

February 25, 1991

Docket No. 50-317

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Mr. G. C. Creel
 Vice President - Nuclear Energy
 Baltimore Gas and Electric Company
 Calvert Cliffs Nuclear Power Plant
 MD Rts 2 & 4
 P. O. Box 1535
 Lusby, Maryland 20657

Dear Mr. Creel:

SUBJECT: ISSUANCE OF A ONE-TIME SCHEDULE EXEMPTION FROM THE REQUIREMENT OF
 10 CFR PART 50, APPENDIX J, PARAGRAPH III.D.3, FOR THE CALVERT CLIFFS
 NUCLEAR POWER PLANT, UNIT 1, (TAC NO. 79460)

The Nuclear Regulatory Commission, pursuant to 10 CFR 50.12, has granted the enclosed one-time schedule exemption to 10 CFR Part 50, Paragraph III.D.3, regarding the performance of a local leak rate test (LLRT) on containment isolation valve 1-CVC-515 for Calvert Cliffs, Unit 1. This one-time schedule exemption extends the required test date from March 23, 1991, to June 21, 1991, which is about a three month period.

We find that granting the exemption is authorized by law, will not present an undue risk to the public health and safety, is consistent with the common defense and security, and meets the special circumstances described in 10 CFR 12(a)(2)(iii) and (a)(2)(v) as detailed in the enclosed Exemption. Therefore, your requested exemption is granted.

A copy of this Exemption is being filed with the Office of the Federal Register for publication.

Sincerely,
 ORIGINAL SIGNED BY:
 Daniel G. McDonald, Senior Project Manager
 Project Directorate I-1
 Division of Reactor Projects - I/II
 Office of Nuclear Reactor Regulation

Enclosure:
 Exemption

cc w/enclosure:
 See next page

*See previous concurrence

PDI-1:LA* PDI-1:PM* OGC*
 CVogan DMcDonald:rsc

ROC
 PDI-1:D
 RACapra
 2/25/91

07/25/91
 PDI-1:ADRI
 EGreenman

2/25/91
 DRP:
 SVarga

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

February 25, 1991

Docket No. 50-317

Mr. G. C. Creel
Vice President - Nuclear Energy
Baltimore Gas and Electric Company
Calvert Cliffs Nuclear Power Plant
MD Rts 2 & 4
P. O. Box 1535
Lusby, Maryland 20657

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Sincerely,

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Daniel G. McDonald, Senior Project Manager
Project Directorate I-1
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Enclosure:
Exemption

cc w/enclosure:
See next page

Mr. G. C. Creel
Baltimore Gas & Electric Company

Calvert Cliffs Nuclear Power Plant

cc:

Mr. William T. Bowen, President
Calvert County Board of
Commissioners
Prince Frederick, Maryland 20678

Mr. Joseph H. Walter
Engineering Division
Public Service Commission of Maryland
American Building
231 E. Baltimore Street
Baltimore, Maryland 21202-3486

D. A. Brune, Esq.
General Counsel
Baltimore Gas and Electric Company
P. O. Box 1475
Baltimore, Maryland 21203

Ms. Kirsten A. Burger, Esq.
Maryland People's Counsel
American Building, 9th Floor
231 E. Baltimore Street
Baltimore, Maryland 21202

Mr. Jay E. Silberg, Esq.
Shaw, Pittman, Potts and Trowbridge
2300 N Street, NW
Washington, DC 20037

Ms. Patricia Birnie
Co-Director
Maryland Safe Energy Coalition
P. O. Box 902
Columbia, Maryland 21044

Ms. G. L. Adams, Licensing
Calvert Cliffs Nuclear Power Plant
MD Rts 2 & 4,
P. O. Box 1535
Lusby, Maryland 20657

Resident Inspector
c/o U.S. Nuclear Regulatory Commission
P. O. Box 437
Lusby, Maryland 20657

Mr. Richard McLean
Administrator - Radioecology
Department of Natural Resources
580 Taylor Avenue
Tawes State Office Building
PPER B3
Annapolis, Maryland 21401

Regional Administrator, Region I
U.S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, Pennsylvania 19406

UNITED STATES NUCLEAR REGULATORY COMMISSION

In the Matter of

BALTIMORE GAS AND ELECTRIC
COMPANY

(Calvert Cliffs Nuclear Power
Plant, Unit 1)

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Docket No. 50-317

EXEMPTION

I.

The Baltimore Gas and Electric Company (BG&E/licensee) is the holder of Facility Operating License No. DPR-53, which authorizes operation of the Calvert Cliffs Nuclear Power Plant, Unit 1 (the facility). The license provides, among other things, that the facility is subject to all rules, regulations and Orders of the Nuclear Regulatory Commission (the Commission) now or hereafter in effect.

