Docket File 50-373

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 10, 1995

Mr. D. L. Farrar, Manager
Nuclear Regulatory Services
Commonwealth Edison Company
Executive Towers West III
1400 Opus Place, Suite 500
Downers Grove, IL 60515

SUBJECT: LASALLE COUNTY STATION, UNITS 1 AND 2 - ISSUANCE OF EXEMPTION TO 10 CFR PART 50, APPENDIX J (TAC NOS. M90700 AND M90701)

Dear Mr. Farrar:

By letter October 24, 1994, Commonwealth Edison Company requested an exemption from certain requirements of Appendix J to 10 CFR Part 50 for LaSalle County Station, Units 1 and 2.

The requested exemption consists of: (1) a one-time exemption for LaSalle County Station, Unit 2, from the requirements of Section III.A.6(b) of Appendix J to 10 CFR Part 50 in support of not performing a Type A test during the sixth refueling outage even though two consecutive successful Type A tests have not been completed following unsuccessful tests during the third and fourth refueling outages, and (2) an exemption from the requirements of Section III.D.1(a) of Appendix J in order to not require the third test of each set of three Type A tests during the 10-year service period to coincide with the 10-year plant inservice inspections. Your letter of October 24, 1994, requested an amendment to the LaSalle County Station, Units 1 and 2, Technical Specifications in support of the requested exemptions from the requirements of Appendix J. The staff has addressed the license amendment request separately from the issuance of this exemption.

The Commission has granted this exemption pursuant to 10 CFR 50.12. Although requested as a permanent exemption, the exemption from the requirements of Section III.D.1(a) of Appendix J related to the third test coinciding with the 10-year plant inservice inspections has been granted as a one-time exemption for the first 10-year inservice inspection interval. The exemption is, in effect, limited to the Type A test planned for the current Unit 2 outage since

160008

Unit 1 has completed the required Type A tests during its first inservice inspection interval. A copy of the Exemption is being forwarded to the Office of the Federal Register for publication.

Sincerely,

Elinor G. Adensam

Elinor G. Adensam, Acting Director
Division of Reactor Projects - III/IV
Office of Nuclear Reactor Regulation

Docket Nos. 50-373, 50-374

Enclosure: Exemption

cc w/encl: see next page

Unit 1 has completed the required Type A tests during its first inservice inspection interval. A copy of the Exemption is being forwarded to the Office of the Federal Register for publication.

Sincerely,

Original signed by:

Elinor G. Adensam, Acting Director
Division of Reactor Projects - III/IV
Office of Nuclear Reactor Regulation

Docket Nos. 50-373, 50-374

Enclosure: Exemption

cc w/encl: see next page

DISTRIBUTION:

Docket File	PUBLIC	E. Adensam
PDIII-2 R/F	W. Russell/F. Miraglia	OGC
R. Zimmerman	R. Spessard, D/DOTS	
R. Capra	J. Lieberman, D/OE	
C. Moore	W. Reckley	
R. Barrett	E. Jordan, D/AEOD, T-4 D18	
G. Hill (4)	ACRS (4), T-2 E26	
OPA, O-2 G5	OC/LFDCB, T-9 E10	
B. McCabe O-17 G21	B. Clayton, DRP RIII	

DOCUMENT NAME: LASALLE\ILRT.EXP *See previous concurrence

To receive a copy of this document, indicate in the box: "C" = Copy without enclosures "E" = Copy with enclosures "N" = No copy

OFFICE	LA:PDIII-2	PM:PDIII-2	BC:SCSB	OGC	PD:PDIII-2	D:DRPW
NAME	C. Moore	W. Reckley:lm	R. Barrett	C. Marco	R. Capra	E. Adensam
DATE	03/ /95	03/7/95	02/17/95*	02/28/95*	03/07/95	03/8/95

OFFICIAL RECORD COPY

cc:

Phillip P. Steptoe, Esquire
Sidley and Austin
One First National Plaza
Chicago, Illinois 60603

Assistant Attorney General
100 West Randolph Street
Suite 12
Chicago, Illinois 60601

