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 FACIL: 50-261 H. B. Robinson Plant, Unit 2, Carolina Power and Light 05000261
 AUTH. NAME UTLEY, E.E. AUTHOR AFFILIATION Carolina Power & Light Co.
 RECIP. NAME DENTON, H.R. RECIPIENT AFFILIATION Office of Nuclear Reactor Regulation, Director

SUBJECT: Notifies that 820316 results of fire protection program review & responses to Generic Ltr 81-12 will be reviewed by Jul 1982 to identify addl App R Section III.G.3 exemption & based on DC Circuit Court 820316 judgement.

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Carolina Power & Light Company

APR 15 1982



Mr. Harold R. Denton, Director
Office of Nuclear Reactor Regulation
United States Nuclear Regulatory Commission
Washington, D.C. 20555

H. B. ROBINSON STEAM ELECTRIC PLANT, UNIT NO. 2
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FIRE PROTECTION PROGRAM - APPENDIX R REVIEW

Dear Mr. Denton:

On March 16, 1982, Carolina Power & Light Company (CP&L) submitted the results of our Fire Protection Program review, and responses to Generic Letter 81-12. Attachment 1 to our letter contained descriptions of conceptual design changes for an alternative/dedicated shutdown system which CP&L plans to install to meet the prescriptive requirements of Section III.G.3 of Appendix R.

On that same date, the U. S. Court of Appeals, District of Columbia Circuit, entered judgement in the litigation brought by Connecticut Light & Power et. al. against the NRC regarding the promulgation of Appendix R. In its decision, the Court indicated that a licensee was entitled to credit for fire retardant coatings. In addition, it is clear that the Court viewed the "postulated hazards approach" in providing technical justification for an exemption request pursuant to 10 CFR 50.48(c)(6) as a fourth alternative for meeting Section III.G.2. CP&L has reviewed the Court decision and, in light of that, we believe it is now appropriate to review our March 16 submittal to determine if there are additional exemptions which we should request.

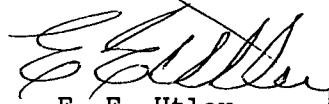
CP&L's resources and those of our consultant on fire protection issues are presently dedicated to meeting our June 30, 1982 submittal date for our Brunswick Plant. In order to make this June submittal, it is necessary that our engineering resources continue their work on our Brunswick

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submittal. Accordingly, we would not expect to be able to submit additional exemption requests until some time after July, 1982. In the event that we do identify additional exemptions in light of the Court decision, we will notify your staff as soon as possible in order to assist with your ongoing review of our Fire Protection Program.

Yours very truly,



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

DLB/lr (n-16)

cc: Mr. J. P. O'Reilly (NRC-RII)
Mr. O. Parr (NRC)
Mr. G. Requa (NRC)