The facility is a pressurized water reactor located at the licensee's site in Calvert County, Maryland.

II.

10 CFR Part 50, Appendix J, Paragraph III.D.3, requires that licensees perform Type C tests during each reactor shutdown for refueling but in no case at intervals greater than 2 years. Type C tests are local leak rate tests (LLRTs) of containment isolation valves.

III.

By letter dated January 18, 1991, the licensee requested a one-time schedule exemption from 10 CFR Part 50, Appendix J, Paragraph III.D.3. Specifically the licensee requested a schedule exemption to extend the Type C test (LLRT) on containment isolation valve 1-CVC-515 from March 23, 1991, to June 21, 1991, which is about a three month delay extension beyond the 24-month limit specified in the regulation.

The Commission may grant exemptions from the requirements of the regulations which, pursuant to 10 CFR 50.12(a), are: (1) authorized by law, will not present an undue risk to the public health and safety, and are consistent with the common defense and security; and (2) present special circumstances. Section 50.12(a)(2)(iii) of 10 CFR Part 50 indicates that special circumstance exist when compliance would result in undue hardship or other costs that are significantly in excess of those contemplated when the regulation was adopted, or significantly in excess of those incurred by others similarly situated. Section 50.12(a)(2)(v) of 10 CFR Part 50 indicates that special circumstances exist when an exemption would provide only temporary relief from the applicable regulation and the licensee has made good faith efforts to comply with the regulation.

IV.

The proposed exemption will not change plant equipment, operation or procedures, and does not adversely affect either the probability or the consequences of any accident at this facility. The licensee performed maintenance on containment isolation valve 1-CVC-515 in March of 1989 which

resulted in the required LLRT being performed on the valve three months earlier than the other Unit 1 containment isolation valves requiring the LLRTs in accordance with the schedule of the above cited regulation. This was initially considered acceptable based on the projected schedule for the Unit 1 spring 1991 outage and projected startup of Unit 2. However, due to area electrical power needs, the Pennsylvania-New Jersey-Maryland (PJM) Network requested that the licensee not shut down the Unit until late in March. In addition, subsequent delays in the startup of Unit 2 would result in conflicts for the licensee's plant staff to provide optimal support for the initial startup process for Unit 2 and shutdown of Unit 1. The requested extension will provide the licensee flexibility to perform its Unit 1 outage tasks while allowing for improved coordination of plant staff to support both units in a safe and efficient manner.

The proposed exemption constitutes a three-month delay in performing the Type C test (LLRT) on containment isolation valve 1-CVC-515. As noted, the extension will accommodate the current schedule for both units, allow the licensee flexibility to perform required tasks, and also allow for improved coordination of the plant staff to support activities of both units in a safe and efficient manner.

Strict compliance with the schedule required by the regulation would result in undue hardship or other costs that are significantly in excess of those contemplated when the regulation was adapted. The requirement to LLRT the containment isolation valves during reactor shutdown, but in no case at intervals greater than two years, presumed that the time interval was adequate

to perform the required tests on all the valves during a scheduled refueling outage. As noted, the valve 1-CVC-515 LLRT was performed three months early due to required maintenance and strict compliance with the schedule requirements of the regulation would result in early plant shutdown and impact the current area energy needs. Specifically, unplanned preparation and startup of other generation capacity for the PJM Network, would be necessary. Thus, there are special circumstances present which satisfy 10 CFR 50.12(a)(2)(iii).

The licensee has made a good effort to comply with the regulations. The required LLRTs have been performed in accordance with the schedule specified in the regulations during previous planned outages. The initial planning and scheduling allowed for the 1-CVC-515 valve to be tested in the upcoming outage and returned to the same sequence as the other valves. However, the unanticipated supply requirements and schedule changes for both units have necessitated the one-time extension request. Thus, there are special circumstances present which satisfy 10 CFR 50.12(a)(2)(v).

V.

Accordingly, the Commission has determined, pursuant to 10 CFR 50.12(a), that (1) an exemption as described in Section III is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security and (2) in this case, special circumstances are present as described in Section IV. Therefore, the Commission hereby grants the following exemption:

Accordingly, the Commission hereby grants a one-time exemption, as described in Section III above from 10 CFR Part 50, Appendix J, Paragraph III.D.3,

regarding the schedule for performance of LLRT on containment isolation valve 1-CVC-515 for Calvert Cliffs, Unit 1. This one-time schedule exemption extends the required test date from March 23, 1991 to June 21, 1991.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption extension would have no significant effect on the quality of the human environment (56 FR 7420).

This Exemption is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in black ink, appearing to read "Steven A. Varga", is written over the typed name and title.

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

Dated at Rockville, Maryland,
this 25th day of February 1991.

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Pursuant to 10 CFR 51.32, the Commission had determined that the granting of this exemption extension would have no significant effect on the quality of the human environment (56 FR 7420).

