

10 CFR 72.7

RS-01-04

January 11, 2001

U.S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, D.C. 20555-0001

Dresden Nuclear Power Station, Units 1 and 2
Facility Operating License Nos. DPR-2 and DPR-19
NRC Docket Nos. 50-10, 50-237, and 72-37

Subject: Request for Exemption from 10 CFR 72.212, "Conditions of general license issued under 10 CFR 72.210," and 10 CFR 72.214, "List of approved spent fuel storage casks," Regarding the Conditions of Use for the HI-STORM 100 Cask System

References: (1) Holtec International, Inc. letter, "USNRC Docket No. 72-1014; HI-STORM 100 Certificate of Compliance 1014; HI-STORM 100 License Amendment Request 1014-1, Revision 1, Supplement 1," dated October 6, 2000

(2) Letter from E. W. Brach (US NRC) to B. Gutherman (Holtec International, Inc.), "Certificate of Compliance for Amendment 1 to the Holtec International, HI-STAR 100 Cask Storage System to Accommodate Revised Cask Components," dated December 21, 2000

In accordance with 10 CFR 72.7, "Specific exemptions," we are requesting NRC approval of a temporary exemption from the requirements of 10 CFR 72.212, "Conditions of general license issued under 10 CFR 72.210," paragraphs (a)(2) and (b)(2)(i)(A), and 10 CFR 72.214, "List of approved spent fuel storage casks." The requirement of 10 CFR 72.212(a)(2) limits the general license to storage of spent fuel only in casks approved by the NRC under the provisions of 10 CFR 72, "Licensing Requirements for the Independent Storage of Spent Nuclear Fuel and High-Level Radioactive Waste." Pursuant to 10 CFR

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72.212(b)(2)(i)(A), general licensees must perform written evaluations prior to the use of an approved spent fuel storage cask that, in part, establish that the conditions set forth in the cask's CoC have been met. We are currently storing spent fuel from Dresden Nuclear Power Station (DNPS), Unit 1 in the Holtec International, Inc. (i.e., Holtec) HI-STAR 100 cask system, and plan to store additional spent fuel from DNPS, Units 1 and 2 in the HI-STORM 100 cask system using the general license in 10 CFR 72.210, "General license issued." The HI-STORM 100 cask system produced by Holtec was approved by the NRC for use under the general license and is listed in 10 CFR 72.214 as Certificate of Compliance (CoC) No. 1014.

We have identified two issues regarding compliance with the requirements of CoC No. 1014 concerning our plans to store DNPS, Units 1 and 2 spent fuel in HI-STORM 100 casks. The first involves the time allowed for the Spent Fuel Storage Cask (SFSC) Heat Removal System to be inoperable. At DNPS, the potential exists for the Limiting Condition for Operation (LCO) 3.1.2, "SFSC Heat Removal System," in CoC No. 1014 Appendix A, "Technical Specifications for the HI-STORM 100 Cask System," to not be met as a result of the DNPS design basis flooding accident. The second involves the characteristics of Boiling Water Reactor (BWR) fuel assemblies allowed to be stored in a HI-STORM 100 cask. Table 2.1-3 (page 1 of 5), "BWR Fuel Assembly Characteristics," in CoC No. 1014 Appendix B specifies, in part, the fuel assembly parameters for fuel assembly array/classes 6x6A, 6x6B, and 8x8A. Some of the fuel assemblies that we plan to store in a HI-STORM cask at DNPS have characteristics outside the specified limits allowed by Appendix B, Table 2.1-3, for the fuel assembly array/classes 6x6A, 6x6B, and 8x8A. Therefore, not all the conditions specified in the CoC will be met as required by 10 CFR 72.214. Since we will not meet the requirements of 10 CFR 72.214, we will not meet the requirements of 10 CFR 72.212(a)(2). In addition, we will be unable to meet the requirements of 10 CFR 72.212(b)(2)(i)(A). Pursuant to 10 CFR 72.212(b)(2)(i)(A), general licensees must perform written evaluations prior to the use of an approved spent fuel storage cask that, in part, establish that the conditions set forth in the cask's CoC have been met.

