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ACCESSION NBR: 8107080260 DOC. DATE: 81/06/30 NOTARIZED: YES DOCKET #  
 FACIL: 50-261 H. B. Robinson Plant, Unit 2, Carolina Power and Light 05000261  
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 RECIP. NAME: RECIPIENT AFFILIATION  
 HENDRIE, J. M. Commissioners

SUBJECT: Submits suppl to petition for exemption from certain  
 requirements of 10CFR50.48 & App R to 10CFR50 re fire  
 protection.

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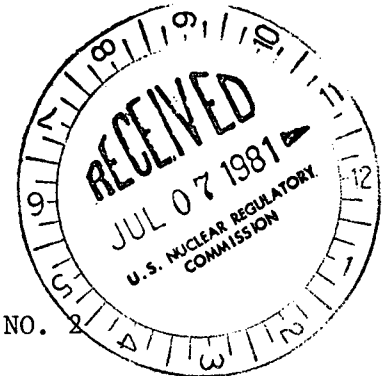
Carolina Power & Light Company

June 30, 1981

FILE: NG-3514(R)

Serial No.: NO-81-1126

Honorable Joseph M. Hendrie  
Acting Chairman  
United States Nuclear Regulatory  
Commission  
Washington, D.C. 20555



H. B. ROBINSON STEAM ELECTRIC PLANT, UNIT. NO. 2  
DOCKET NO. 50-261  
LICENSE NO. DPR-23  
SUPPLEMENT TO PETITION OF  
CAROLINA POWER & LIGHT COMPANY  
FOR EXEMPTION FROM CERTAIN REQUIREMENTS OF  
10 CFR 50.48 AND APPENDIX R TO 10 CFR PART 50

Dear Mr. Hendrie:

By letter dated March 11, 1981, Carolina Power & Light Company (CP&L) submitted to the Nuclear Regulatory Commission (NRC or the Commission) CP&L's petition for exemption from certain of the requirements of 10 CFR 50.48 and Appendix R to 10 CFR Part 50 (sometimes referred to collectively herein as the fire protection rule) with respect to the H. B. Robinson Steam Electric Plant Unit No. 2 (Robinson).

Among other things, CP&L requested exemptions from the requirements of § 50.48 (c) in the following respects:

(a) Extend from March 19, 1981 to July 1, 1981 the date for:

(i) Submittal of plans and schedules for any modifications necessary to achieve compliance with Section III.G.2. of Appendix R and design

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descriptions of alternative or dedicated shutdown systems to comply with Sections III.G.3 and III.L, if such are necessary;

- (ii) Filing requests for additional exemptions from Sections III.G and III.L pursuant to §§ 50.12(a) and 50.48(c)(6).
- (b) Extend from February 17, 1981 to July 1, 1981 the date from which the installation schedules established in § 50.48(c)(2) and (3) are calculated, with leave to request an additional extension of time on or before July 1, 1981 if such additional extension is found to be necessary.

In its petition, CP&L pointed out that it had initiated a study to determine to what extent its previously completed and approved fire protection modifications meet the requirements of Sections III.G and III.L; to develop technical justifications to support requests for such exemptions from Sections III.G and III.L as CP&L believes to be warranted following the analyses; to determine whether any modifications will be necessary to achieve compliance with Sections III.G and III.L; to develop all plans and schedules for any modifications necessary to satisfy Section III.G.2 and to prepare and submit design descriptions for an alternative or dedicated shutdown system to satisfy Sections III.G.3 and III.L, if such a system is necessary.

In requesting the July 1, 1981 extension date we had anticipated, prior to performing any studies, that modifications might be necessary to no more than two or three plant systems in order to fully apply the back-fit requirements of the fire protection rule. However, our preliminary study, recently completed, indicates that major modifications could be

necessary to as many as fifteen plant systems. Our original schedule did not allow for the time required to assess the impact on plant operations, the feasibility and scheduling of the modifications, and whether or not the modifications constitute an unreviewed safety question for this magnitude of proposed modifications. We therefore request that the exemptions described in paragraphs (a) and (b) above be extended from July 1, 1981 to September 1, 1981.

This additional time is essential in order to complete the important safety reviews necessary to ensure that the modifications potentially identified do not pose a safety hazard to plant operations or endanger the health and safety of the general public. A thorough review now would also minimize the chance that significant amendments to our modifications would be later identified and result in further delays in complying with the fire protection rule.

In its petition dated March 11, 1981, CP&L identified the major improvements made to date concerning fire protection at Robinson. These fire protection features are entirely adequate to protect the health and safety of the public. As was pointed out by the Commission as recently as October 19, 1980 in the context of the Fire Protection Schedules for Operating Nuclear Plants, 45 Fed. Reg. 71569 (October 29, 1980):

Extensive fire protection measures have already been implemented at all operating plants . . . No public health and safety interest would be served by forcing only those licensees unable to meet deadlines preceding the effectiveness of the final rule to shut down for the brief interim. To the contrary, the fire protection measures already implemented give reasonable assurance that all operating nuclear plants may continue to operate safely even though the final rule will require additional fire protection measures at many plants.

It is clear that the NRC staff believes that requests for extension of time can be granted without adverse impact to the public health and safety. Mr. Edson G. Case filed an Affidavit on June 15, 1981 in the United States Court of Appeals for the District of Columbia Circuit as part of Respondent's Opposition to Motion for Stay in the case of the Connecticut Light and Power Company, ET AL v. Nuclear Regulatory Commission. In his Affidavit, Mr. Case identified that licensees for 43 out of the 70 operating plants affected by the rule have filed requests for extensions of the schedule. Mr. Case revealed that these requests were under review and would be responded to within the next two months. If the NRC considered that these extensions jeopardized the health and safety of the public, it is evident that the ruling on these requests would have been made long before now.

Clearly then, the granting of CP&L's request for an additional two month extension of the schedules established in § 50.48(c) will in no way adversely affect the health and safety of the public.

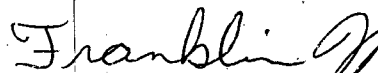
Yours very truly,



E. E. Utley  
Executive Vice President  
Power Supply and  
Engineering & Construction

SDF/lr (3169)

Sworn to and subscribed before me this 30th day of June, 1981.

  
Notary Public

My commission expires: Oct. 4, 1981

