

November 26, 2002

LICENSEE: Duke Energy Corporation

FACILITIES: McGuire, Units 1 and 2, and Catawba, Units 1 and 2

SUBJECT: SUMMARY OF PUBLIC MEETING WITH DUKE ENERGY CORPORATION TO DISCUSS OPEN ITEMS PERTAINING TO SCOPING AND SCREENING OF FIRE PROTECTION EQUIPMENT IDENTIFIED IN THE SAFETY EVALUATION REPORT FOR THE LICENSE RENEWAL APPLICATION FOR MCGUIRE, UNITS 1 AND 2, AND CATAWBA, UNITS 1 AND 2

On October 1, 2002, the staff met with members of Duke Energy Corporation in a public meeting to discuss the open items pertaining to scoping and screening of fire protection equipment documented in its safety evaluation report (SER) for the license renewal application (LRA) for McGuire, Units 1 and 2, and Catawba, Units 1 and 2. The list of attendees is provided in Enclosure 1. Also, Enclosure 2 is a handout provided by the applicant during the meeting.

The applicant provided proposed responses to the open items pertaining to scoping and screening of fire protection equipment in its handout. The staff reviewed the materials provided in the handout and discussed them with the applicant.

#### Discussion of Duke's Fire Protection Scoping for License Renewal

The staff reviewed the criteria specified on page 2 of the proposed response and indicated to Duke that it did not agree that these criteria could be applied to identify those systems, structures, and components (SSCs) relied on in safety analyses or plant evaluations to perform a function that demonstrates compliance with the requirements of 10 CFR 50.48. The staff indicated that Duke's perspective - that reliance on SSCs for fire protection must be discussed as a commitment in both the fire protection safety evaluation report (SERs) and the UFSARs and meet one of the three criteria listed at the bottom of page 2 of the handout - was too narrow an interpretation of the regulations and failed to account for design requirements of the system as well as defense-in-depth elements of the fire protection plan (to prevent, detect, and suppress fires wherever they occur in the plant).

#### Open Item 2.3.3.19-1

The staff reviewed the applicant's proposed response to this item and discussed the basis with the applicant. The staff was concerned that the hydrants in the yard, that had been excluded from the scope of license renewal, provided a backup source of fire water to the inside fire water system hose stations and sprinklers. However, the applicant stated that the hydrants were not a backup source of fire water for these suppression systems. The staff requested the applicant to provide that detail in its formal response to this SER open item.

Open Item 2.3.3.19-2

The staff reviewed the applicant's proposed response to this item and indicated to the applicant that this response would not resolve the open item because the jockey pumps had been installed as a commitment to National Fire Protection Association (NFPA) Standard 20 - 1980. The staff and Duke agreed that this component was accepted by the NRC staff in an SER as satisfying the provisions of Appendix A to BTP 9.5-1 for McGuire and Appendix A to CMEB 9.5-1 for Catawba. Furthermore, the staff and Duke agreed that Duke's response to Appendix A to BTP 9.5-1 (McGuire, October 7, 1982) and Appendix A to CMEB 9.5-1 (Catawba, November 4, 1983), included a description of its approach to meeting each of the requirements in the BTPs and that, for both McGuire and Catawba, the jockey pumps are provided to maintain pressure in the system.

The staff also agreed with Duke that the jockey pumps were not relied on in a plant evaluation or safety analysis to function so that (1) the capability to safely shut down the plant is ensured; (2) radioactive releases are minimized; or (3) loss of safety-related redundant systems is minimized. However, the staff recognized that Duke had mis-characterized a critical element of the license renewal scoping requirement, 10 CFR 54.4(a)(3), in its analysis. The applicant had omitted words from the license renewal rule and replaced them, instead, with the three criteria (to which the staff took exception) listed at the bottom of page 2 of the applicant's handout. The staff clarified the meaning of 10 CFR 54.4(a)(3), which is to include within the scope of license renewal all SSCs relied on in safety analyses or plant evaluations to perform a function that demonstrates compliance with the Commission's regulations for fire protection. The staff reiterated its position that the function provided by the jockey pumps (to maintain the system at a desired pressure) was a function required by the Commission's regulations for fire protection. Therefore, jockey pumps met scoping criterion 10 CFR 54.4(a)(3) for license renewal.

Open Item 2.3.3.19-3

The staff reviewed the applicant's proposed response to this item and did not identify any concerns with this response.

Open Item 2.3.3.19-4

The staff reviewed the applicant's proposed response to this item and reiterated that it did not agree with the criteria Duke had applied for including a fire protection SSC within the scope of license renewal. The staff also indicated that, if the turbine building contained any fire exposure hazards, the fire barrier would not be sufficient to mitigate the effects of a fire. To prevent the spread of a fire to areas containing safety-related equipment (e.g., the auxiliary building), the fire would ultimately need to be suppressed, since the fire barrier was not an assured, indefinite barrier. Therefore, manual suppression capability using hose stations in the turbine building would be relied on to control the fire and prevent it from spreading. Duke and the staff agreed to examine this item more thoroughly in an effort to define the plant-specific licensing bases for mitigating fire events in the turbine buildings at McGuire and Catawba and, thereby, meeting the requirements of 10 CFR 50.48.

Open Item 2.3.3.19-5

The staff reviewed the applicant's proposed response to this item and did not identify any concerns with this response.

Open Item 2.3.3.19-6

The staff reviewed the applicant's proposed response to this item and did not identify any concerns with this response.

A draft of this meeting summary was provided to the applicant to allow them the opportunity to comment prior to the summary being issued.

***/RA/***

Rani L. Franovich, Project Manager  
License Renewal Section  
License Renewal and Environmental Impacts Program  
Division of Regulatory Improvement Programs  
Office of Nuclear Reactor Regulation

Docket Nos.: 50-413, 50-414, 50-369, and 50-370

Enclosures: As stated

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Open Item 2.3.3.19-5

The staff reviewed the applicant's proposed response to this item and did not identify any concerns with this response.

Open Item 2.3.3.19.2-6

The staff reviewed the applicant's proposed response to this item and did not identify any concerns with this response.

A draft of this meeting summary was provided to the applicant to allow them the opportunity to comment prior to the summary being issued.

***/RA/***

Rani L. Franovich, Project Manager  
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License Renewal and Environmental Impacts Program  
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OCTOBER 1, 2002

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