

June 23, 1992

Docket Nos. 50-387
and 50-388

Mr. Harold W. Keiser
Senior Vice President-Nuclear
Pennsylvania Power and Light
Company
2 North Ninth Street
Allentown, Pennsylvania 18101

Dear Mr. Keiser:

SUBJECT: EXEMPTION FROM 10 CFR PART 50, APPENDIX J, SECTION III.D.1(a),
SUSQUEHANNA STEAM ELECTRIC STATION, UNITS 1 AND 2 (TAC NOS. M81321
AND M81322)

The Commission has issued the enclosed exemption from certain requirements of Appendix J to 10 CFR Part 50 for the Susquehanna Steam Electric Station, Units 1 and 2 (SSES), in response to your letter dated August 16, 1991. The subject regulation requires that "... a set of three Type A tests shall be performed, at approximately equal intervals during each 10-year service period. The third test of each set shall be conducted when the plant is shutdown for the 10-year plant inservice inspections." The exemption allows the continuation of the Type A tests but no longer requires that the third test of each set of three Type A tests be conducted during the same refueling outage that the 10-year inservice inspection is conducted. However, this exemption does not alter the existing requirement in Section III.D.1(a) of Appendix J that three integrated leakage tests be performed during each 10-year service period.

A copy of the enclosed exemption is being filed with the Office of the Federal Register for publication.

Sincerely,

/S/

George F. Maxwell, Acting Project Manager
Project Directorate I-2
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Enclosure: Exemption

cc w/enclosure:

See next page

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NRC & Local PDRs	JPartlow	OGC	OC/LFMB
PDI-2 Reading	SVarga/JCalvo	EJordan, 3701	RLobel, EDO 17G21
TMurley/FMiraglia	CMiller	GHill(8), P1-37	EWenzinger, RGN-I
JPartlow	GMaxwell	ACRS(10)	JWhite, RGN-I

*Previous Concurrence

OFFICE	PDI-2/PA	PDI-2/PM	*SPLB/D	*OGC	PDI-2/PD
NAME	MO'Brien	GMaxwell	CMcCracken		CMiller
DATE	6/13/92	6/12/92	06/09/92	05/05/92	6/13/92
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NAME	JCalvo	SVarga			
DATE	06/11/92	06/12/92			

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555

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See next page

Mr. Harold W. Keiser
Pennsylvania Power & Light Company

Susquehanna Steam Electric Station,
Units 1 & 2

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
)	
PENNSYLVANIA POWER AND LIGHT COMPANY)	Docket Nos. 50-387
AND)	and 50-388
ALLEGHENY ELECTRIC COOPERATIVE, INC.)	
)	
(Susquehanna Steam Electric Station,)	
Units 1 and 2))	

EXEMPTION

I.

Pennsylvania Power and Light Company and Allegheny Electric Cooperative, Inc. (the licensees) hold Facility Operating License Nos. NPF-14 and NPF-22, which authorize operation of the Susquehanna Steam Electric Station, Units 1 and 2, respectively, at power levels not in excess of 3293 megawatts thermal for each unit. The licenses provide, among other things, that the facilities are subject to all rules, regulations, and orders of the Nuclear Regulatory Commission (the Commission or the staff) now or hereafter in effect.

The facilities are boiling water reactors located at the licensees' site in Salem County, Pennsylvania.

II.

The licensees requested an exemption from the Commission's regulations in their letter dated August 16, 1991. The requested exemption is from a requirement in Appendix J of 10 CFR Part 50 which requires that certain surveillance tests be conducted during the same refueling outage as Inservice Inspections (ISI) required by 10 CFR 50.55a.

The specific requirement is contained in Section III.D.1(a) of Appendix J, 10 CFR Part 50, and states that "After the preoperational leakage rate tests [of containment], a set of three Type A tests shall be performed, at approximately equal intervals during each 10-year service period. The third test of each set shall be conducted when the plant is shutdown for the 10-year plant inservice inspections." The Type A tests are defined in Section II.F of Appendix J as "tests intended to measure the primary reactor containment overall integrated leakage rate . . . at periodic intervals" The 10-year inservice inspection is that series of inspections performed every 10 years in accordance with Section XI of the ASME Boiler and Pressure Vessel Code and Addenda as required by 10 CFR 50.55a. The time and plant conditions required to perform the Type A integrated leakage rate tests (ILRTs) necessitates that they be performed during refueling outages. The time interval between ILRTs should be about 40 months (3 1/3 years) based on performing three such tests during each 10-year service period. Since refueling outages do not necessarily occur coincident with a 40-month interval, a permissible variation of 10 months (25% of the interval) is typically authorized in the Technical Specification (TSs) issued with an operating license to permit flexibility in scheduling the ILRTs.

