

## **NRR-PMDAPEm Resource**

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**From:** Craig D Sly [craig.d.sly@dom.com]  
**Sent:** Friday, January 13, 2012 11:13 AM  
**To:** Feintuch, Karl  
**Cc:** Thomas L Breene; Jack Gadzala  
**Subject:** Kewaunee NFPA-805 Withdraw Letter  
**Attachments:** image001.gif; 12-010 NFPA 805 Withdraw Letter.pdf

Karl,

Attached is a letter that request NRC withdraw our NFPA 805 Transition LAR (LAR-250). This is an advance copy and the official mailing will occur hopefully today (I'm shorthanded with respect to admin support today, so will be mailing this out myself.)

Craig Sly  
Dominion Resources Services, Inc.  
Nuclear Licensing and Operations Support  
W: 804-273-2784  
C: 804-241-2473

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**Hearing Identifier:** NRR\_PMDA  
**Email Number:** 232

**Mail Envelope Properties** (DECB54B0BB23DC4E8E8C1B7C4741C45024B821C2D4)

**Subject:** Kewaunee NFPA-805 Withdraw Letter  
**Sent Date:** 1/13/2012 11:13:15 AM  
**Received Date:** 1/13/2012 11:13:23 AM  
**From:** Craig D Sly

**Created By:** craig.d.sly@dom.com

**Recipients:**

"Thomas L Breene" <thomas.l.breene@dom.com>  
Tracking Status: None  
"Jack Gadzala" <jack.gadzala@dom.com>  
Tracking Status: None  
"Feintuch, Karl" <Karl.Feintuch@nrc.gov>  
Tracking Status: None

**Post Office:** DOM-MBX01.mbu.ad.dominionnet.com

<b>Files</b>	<b>Size</b>	<b>Date &amp; Time</b>
MESSAGE	1174	1/13/2012 11:13:23 AM
image001.gif	2375	
12-010 NFPA 805 Withdraw Letter.pdf		91931

**Options**

**Priority:** Standard  
**Return Notification:** No  
**Reply Requested:** No  
**Sensitivity:** Normal  
**Expiration Date:**  
**Recipients Received:**





January 13, 2012

ATTN: Document Control Desk  
U. S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Serial No. 12-010  
LIC/CDS/R0  
Docket No.: 50-305  
License No.: DPR-43

**DOMINION ENERGY KEWAUNEE, INC.**  
**KEWAUNEE POWER STATION**  
**REQUEST TO WITHDRAW LICENSE AMENDMENT REQUEST 250, "ADOPTION OF**  
**NFPA 805 PERFORMANCE-BASED STANDARD FOR FIRE PROTECTION FOR**  
**LIGHT WATER REACTOR ELECTRIC GENERATING PLANTS (2001 EDITION)"**

By letter dated September 21, 2011, Dominion Energy Kewaunee (DEK) submitted a License Amendment Request (LAR 250, Reference 1) to adopt National Fire Protection Association (NFPA) Standard 805 (Reference 2) in accordance with 10 CFR 50.48(c).

By letter dated December 16, 2011 (Reference 3), DEK requested NRC postpone the review of LAR 250. The reason for this request was that Dominion has publicly announced that the Kewaunee Power Station is being actively marketed for sale. The expected NRC review time for LAR 250 is about 24 months. Although no buyer has been announced, the plant sale is likely to occur prior to NRC completing its review of LAR 250. The request for postponement was intended to allow the future buyer of the plant to determine if continuing with the transition to NFPA 805 is in its best interest, eliminate inefficiencies associated with NRC staff interfacing with two separate licensees during the review process, and facilitate efficient use of NRC and licensee resources.

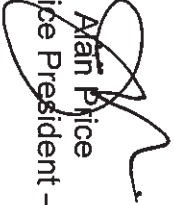
The NRC responded to Reference 3 by letter dated December 22, 2011 (Reference 4). In that response, the NRC indicated that postponing the review of the proposed license amendment request is not a viable option. The NRC concluded that postponement is not recognized in the NRC acceptance review process for review of licensing actions because it may lead to regulatory uncertainty.

The purpose of this letter is to request that NRC withdraw LAR 250 from NRC review. Since submitting our letter of intent to transition to NFPA 805 in July 2008, DEK has aggressively pursued activities directed towards transitioning to NFPA 805 including development and submittal of LAR 250. While being one of the last plant owners to submit a letter of intent to transition to NFPA 805, DEK chose to be among the initial group of plants to submit a transition LAR. However, we have concluded that continuing with the LAR review while the plant remains for sale is not in the best interest of DEK or the future owner of the plant.

DEK intends to continue planning and implementation of those changes to the facility identified in the LAR that are considered to provide a meaningful risk benefit and that will leave the future owner in a favorable position to submit an NPPA 805 transition LAR in the future. DEK will continue to maintain the compensatory measures that were established to address non-compliances with 10 CFR 50, Appendix R requirements under enforcement discretion.

If you have any questions or require additional information, please contact Mr. Craig Sly at (804) 273-2784.

Very truly yours,

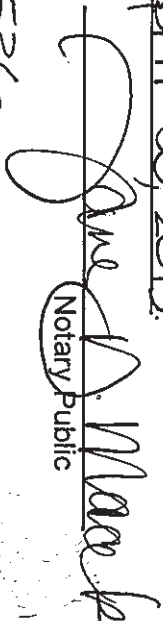
  
J. Alan Price  
Vice President – Nuclear Engineering

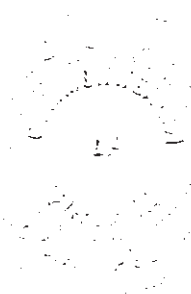
COMMONWEALTH OF VIRGINIA                    )  
  )  
COUNTY OF HENRICO                            )

The foregoing document was acknowledged before me, in and for the County and State aforesaid, today by J. Alan Price, who is Vice President – Nuclear Engineering of Dominion Energy Kewaunee, Inc. He has affirmed before me that he is duly authorized to execute and file the foregoing document in behalf of that Company, and that the statements in the document are true to the best of his knowledge and belief.

Acknowledged before me this 13<sup>th</sup> day of January, 2012.

My Commission Expires: April 30, 2015.

  
Notary Public  
112536



References:

1. Letter from J. A. Price to NRC Document Control Desk, "LAR 250: Adoption of NFPA 805 Performance-Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants (2001 Edition)," dated September 21, 2011. [ADAMS Accession No. ML11277A265 and ML11277A240]
2. National Fire Protection Association (NFPA) Standard 805, "Performance-Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants," 2001 Edition.
3. Letter from J. A. Price (DEK) to Document Control Desk, "Request to Postpone Review of License Amendment Request 250, "Adoption of NFPA 805 Performance-Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants (2001 Edition)," dated December 16, 2011.
4. Letter from K. D. Feintuch (NRC) to D. A. Heacock (NRC), "Kewaunee Power Station – Acceptance Review Associated with Proposed License Amendment Request to Adopt National Fire Protection Association Standard 805 (TAC No. ME7250)," dated December 22, 2012.

Attachments: None

Commitments made by this letter: None

cc: Regional Administrator, Region III  
U. S. Nuclear Regulatory Commission  
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