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October 21, 1996  
OGW-96-165

Mr. Russell A. Powell, Chief  
Freedom of Information /  
Local Public Document Room Branch  
U.S. NUCLEAR REGULATORY COMMISSION  
Washington, DC 20555

FOIA/PA REQUEST  
Case No: 96-440  
Date Rec'd: 10-24-96  
Action Off: Brown  
Related Case: \_\_\_\_\_

**SUBJECT: FREEDOM OF INFORMATION ACT REQUEST**

Dear Mr. Powell:

The following is provided as background for my request:

Recent NRC Maintenance Rule Baseline Inspection at Cooper Station identified a violation to 10CFR50.65(b)(2)(ii) concerning that the auxiliary steam system supplying building heat was not included within 10CFR50.65 in that during cold weather conditions, the failure of the non-safety-related building heating system could cause a common mode failure of the function of safety-related structures, systems, or components. It has been determined by the NRC Maintenance Rule Baseline Inspection Team at the inspection exit that failure of the building heat/auxiliary steam, a non-nuclear safety-related system, could cause the failure of a function (or functions) of existing licensed nuclear safety-related systems required to operate under accident conditions within the station's current licensing bases deeming this system important to safety.

Auxiliary steam/building heating system, initially licensed by the NRC as not related to nuclear safety, has now been re-classified by the NRC Maintenance Rule Baseline Inspection Team for Cooper as being necessary for the safe operation of the facility to mitigate the consequences of accidents or transients. The NRC Maintenance Rule Inspection Team has determined that this non-nuclear safety-related system must function to supply building heat to safety-related structures, systems, components. This implies that failure of this system to perform its function will cause the failure of safety-related structures, systems, components. This appears to be a revision or re-definition to the documented licensing bases of the facility without allowing public participation in the regulatory process where the NRC had previously determined that the system was not necessary or related to nuclear safety (i.e., system was licensed as not related to nuclear safety).

Mr. Russell A. Powell

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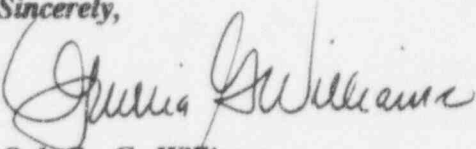
*Pursuant to the Freedom of Information Act, 5 U.S.C. Paragraph 552, and to the Nuclear Regulatory Commission's (NRC) regulations, I request the placement of the following information in the Public Document Room to allow the public the opportunity to comment on this change of position where the auxiliary steam/building heating system is now considered important to safety and required to function to allow safety-related structures, systems, and components to mitigate the consequences of accidents:*

- \* The NRC review of the building heating/auxiliary steam system against 10CFR50, Appendix A, Introduction that the design of structures, systems, and components important to safety have considered the need to design against single failures of passive components for fluid systems important to safety.*
- \* The NRC review of the building/auxiliary steam system against 10CFR50, Appendix A, Introduction that the design of structures, systems, and components important to safety have considered redundancy and diversity for fluid systems important to safety.*
- \* The NRC review that the system conforms to 10CFR50, Appendix A, Criterion 1 Quality Standards and Records, which assures that a quality assurance program has been established and implemented in order to provide adequate assurance that these structures, systems, and components perform their safety functions.*
- \* The review of the system and related systems to meet the requirements of 10CFR50, Appendix A, Criterion 2 where structures, systems, and components important to safety shall be designed to withstand the effects of natural phenomena with appropriate consideration of the most severe of the natural phenomena that historically have been reported for the site and surrounding area.*

*I would appreciate your prompt response within ten working days of the receipt of this request, as provided by the Code and NRC's policies. If you have any questions regarding this request, please do not hesitate to call me at the number above.*

*Thank you for your services.*

*Sincerely,*

  
Ophelia G. Williams