



NRC NEWS

U.S. NUCLEAR REGULATORY COMMISSION

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NRC COMPLETES REVIEW OF FIRE PROTECTION EXEMPTION REQUESTS AT INDIAN POINT; REQUESTS INFORMATION FROM ENTERGY

The Nuclear Regulatory Commission staff has denied the majority of requests for exemptions from fire protection requirements at Indian Point Units 2 and 3. The two units, operated by Entergy Nuclear Operations, are located in Buchanan, N.Y.

Based on the information received in a March 6, 2009, exemption request from Entergy, the NRC staff has decided that most of the requests to substitute operator manual actions (OMAs) for fire protection features do not meet NRC's criteria. For Indian Point Unit 2, the NRC is denying the use of OMAs for 24 of the 30 fire zones for which OMAs were requested. At Unit 3, the agency is rejecting the use of OMAs for 18 of the 20 fire zones requested. The company has implemented compensatory measures in these fire zones. They will remain in effect until the company completes its corrective actions.

"After considering the compensatory measures, the NRC does not have an immediate safety concern," Michele G. Evans, Director of Operating Reactor Licensing in the NRC's Office of Nuclear Reactor Regulation said. "Although the two units have some deficiencies in their defense-in-depth, they have extensive fire protection programs, including an on-site fire brigade trained to respond to and extinguish fires. In addition, each unit has established fire watches to monitor areas containing the deficiencies."

During inspections conducted at all plants beginning in 2000, NRC inspectors found that some licensees were inappropriately relying on operator actions to meet NRC fire protection requirements, which are designed to maintain at least one set of equipment that can achieve safe shutdown free of fire damage. Certain NRC regulations do not specifically allow operator manual actions in order to meet the requirements, although the NRC staff can approve such actions as part of an alternative compliance strategy through an exemption request. In June 2006, the NRC provided the industry with guidance on what is required by NRC fire protection regulations. And, in June 2007, the agency told reactor operators that the NRC would not take an enforcement action against a plant that was out of compliance due to the use of operator actions if the plant completed corrective actions by March 6, 2009.

Specifically, Entergy's exemption request relied on post-fire operator manual actions to compensate for possible fire-induced failures of electrical circuits in lieu of the circuit protection

requirements in NRC regulations. Methods such as fire detection, fire suppression, fire barriers and physical separation are used to meet the regulatory requirements, but operator manual actions can be approved by NRC as an acceptable means of meeting the rule. The NRC has been conducting an extensive review of Entergy's requests, including three rounds of requests for additional information to supplement the original Entergy submittal.

The NRC also issued a letter to Entergy requesting its plans and schedules to achieve compliance with the fire protection rules. The NRC will complete inspections and inform the company of enforcement decisions regarding this matter at a later date. Entergy has 30 days to respond to the NRC's request for information.

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