With regard to the SFSC Heat Removal System, Holtec requested in the Reference 1 letter that licensees be allowed to perform an analysis or evaluation to demonstrate that adequate heat removal is available for the duration of a site-specific design basis event that results in the blockage of one or more of the SFSC inlet or outlet air ducts for an extended period of time (i.e., longer than the Completion Times of LCO 3.1.2). With regard to the BWR Fuel Assembly Characteristics, Holtec requested in the Reference 1 letter a revision to Table 2.1-3 in CoC No. 1014 Appendix B for those fuel assembly parameter limits specified in this exemption request. However, the rulemaking approving these proposed revisions to the HI-STORM 100 cask system CoC No. 1014 is not expected to be issued and become effective before the planned loading of HI-STORM 100 casks at DNPS. Therefore, we are requesting a temporary exemption from the regulations described above until the rulemaking that revises the HI-STORM 100 cask system CoC becomes effective.

The Attachment, "Exemption Request," identifies the specific requirements in the regulations for CoC No 1014 for the HI-STORM 100 cask system that are the subject of the exemption request and contains the associated justification. As explained in the Attachment, the NRC may grant the requested exemption since it is authorized by law,

will not endanger life, property, or the common defense and security, and is otherwise in the public interest.

We are requesting NRC approval of the temporary exemption by March 15, 2001. The requested exemption is needed to allow us to remove DNPS, Units 1 and 2 spent fuel from the DNPS, Unit 2 spent fuel pool (SFP) and load it into storage casks in sufficient time to preserve the full core offload capability of DNPS, Unit 2. DNPS, Unit 2 will lose full core offload capability in the summer of 2001. If full core offload capability is lost and it becomes necessary to unload the core, it will result in DNPS, Unit 2 being unavailable longer than necessary in the future. In order to perform a DNPS, Unit 2 full core offload, we would first have to transfer a portion of the spent fuel assemblies currently in the DNPS, Unit 2 SFP to the DNPS, Unit 3 SFP, thereby rendering DNPS, Unit 3 incapable of full core offload. The overall result will be a decrease in the availability of DNPS, Unit 2 to operate and generate electricity. Once the rulemaking that revises the HI-STORM 100 cask system CoC Appendix B requirements becomes effective, the need for the requested exemption will no longer exist and the exemption could expire.

If you have any questions about this letter, please contact K. M. Root at (630) 663-7292.

Respectfully,



R. M. Krich
Director - Licensing
Mid-West Regional Operating Group

Attachment - Exemption Request

ATTACHMENT

Exemption Request Dresden Nuclear Power Station, Units 1 and 2

- References:
- (1) Holtec International, Inc. letter, "USNRC Docket No. 72-1014; HI-STORM 100 Certificate of Compliance 1014; HI-STORM 100 License Amendment Request 1014-1, Revision 1, Supplement 1," dated October 6, 2000
 - (2) Letter from E. W. Brach (US NRC) to B. Gutherman (Holtec International, Inc.), "Certificate of Compliance for Amendment 1 to the Holtec International, HI-STAR 100 Cask Storage System to Accommodate Revised Cask Components," dated December 21, 2000
 - (3) "Environmental Assessment by the Office of Nuclear Reactor Regulation Regarding Order Authorizing Facility Decommissioning and Amendment of License No. DPR-2 Commonwealth Edison Company Dresden Nuclear Power Station, Unit 1 Docket No. 50-010," dated August 30, 1993
 - (4) "Final Environmental Statement related to the operation of Dresden Nuclear Power Station Units 2 & 3," dated November 1973

I. Specific Exemption Request

In accordance with 10 CFR 72.7, "Specific exemptions," we are requesting NRC approval of a temporary exemption from the requirements of 10 CFR 72.212, "Conditions of general license issued under 10 CFR 72.210," paragraphs (a)(2) and (b)(2)(i)(A), and 10 CFR 72.214, "List of approved spent fuel storage casks." The requirement of 10 CFR 72.212(a)(2) limits the general license to storage of spent fuel only in casks approved by the NRC under the provisions of 10 CFR 72, "Licensing Requirements for the Independent Storage of Spent Nuclear Fuel and High-Level Radioactive Waste." Pursuant to 10 CFR 72.212(b)(2)(i)(A), general licensees must perform written evaluations prior to the use of an approved spent fuel storage cask that, in part, establish that the conditions set forth in the cask's CoC have been met. We are currently storing spent fuel from Dresden Nuclear Power Station (DNPS), Unit 1 in the Holtec International, Inc. (i.e., Holtec) HI-STAR 100 cask system, and plan to store additional spent fuel from DNPS, Units 1 and 2 in the HI-STORM 100 cask system using the general license in 10 CFR 72.210, "General license issued." The HI-STORM 100 cask system produced by Holtec was approved by the NRC for use under the general license and is listed in 10 CFR 72.214 as Certificate of Compliance (CoC) No. 1014.