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 25th day of February 1991.

*See previous concurrence

PDI-1:LA
CVogan *ed*
2/25/91

[Signature]
PDI-1:PM
DMcDonald:rsc
02/25

OGC*

ROC
PDI-1:D
RACapra
2/25/90

[Signature] 2/25/91
PDI-1:ADRI
EGreenman

2/25/91
[Signature]
DRP:D
SVarga

February 25, 1991

Docket No. 50-317

Mr. G. C. Creel
Vice President - Nuclear Energy
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T.Murley/F.Miraglia
CRossi
EGreenman
DMcDonald
EJordan
ACRS (10)
JLinville
Plant File

Dear Mr. Creel:

SUBJECT: ISSUANCE OF A ONE-TIME SCHEDULE EXEMPTION FROM THE REQUIREMENT OF 10 CFR PART 50, APPENDIX J, PARAGRAPH III.D.3, FOR THE CALVERT CLIFFS NUCLEAR POWER PLANT, UNIT 1, (TAC NO. 79460)

The Nuclear Regulatory Commission, pursuant to 10 CFR 50.12, has granted the enclosed one-time schedule exemption to 10 CFR Part 50, Paragraph III.D.3, regarding the performance of a local leak rate test (LLRT) on containment isolation valve 1-CVC-515 for Calvert Cliffs, Unit 1. This one-time schedule exemption extends the required test date from March 23, 1991, to June 21, 1991, which is about a three month period.

We find that granting the exemption is authorized by law, will not present an undue risk to the public health and safety, is consistent with the common defense and security, and meets the special circumstances described in 10 CFR 12(a)(2)(iii) and (a)(2)(v) as detailed in the enclosed Exemption. Therefore, your requested exemption is granted.

A copy of this Exemption is being filed with the Office of the Federal Register for publication.

Sincerely,
ORIGINAL SIGNED BY:
Daniel G. McDonald, Senior Project Manager
Project Directorate I-1
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Enclosure:
Exemption

cc w/enclosure:
See next page

*See previous concurrence

PDI-1:LA* PDI-1:PM* OGC*
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RAC
PDI-1:D
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2/25/91

07/25/91
PDI-1:ADRI
EGreenman

2/25/91
DRP:D
SVarga



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D. C. 20555

February 25, 1991

Docket No. 50-317

Mr. G. C. Creel
Vice President - Nuclear Energy
Baltimore Gas and Electric Company
Calvert Cliffs Nuclear Power Plant
MD Rts 2 & 4
P. O. Box 1535
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Daniel G. McDonald, Senior Project Manager
Project Directorate I-1
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

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Exemption

cc w/enclosure:
See next page

Mr. G. C. Creel
Baltimore Gas & Electric Company

Calvert Cliffs Nuclear Power Plant

cc:

Mr. William T. Bowen, President
Calvert County Board of
Commissioners
Prince Frederick, Maryland 20678

Mr. Joseph H. Walter
Engineering Division
Public Service Commission of Maryland
American Building
231 E. Baltimore Street
Baltimore, Maryland 21202-3486

D. A. Brune, Esq.
General Counsel
Baltimore Gas and Electric Company
P. O. Box 1475
Baltimore, Maryland 21203

Ms. Kirsten A. Burger, Esq.
Maryland People's Counsel
American Building, 9th Floor
231 E. Baltimore Street
Baltimore, Maryland 21202

Mr. Jay E. Silberg, Esq.
Shaw, Pittman, Potts and Trowbridge
2300 N Street, NW
Washington, DC 20037

Ms. Patricia Birnie
Co-Director
Maryland Safe Energy Coalition
P. O. Box 902
Columbia, Maryland 21044

Ms. G. L. Adams, Licensing
Calvert Cliffs Nuclear Power Plant
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P. O. Box 1535
Lusby, Maryland 20657

Resident Inspector
c/o U.S. Nuclear Regulatory Commission
P. O. Box 437
Lusby, Maryland 20657

Mr. Richard McLean
Administrator - Radioecology
Department of Natural Resources
580 Taylor Avenue
Tawes State Office Building
PPER B3
Annapolis, Maryland 21401

Regional Administrator, Region I
U.S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, Pennsylvania 19406

III.

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V.

Accordingly, the Commission has determined, pursuant to 10 CFR 50.12(a), that (1) an exemption as described in Section III is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security and (2) in this case, special circumstances are present as described in Section IV. Therefore, the Commission hereby grants the following exemption:

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Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption extension would have no significant effect on the quality of the human environment (56 FR 7420).

This Exemption is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

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

Dated at Rockville, Maryland,
this 25th day of February 1991.

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Steven A. Varga, Director
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Dated at Rockville, Maryland,
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*See previous concurrence

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