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SUBJECT: Application for amend to License DPR-23, replacing current
 license condition re fire protection w/std condition &
 deleting fire protection TS, per Generic Ltrs 86-10 & 88-12.

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Carolina Power & Light Company

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G. E. VAUGHN
Vice President
Nuclear Services Department

United States Nuclear Regulatory Commission
ATTENTION: Document Control Desk
Washington, DC 20555

H. B. ROBINSON STEAM ELECTRIC PLANT
DOCKET NO. 50-261/LICENSE NO. DPR-23
FIRE PROTECTION CONDITIONS OF LICENSE
AND TECHNICAL SPECIFICATIONS

Gentlemen:

In accordance with the Code of Federal Regulations, Title 10, Parts 50.90 and 2.101, Carolina Power & Light Company (CP&L) requests a revision to the Operating License and Technical Specifications for H. B. Robinson Steam Electric Plant, Unit No. 2 (HBR2).

The proposed change would replace the current license condition regarding fire protection with a standard condition and delete Fire Protection Technical Specifications, consistent with the guidance of Generic Letters 86-10 and 88-12. This amendment will provide CP&L the flexibility allowed by the Generic Letters; however, the current level of safety will be maintained by relocating the existing controls from the Technical Specifications to the FSAR and plant procedures, and by the adoption of a license condition requiring the implementation and maintenance of the fire protection program.

Enclosure 1 provides a description and basis of the proposed changes.

Enclosures 2 and 3 provide the proposed changes to the license condition and Technical Specifications.

Enclosure 4 provides the basis for CP&L's determination that the proposed changes do not involve a significant hazards consideration.

The Robinson Plant Nuclear Safety Committee has reviewed and approved these proposed Technical Specification changes. Since implementation of this proposed amendment will require a significant number of administrative changes to procedures and will require time for an orderly incorporation of the amendment into copies of the Technical Specifications, CP&L requests that the proposed amendment be issued to be implemented within 90 days of issuance.

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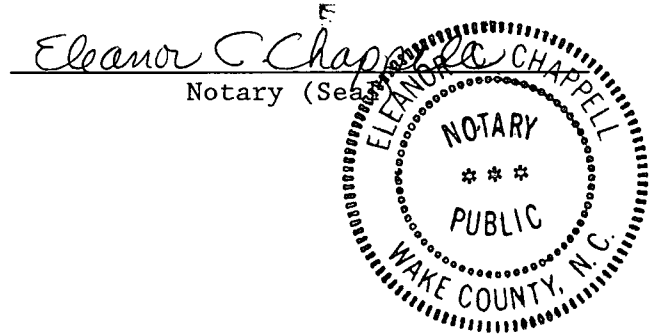
If you have any questions concerning this submittal, please contact Mr. R. W. Prunty at (919) 546-7318.

Yours very truly,



G. E. Vaughn

Mr. G. E. Vaughn, having been first duly sworn, did dispose and say that the information contained herein is true and correct to the best of his information, knowledge and belief; and the sources of his information are officers, employees, contractors, and agents of Carolina Power & Light Company.



My commission expires: 2/6/96

RES/RDC/jbw

Enclosures

cc: Mr. S. D. Ebnetter
Mr. L. W. Garner
Mr. R. Lo
Mr. Heyward G. Shealy (SC)
Attorney General (SC)

H. B. ROBINSON STEAM ELECTRIC PLANT, UNIT NO. 2
NOR DOCKET NO. 50-261
OPERATING LICENSE NO. DPR-23
REQUEST FOR LICENSE AMENDMENT
FIRE PROTECTION LICENSE CONDITION AND TECHNICAL SPECIFICATIONS

DESCRIPTION OF CHANGE AND BASIS FOR CHANGE REQUEST

Nuclear Regulatory Commission (NRC) Generic Letter 86-10, "Implementation of Fire Protection Requirements," dated April 24, 1986 requested that licensees incorporate into their FSAR the fire protection program that has been approved by the NRC, including the fire hazards analysis and major commitments that form the basis for the fire protection program. Generic Letter 86-10 also states that, upon completion of this effort, the licensee may apply for an amendment to the operating license which amends any current license condition regarding fire protection and substitutes a standard license condition. As a result of the new license condition and the placement of the fire protection program in the FSAR where it is controlled by the provisions of 10CFR50.59, Generic Letter 86-10 also states that licensees may request a license amendment to delete the fire protection Technical Specifications. Additional guidance for the preparation of a license amendment request to implement Generic Letter 86-10 was provided in NRC Generic Letter 88-12, "Removal of Fire Protection Requirements from Technical Specifications," dated August 2, 1988.