We have identified two issues regarding compliance with the requirements of CoC No. 1014 concerning our plans to store DNPS, Units 1 and 2 spent fuel in HI-STORM 100 casks. The first involves the time allowed for the Spent Fuel Storage Cask (SFSC) Heat

Removal System to be inoperable. The second involves the characteristics of Boiling Water Reactor (BWR) fuel assemblies allowed to be stored in a HI-STORM 100 cask.

SFSC Heat Removal System

Limiting Condition for Operation (LCO) 3.1.2, "SFSC Heat Removal System," in CoC No. 1014 Appendix A, "Technical Specifications for the HI-STORM 100 Cask System," requires that the SFSC Heat Removal System be operable to preserve the assumptions of the thermal analyses. Operability of the heat removal system ensures that the decay heat generated by the stored fuel assemblies is transferred to the environs at a sufficient rate to maintain the fuel cladding temperature within the design limit. At DNPS, the potential exists for the Required Actions and Completion Times of Condition A, "SFSC Heat Removal System inoperable," and Condition B, "Required Action A.1 and associated Completion Time not met," to not be met as a result of the DNPS design basis flooding accident. The DNPS Probable Maximum Flood (PMF) (i.e., the design basis flood) as described in the Dresden Station Updated Final Safety Analysis Report (UFSAR) Section 2.4.3, "Probable Maximum Flood on Streams and Rivers," and UFSAR Section 3.4.1, "Flood Protection," could result in the HI-STORM cask inlet ducts being partially or fully blocked for a duration of 70 hours. Therefore, for the PMF, blockage of the cask inlet ducts would result in the SFSC Heat Removal System being inoperable for longer than the Completion Times of LCO 3.1.2 Conditions A and B.

Holtec performed an analysis of the HI-STORM cask heat removal system (i.e., in the HI-STORM Safety Analysis Report (SAR) Section 11.2.13, "100% Blockage of Air Inlets") using the thermal modeling methodology described in the SAR for the HI-STORM cask system. The model includes 100% blockage of the HI-STORM cask inlet ducts with no credit for the cooling effect of water on the multi-purpose canister (MPC). Results of the analysis are that the peak cladding temperature of fuel in the cask remains below the SAR allowable temperature limit (i.e., 1058°F) for the duration of the PMF event. We have confirmed that the design basis flood as described in the Dresden Station UFSAR Section 2.4.3 and UFSAR Section 3.4.1 is bounded by the thermal analysis discussed in the HI-STORM SAR Section 11.2.13.

This temporary exemption is being requested to permit us to exceed the Completion Times of LCO 3.1.2 Conditions A and B for an inoperable SFSC Heat Removal System if the design basis flooding accident were to occur at DNPS. With all of the conditions specified in the CoC not met as required by 10 CFR 72.214, we would not meet the requirements of 10 CFR 72.212(a)(2). In addition, we would be unable to meet the requirements of 10 CFR 72.212(b)(2)(i)(A). Pursuant to 10 CFR 72.212(b)(2)(i)(A), general licensees must perform written evaluations prior to the use of an approved spent fuel storage cask that, in part, establish that the conditions set forth in the cask's CoC have been met.

In the Reference 1 letter, Holtec proposed adding Item 3.4.9 to CoC 1014 Appendix B, "Approved Contents and Design Features for the HI-STORM 100 Cask System," Design Features 3.4, "Site-Specific Parameters and Analyses," to allow licensees to perform an analysis or evaluation to demonstrate that adequate heat removal is available for the duration of a site-specific design basis event (e.g., a PMF) that results in the blockage of one or more inlet or outlet air ducts for an extended period of time (i.e., longer than the Completion Times of LCO 3.1.2). However, the rulemaking approving the proposed revision to Appendix B of the HI-STORM 100 cask system CoC No. 1014 is not expected

to be issued and become effective before the planned loading of HI-STORM 100 casks at DNPS. Therefore, we are requesting a temporary exemption from the regulations described above until the rulemaking that revises the HI-STORM 100 cask system CoC becomes effective.