Due to the time and plant conditions required to conduct it, the 10-year ISI required by 10 CFR 50.55a also must be conducted during a refueling outage. The Susquehanna Units operate on an 18-month cycle, therefore, ILRTs are required every other outage to comply with the TS 40 ± 10 month testing interval. This schedule does not coincide with the 10-year ISI and, to comply

with the TSs, would require ILRT's to be performed 18 months apart in back-to-back refueling outages at each 10-year interval.

If the requested exemption is not granted, Section III.D.1(a) of Appendix J would require this additional ILRT be performed in an interval considerably shorter than the interval of about 40 months implied in Appendix J. More importantly, this interval would not be consistent with either the intent or the underlying purpose of the rule, Section III.D.1(a) of Appendix J, which requires that these Type A tests " . . . be performed, at approximately equal intervals during each 10-year service period."

The licensees addressed this issue in their exemption request in which they cited from Appendix J that "the purpose of the tests are to assure that (a) leakage through the primary reactor containment and systems and components penetrating primary containment shall not exceed allowable leakage rate values as specified in the technical specifications" The licensees assert and the NRC staff agrees that the Type A tests to be conducted 18 months prior to the 10-year inservice inspection will meet the underlying purpose of the rule in that the overall leak-tightness of the primary containment will be demonstrated. Accordingly, it is not necessary to conduct another Type A test at the 10-year inservice inspection outage to meet the intent of the rule. Performing this additional ILRT would not add significantly to the assurance that the overall leakage rate of the primary containment and its penetrations remain within the value specified in the SSES TSs and would not meet the intent of the rule to conduct these tests at approximately equal (40 month) intervals as cited above.

Each of these two tests, i.e., the Type A test and the 10-year ISI, is independent of each other and provides assurances of different plant characteristics. The Type A tests assure the required leak-tightness to demonstrate compliance with guidance of 10 CFR 100. The 10-year ISI provides assurance of the structural integrity of the structures, systems, and components in compliance with 10 CFR 50.55a. Accordingly, there is no safety-related concern associated with their coupling in the same refueling outage.

On this basis, the NRC staff finds that the licensees have demonstrated that special circumstances as provided in 50.12(a)(2)(ii) are present for the exemption in that application of the regulation in these particular circumstances is not necessary to achieve the underlying purpose of the rule. Further, the staff also finds that the uncoupling of the Type A test from the 10-year ISI will not present an undue risk to the public health and safety.

III.

The Commission has determined that, pursuant to 10 CFR 50.12, the exemption is authorized by law and will not endanger life or property or the common defense and security and is otherwise in the public interest. Accordingly, the Commission hereby grants an exemption from the requirements of 10 CFR Part 50, Appendix J, Section III.D.1(a):

The Susquehanna Steam Electric Station, Units 1 and 2 Technical Specifications may be revised to delete the requirement that the third ILRT be performed in conjunction with the 10-year inservice inspection. The Exemption does not alter the existing requirement that three ILRTs be performed during each 10-year service period.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this Exemption will have no significant impact on the quality of the human environment (57 FR 27988).

This Exemption is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Original signed by

Steven A. Varga, Director
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Dated at Rockville, Maryland
this 23rd day of June, 1992.

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DATE	5/4/92	5/4/92	6/9/92	5/6/92	6/10/92
OFFICE	AD/RI	D/DRPE			
NAME	JCalvo	SVarga			
DATE	6/11/92	6/12/92			

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This Exemption is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in black ink, appearing to read "Steven A. Varga". The signature is fluid and cursive, with the first name "Steven" and last name "Varga" clearly distinguishable.

Steven A. Varga, Director
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Dated at Rockville, Maryland
this 23rd day of June, 1992.