
- **Implemented in accordance with Operating License change control process**

## **Inspector Training**

- **NRC Inspectors Training on Manual Action Provided in Fall 2001**
- **NEI was provided copy of lesson plan.**

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## **NEI Letter**

- **NEI Letter January 11, 2002 provided Industry Position of Use of Manual Actions for safe shutdown in fire events**
  - **Potential Backfit**
  - **No Exemption or Deviation Request thought necessary**

## **CRGR Review and NRC Response**

- **NEI concern with potential backfit was addressed in letter May 16, 2002 (ML021410026)**
- **No new staff position in training**
- **NRC would work with industry to resolve concerns**

## **Meeting with NEI**

- **NEI/Staff Meeting June 20, 2002 reached consensus on the following:**
  - **Feasible Manual Action should be allowed in lieu of 10 CFR 50 Appendix R III.G.2.**
  - **The focus should be on safety - Do manual actions meet appropriate acceptance criteria?**
  - **The potential for a large number of exemption requests for feasible manual actions would be an unnecessary regulatory burden for both the industry and the staff**
  - **OGC would be consulted on alternative interpretations of the regulations**

## **NRC Staff Analysis**

- **Alternative interpretations of the existing regulation were considered**
- **OGC/OE/DIPM/DRIP consulted**

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## **Planned Actions**

- **Rule Change**
- **Interim Enforcement Policy can accompany a rule change once initiated**
- **Interim Inspection Guidance can be issued in the near future**
  - **Inspectors to use manual action acceptance criteria from inspector training**
  - **Minor violation for failure to obtain exemption or deviation if manual actions are adequate**
  - **III.G.2. violations for inadequate manual actions**
  - **For violation closeout inspections, minor violations are expected to be entered in the corrective action program**
  - **Rulemaking expected to obviate need for corrective action**
  - **Regulatory guide 1.189 revision to define feasible manual action**

## **Next Step**

- **Rulemaking Plan**