BWR Fuel Assembly Characteristics

Table 2.1-3 (page 1 of 5), "BWR Fuel Assembly Characteristics," in CoC No. 1014 Appendix B specifies, in part, the fuel assembly parameters for fuel assembly array/classes 6x6A, 6x6B, and 8x8A. Some of the fuel assemblies that we plan to store in a HI-STORM cask at DNPS have characteristics outside the specified limits allowed by Appendix B, Table 2.1-3, for the fuel assembly array/classes 6x6A, 6x6B, and 8x8A.

Specifically, some of the DNPS, Unit 1 fuel assemblies have design initial uranium masses slightly above the specified limit (i.e., ≤ 108 kg/assembly), including the tolerance allowed by Table 2.1-3 Note 3, for the fuel assembly array/classes 6x6A and 6x6B. A maximum design initial uranium mass of ≤ 110 kg/assembly will envelop these DNPS, Unit 1 fuel assemblies. In the Reference 1 letter, Holtec requested the maximum design initial uranium mass for the fuel assembly array/classes 6x6A and 6x6B be increased to ≤ 110 kg/assembly as part of Proposed Change No. 25. As stated in the Reference 1 letter, Proposed Change No. 25, this change does not affect the existing structural evaluation or thermal evaluation. In addition, the existing criticality analyses and confinement evaluation are still bounding for the proposed new uranium mass limits. Since the design basis fuel assemblies and the allowable mass loading for the design basis fuel assemblies remain unchanged, the proposed change does not affect the existing shielding analysis.

In addition, some of the DNPS, Unit 1 fuel assemblies do not meet the current limits for fuel rod clad inner diameter (ID), fuel pellet diameter, fuel rod pitch, active fuel length, number of fuel rod locations, number of water rods, and water rod thickness. However, the following limits will envelop the characteristics of those DNPS, Unit 1 fuel assemblies.

Fuel assembly array/class 6x6A fuel rod clad ID ≤ 0.5105 inches
Fuel assembly array/class 6x6A fuel pellet diameter ≤ 0.4980 inches
Fuel assembly array/classes 6x6A and 6x6B fuel rod pitch ≤ 0.710 inches
Fuel assembly array/classes 6x6A, 6x6B, and 8x8A active fuel length ≤ 120 inches
Fuel assembly array/classes 6x6A and 6x6B number of fuel rod locations "35 or 36"
Fuel assembly array/class 8x8A number of fuel rod locations "63 or 64"
Fuel assembly array/classes 6x6A, 6x6B, and 8x8A number of water rods "1 or 0"
Fuel assembly array/classes 6x6A, 6x6B, and 8x8A water rod thickness ≥ 0 inches

In the Reference 1 letter, Holtec requested those fuel assembly parameters' specified limits be revised to the values described above as part of Proposed Change No. 26. As described in the Reference 1 letter, Proposed Change No. 26, this change does not affect the existing structural evaluation or confinement evaluation. Thermal and criticality evaluations were performed for the fuel assembly array/classes 6x6A, 6x6B, and 8x8A. Thermal analyses for the fuel assembly array/classes 6x6A were revised to address the change in the fuel rod clad inner diameter. Criticality analyses for the fuel assembly array/classes 6x6A, 6x6B, and 8x8A were revised to account for the modified dimensions.

This temporary exemption is being requested to permit us to load DNPS, Unit 1 fuel assemblies that have characteristics outside the specified limits allowed by Appendix B, Table 2.1-3, for the fuel assembly array/classes 6x6A, 6x6B, and 8x8A. It is our intention to load one MPC-68F with 68 DNPS, Unit 1 fuel assemblies from the DNPS, Unit 2 Spent Fuel Pool (SFP). Due to cask handling limitations at DNPS, Unit 2, the DNPS, Unit 1 fuel assemblies will not be loaded directly into a HI-STAR cask. The MPC-68F will be transferred from the HI-TRAC transfer cask into an overpack for storage. With all of the conditions specified in the CoC not met as required by 10 CFR 72.214, we will not meet the requirements of 10 CFR 72.212(a)(2). In addition, we will be unable to meet the requirements of 10 CFR 72.212(b)(2)(i)(A). Pursuant to 10 CFR 72.212(b)(2)(i)(A), general licensees must perform written evaluations prior to the use of an approved spent fuel storage cask that, in part, establish that the conditions set forth in the cask's CoC have been met.