In accordance with Generic Letter 86-10, Carolina Power & Light Company (CP&L) incorporated the fire protection program into the July 1989 FSAR update (Amendment No. 7). Appendix 9.5.1A incorporates the Fire Hazards into the FSAR. Section 9.5.1 describes the program as approved by the NRC and the major commitments that form the basis of the program.

On April 19, 1991, CP&L verbally committed to the NRC to submit a license amendment request to fully implement Generic Letter 86-10, thus instituting the standard license condition for the Robinson Fire Protection Program. This commitment is documented in NRC Inspection Report 91-13, dated May 17, 1991. Therefore, CP&L hereby submits the following proposed changes to the fire protection license conditions and the fire protection portions of the Technical Specifications in accordance with the guidance provided in Generic Letter 88-12. This amendment provides CP&L the flexibility allowed by Generic Letters 86-10 and 88-12; however, the current level of safety will be maintained by relocating the existing controls from the Technical Specifications to the FSAR and plant procedures, and by the adoption of a license condition requiring the implementation and maintenance of the fire protection program.

The proposed changes include:

1. Revision of the fire protection license condition 3.E. to provide consistency with the standard fire protection license condition contained in the NRC Generic Letter 86-10.
2. Deletion of Technical Specification definition 1.9, "Fire Suppression Water System."
3. Deletion of fire protection Technical Specifications 3.14, "Fire Protection Systems," including Tables 3.14.1 and 3.14.2, and associated bases.
4. Deletion of fire protection surveillance requirements contained in Technical Specification 4.14.
5. Deletion of the minimum fire brigade staffing requirement, Technical Specification 6.2.3.(g) and (h), and the training requirements of Technical Specification 6.4.2.
6. Deletion of the reporting requirements for fire protection specified in Technical Specification 6.9.3.1.(d).
7. Addition of requirements for the Plant Nuclear Safety Committee (PNSC) to review the Fire Protection Program, including program changes.

With regard to administrative control of the fire protection program, existing Technical Specification 6.5.1.6.6.(a) requires that the PNSC perform an overview of specifications 6.5.1.1 to assure that processes are effectively maintained. Technical Specification 6.5.2.1.d.6 currently requires that the Nuclear Assessment Department (NAD) reviews reports and minutes of the PNSC. Specification 6.5.1.1.1.(f) requires that written procedures be established, implemented and maintained covering fire protection program implementation. In addition, Technical Specifications 6.5.3.2.d(7) requires a biannual assessment of the Fire Protection Program and implementing procedures, and Technical Specification 6.5.4 requires an annual Fire Protection and Loss Prevention audit to be performed by an outside agency. Consequently, existing administrative controls are already in place in the Technical Specifications to ensure that the capability is preserved to achieve and maintain safe shutdown in the event of a fire. With regard to Technical Specification 3.14.2, CP&L will make the appropriate administrative changes to plant procedures to include the existing shutdown requirements in the unlikely event of the loss of the fire suppression water system and failure to establish a back-up water supply within 24 hours. Based on the above, the recommendations of Generic Letter 88-12 are satisfied.

With regard to reporting requirements, CP&L maintains its obligation to notify the NRC of fire protection deficiencies which meet the criteria of 10CFR50.72 and 10CFR50.73, as applicable, and as specified in Technical Specification 6.6.

The proposed changes to the license condition and the Technical Specifications are provided in Enclosures 2 and 3, respectively. CP&L has determined that the proposed changes do not involve a significant hazards consideration; the significant hazard consideration is provided as Enclosure 4.

The updated FSAR contains a description of those items that have been proposed for deletion from the Technical Specification sections except: (1) the shutdown requirement of Technical Specification 3.14.2 (loss of the fire suppression water system and failure to establish a back-up water supply within 24 hours), which will be incorporated into plant procedures, and (2) the special report requirements for fire protection equipment inoperability, which will be reported pursuant to 10CFR50.72 and 10CFR50.73 as appropriate.

PROPOSED CHANGES

H. B. ROBINSON UNIT NO. 2

DOCKET NO. 50-261/ LICENSE NO. DPR-23

CONDITION OF LICENSE 3.E

Fire Protection

Carolina Power & Light Company shall implement and maintain in effect all provisions of the approved fire protection program as described in the Final Safety Analysis Report for the facility and as approved in the Fire Protection SERs dated February 28, 1978, and supplements thereto. Carolina Power & Light Company may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.