



J. Phillip Bayne
First Executive Vice President
Chief Operations Officer

April 12, 1985
JPN-85-28

Director of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Attention: Mr. Domenic B. Vassallo
Operating Reactors Branch No. 2
Division of Licensing

Subject: James A. FitzPatrick Nuclear Power Plant
Docket No. 50-333
Appendix R to 10 CFR 50
Exemption Request for Fire Dampers Not
Required to Enhance Fire Protection

Dear Sir:

As a part of the Authority's program to implement the requirements of Appendix R to 10 CFR 50, we have conducted many analyses and evaluations of both existing and new fire protection measures at the FitzPatrick plant. The Authority also retained a fire protection consultant to conduct an independent review and assessment of our plans to implement the requirements of Appendix R.

As a result of these efforts, the Authority has recently identified seventeen dampers that are not required because they will not enhance fire protection at FitzPatrick. A list of these dampers and their locations is included as Attachment No. 1.

The Authority has prepared a report (Attachment No. 2) to justify the elimination of these dampers. This report was prepared by a qualified fire protection engineer.

The basis for not requiring these dampers can be categorized as one or more of the following: (1) the damper would be installed in a fire-rated wall or barrier which has been derated based upon low combustible floor loading and resulting low fire severity; (2) fire dampers are not required in one hour barriers; (Tests have shown that sheetmetal ductwork penetrating a one hour barrier is effective in preventing the spread of fire.); or, (3) fire rated barriers separating fire areas that contain components of the same division are not required.

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The Authority has carefully reviewed the requirements of Appendix R as they relate to these seventeen dampers. Fifteen of the seventeen dampers would be necessary to conform to the requirements of Appendix R without the approval of this exemption request; these dampers are marked with an asterisk on Attachment No. 1. The remaining two dampers are not required to comply with Appendix R.

Based upon these analyses, the Authority hereby requests an exemption from the requirements of Section III.G.2 of Appendix R to 10 CFR 50 in accordance with the provisions of 10 CFR 50.12, to the extent that these fifteen dampers are required.

The Authority will develop administrative controls to limit the installation of permanent combustibles and the storage of transient combustibles to the amounts assumed in these analyses.

In accordance with 10 CFR 170, a check in the amount of \$150.00 is included with this exemption request as the application fee. The Authority pays the fee under protest pending a final determination of the legality of the fee schedule.

If you have any questions regarding this exemption request or the associated evaluations, please contact Mr. J. A. Gray, Jr. of my staff.

Very truly yours,

C. M. Wilverding

fr
J. P. Bayne
First Executive Vice President
Chief Operations Officer

cc: U.S. Nuclear Regulatory Commission
Office of the Resident Inspector
P.O. Box 136
Lycoming, New York 13093

ATTACHMENT NO. 1 TO JPN-85-28

New York Power Authority
James A. FitzPatrick Nuclear Power Plant

Dampers Not Required to
Enhance Fire Protection

<u>Item No.</u>	<u>Damper Identification No. (Note 2)</u>	<u>Location (Note 1)</u>
1.	67FD-1	Between fire zones SW-1 and CT-1.
2.	67FD-4 *	Between fire zones SW-1 and TB-1.
3.	67FD-5 *	Between fire zones SW-1 and TB-1.
4.	67FD-6 *	Between fire zones SW-1 and TB-1.
5.	67FD-7 *	Between fire zones SW-1 and TB-1.
6.	67FD-8 *	Between fire zones SW-1 and TB-1.
7.	67FD-9	Between fire zones SW-2 and CT-2.
8.	67FD-12 *	Between fire zones SW-2 and TB-1.
9.	67FD-13 *	Between fire zones SW-2 and TB-1.
10.	67FD-14 *	Between fire zones SW-1 and SW-2.
11.	72FD-3 *	Between fire zones BR-1 and BR-4.
12.	72FD-4 *	Between fire zones BR-1 and BR-4.
13.	72FD-5 *	Between fire zones BR-4 and BR-5.
14.	72FD-6 *	Between fire zones BR-1 and BR-4.
15.	73FD-1 *	Between fire zones SP-1 and SH-1.
16.	73FD-2 *	Between fire zones SP-2 and SH-1.
17.	73FD-3 *	Between fire zones SP-2 and SH-1.

- Notes: 1. Fire Zones are defined in Figures 4.1 through 4.11 of "A Reassessment of the James A. FitzPatrick Nuclear Power Plant for Conformance to the requirements of Appendix R to 10 CFR 50", dated July 13, 1982, as amended. Attached to NYPA letter, J.P. Bayne to H.R. Denton, (JPN-82-61) dated July 13, 1982.
2. Fire dampers that would be required for conformance with Appendix R if this exemption request is not approved have been marked with an asterisk (*).