In the Reference 1 letter, Holtec requested a revision to the fuel assembly parameter limits for the fuel assembly array/classes 6x6A, 6x6B, and 8x8A. The revised fuel parameters are provided in proposed CoC No. 1014 Appendix B, Table 2.1-3 (page 1 of 5) and would envelop the characteristics of the DNPS, Unit 1 fuel described above. In the Reference 2 letter, the NRC approved the same revision to the fuel assembly parameter limits for the HI-STAR cask system. However, the rulemaking approving that proposed revision to Appendix B of the HI-STORM 100 cask system CoC No. 1014 is not expected to be issued and become effective before the planned loading of HI-STORM 100 casks at DNPS. Therefore, we are requesting a temporary exemption from the regulations described above until the rulemaking that revises the HI-STORM 100 cask system CoC becomes effective.

Specifically, we request an exemption from 10 CFR 72.212(a)(2), 10 CFR 72.212(b)(2)(i)(A), and 10 CFR 72.214 to allow a temporary nonconformance with the HI-STORM 100 cask system CoC No. 1014, Condition 6, "Approved Contents," and Appendix A, "Technical Specifications." This temporary nonconformance with the CoC will exist until the amendment requested by the Reference 1 letter is effective. The requested exemption could expire on the effective date of the NRC rulemaking for the above referenced letter.

II. Basis for the Exemption Request

The criteria for granting specific exemptions from 10 CFR 72 regulations are stated in 10 CFR 72.7. Pursuant to 10 CFR 72.7, the NRC is authorized to grant an exemption upon determining that the exemption is authorized by law, will not endanger life, property, or the common defense and security, and is otherwise in the public interest.

The criteria of 10 CFR 72.7 are satisfied

We have identified two issues regarding compliance with the requirements of CoC No. 1014 concerning our plans to store DNPS, Units 1 and 2 spent fuel in HI-STORM 100 casks. The first involves the time allowed for the Spent Fuel Storage Cask (SFSC) Heat Removal System to be inoperable. The second involves the characteristics of Boiling Water Reactor (BWR) fuel assemblies allowed to be stored in a HI-STORM 100 cask. The requested exemption will permit us to be in nonconformance temporarily with the HI-STORM 100 cask system CoC.

The SAR for the HI-STORM cask system specifies an allowable fuel peak cladding temperature limit of 1058°F. An evaluation of the HI-STORM cask heat removal system has been performed utilizing the PMF condition applicable to the DNPS and thermal modeling methodology described in the SAR for the HI-STORM cask system. Results of the analysis are that the peak cladding temperature of fuel in the cask remains below the SAR allowable temperature limit (i.e., 1058°F) for the duration of the DNPS PMF event. Since the peak cladding temperature limit for the fuel is not exceeded, granting the requested exemption will not endanger life or property.

Table 2.1-3 (page 1 of 5), "BWR Fuel Assembly Characteristics," in CoC No. 1014 Appendix B specifies, in part, the fuel assembly parameters for fuel assembly array/classes 6x6A, 6x6B, and 8x8A. The requested exemption would permit us to load DNPS, Unit 1 fuel assemblies that have characteristics outside the specified limits allowed by Appendix B, Table 2.1-3, for the fuel assembly array/classes 6x6A, 6x6B, and 8x8A. Evaluations have shown that the proposed fuel assembly parameter limits do not affect the existing analyses, are bounded by the existing analyses, or are accounted for in revised analyses. Therefore, granting the requested exemption will not endanger life or property.

The requested exemption is consistent with the common defense and security. The requested exemption would allow us to be in nonconformance temporarily with the HI-STORM 100 cask system CoC for the DNPS. There would be no physical change to the cask systems because of this exemption. Physical security measures at DNPS would not be altered by the requested exemption. Approval of this exemption will not compromise security or the safeguarding of spent fuel stored in a HI-STORM 100 cask system.

The requested exemption is in the public interest because it will permit DNPS, Unit 2 to maintain full core offload capability. The requested exemption is needed to allow us to remove DNPS, Units 1 and 2 spent fuel from the DNPS, Unit 2 spent fuel pool and load it into storage casks in sufficient time to preserve the full core offload capability of DNPS, Unit 2. DNPS, Unit 2 will lose full core offload capability in the summer of 2001. If full core offload capability is lost and it becomes necessary to unload the core, it will result in DNPS, Unit 2 being unavailable longer than necessary in the future. In order to perform a DNPS, Unit 2 full core offload, we would first have to transfer a portion of the spent fuel assemblies currently in the DNPS, Unit 2 SFP to the DNPS, Unit 3 SFP, thereby rendering DNPS, Unit 3 incapable of full core offload. The overall result will be a decrease in the availability of DNPS, Unit 2 to operate and generate electricity. Therefore, granting the requested exemption is in the public interest.

We are scheduled to remove DNPS, Units 1 and 2 spent fuel from the DNPS, Unit 2 spent fuel pool, and load it into storage casks beginning March 19, 2001. There are a number of DNPS, Unit 1 spent fuel assemblies in the DNPS, Unit 2 spent fuel pool. The spent fuel storage strategy we have decided to use requires us to begin cask loading March 19, 2001, in order to preserve the full core offload capability of DNPS, Unit 2. DNPS, Unit 2 will lose full core offload capability in the summer of 2001, i.e., when new fuel arrives for the summer 2001 refueling outage. However, the rulemaking approving the proposed revision to Appendix B of the HI-STORM 100 cask system CoC No. 1014 is not expected to be issued and become effective before the planned loading of HI-STORM casks at DNPS. Therefore, we are requesting a temporary exemption from the regulations described above until the rulemaking that revises the HI-STORM 100 cask system CoC becomes effective. Based upon our loading schedule we will need the requested exemption by March 15, 2001, to allow adequate time for us to finalize the preparations to commence storage cask loading activities on March 19, 2001.

III. ENVIRONMENTAL ASSESSMENT

In accordance with 10 CFR 51.30, "Environmental assessment," and 10 CFR 51.32, "Finding of no significant impact," the following information is provided in support of an environmental assessment and finding of no significant impact for the proposed action. Also, the NRC, in 10 CFR 51.23, "Temporary storage of spent fuel after cessation of reactor operation - generic determination of no significant environmental impact," has already determined that spent fuel can be stored safely and without significant environmental impact at an onsite independent spent fuel storage installation.

The proposed action would grant an exemption from the requirements of 10 CFR 72.212(a)(2), 10 CFR 72.212(b)(2)(i)(A), and 10 CFR 72.214 to allow a temporary nonconformance with the HI-STORM 100 cask system CoC No. 1014 Condition 6, and Appendix A. This temporary nonconformance with the CoC will exist until the amendment requested by the Reference 1 letter becomes effective.

The requested exemption is needed to allow us to load DNPS, Units 1 and 2 spent fuel into storage casks in sufficient time to preserve the full core offload capability of DNPS, Unit 2. DNPS, Unit 2 will lose full core offload capability in the summer of 2001.

The principal alternative to the proposed action would be to deny the requested exemption. Denial of the exemption request would result in no change in environmental impacts. Concerning alternative use of resources, granting the requested exemption will not involve the use of resources not previously considered in the Reference 3 and the Reference 4 environmental assessments.

The proposed action (i.e., granting the exemption) will not increase the probability or consequences of accidents, no changes are being made in the types or quantities of any radiological effluents that may be released offsite, and there is no significant increase in occupational or public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

The proposed action does not affect non-radiological plant effluents and has no other environmental impact. Therefore, there are no significant non-radiological impacts associated with the proposed action.

The environmental impacts of the proposed action and the alternative action are similar. Based on the assessment above, the proposed action will not have a significant effect on the quality of the human environment.

IV. CONCLUSION

We consider that this exemption request is in accordance with the criteria of 10 CFR 72.7. The requested temporary exemption from the requirements of 10 CFR 72.212(a)(2), 10 CFR 72.212(b)(2)(i)(A), and 10 CFR 72.214 is authorized by law, will not endanger life, property, or the common defense and security, and is otherwise in the public interest.

There are no adverse environmental impacts associated with this specific exemption.