U.S. Nuclear Regulatory Commission
Resident Inspectors Office LaSalle Station
2605 N. 21st Road
Marseilles, Illinois 61341-9756

Chairman
LaSalle County Board of Supervisors
LaSalle County Courthouse
Ottawa, Illinois 61350

Attorney General
500 South Second Street
Springfield, Illinois 62701

Chairman
Illinois Commerce Commission
Leland Building
527 East Capitol Avenue
Springfield, Illinois 62706

Illinois Department of Nuclear Safety
Office of Nuclear Facility Safety
1035 Outer Park Drive
Springfield, Illinois 62704

Regional Administrator
U.S. NRC, Region III
801 Warrenville Road
Lisle, Illinois 60532-4351

LaSalle Station Manager
LaSalle County Station
Rural Route 1
P.O. Box 220
Marseilles, Illinois 61341

Robert Cushing
Chief, Public Utilities Division
Illinois Attorney General's Office
100 West Randolph Street
Chicago, Illinois 60601

Michael I. Miller, Esquire
Sidley and Austin
One First National Plaza
Chicago, Illinois 60690

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
COMMONWEALTH EDISON COMPANY	)	Docket Nos. 50-373
	)	50-374
(LaSalle County Station,	)	
Units 1 and 2)	)	

EXEMPTION

I.

Commonwealth Edison Company (ComEd, the licensee) is the holder of Facility Operating License Nos. NPF-11 and NPF-18, which authorize operation of the LaSalle County Station, Units 1 and 2 (the facility), at a steady state power level not in excess of 3323 megawatts thermal. The facility consists of two boiling water reactors at the licensee's site located in LaSalle County, Illinois. The licenses provide, among other things, that they are subject to all rules, regulations, and orders of the U. S. Nuclear Regulatory Commission (the Commission) now or hereafter in effect.

II.

Section III.A.6(b) of Appendix J to 10 CFR Part 50 states the following in regard to performing Overall Integrated Containment Leakage Rate (Type A) Tests (ILRT):

> If two consecutive periodic Type A tests fail to meet the applicable acceptance criteria in III.A.5(b), notwithstanding the periodic retest schedule of III.D., a Type A test shall be performed at each plant shutdown for refueling or approximately every 18 months, whichever occurs first, until two consecutive

Type A tests meet the acceptance criteria in III.A.5(b), after which time the retest schedule specified in III.D. may be resumed.

The Type A tests performed during the first, third and fourth refueling outages for LaSalle County Station, Unit 2, were considered to be failures in the "as-found" condition due to penalties incurred as a result of leakage measured in Type B and C local leak rate tests (LLRT). Pursuant to Section III.A.6(b) of Appendix J, Type A testing was performed during the fifth refueling outage for LaSalle County Station, Unit 2, in December 1993. That Type A test satisfied the "as-found" acceptance criteria. Section III.A.6(b) of Appendix J requires an additional Type A test during the sixth refueling outage, currently scheduled for February 1995, in order to fulfil the condition of two consecutive successful tests prior to resuming the Type A test interval of Section III.D.

As an alternative to performing the required Type A test, the licensee has submitted a Corrective Action Plan to address excessive local leakage in accordance with the guidance provided in NRC Information Notice 85-71, "Containment Integrated Leak Rate Tests," dated August 22, 1985. The Corrective Action Plan is in lieu of the increased test frequency required by Section III.A.6(b) and, therefore, an exemption from this requirement is needed.

Section III.D.1(a) of Appendix J requires "... 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 last refueling outage for Unit 2 during the first 10-year inservice inspection period is the sixth refueling outage scheduled for February 1995. Therefore, in addition to

the requirements for additional testing specified in Section III.A.6(b), a Type A test is required during the upcoming Unit 2 refueling outage as a result of the periodic retest schedule contained in Section III.D.1(a). To address the short-term desire not to perform a Type A test during the sixth refueling outage for Unit 2 and avoid potential future problems, the licensee has requested an exemption from this requirement such that future Type A tests would not need to coincide with the end of 10-year inservice inspection periods.

The NRC may grant exemptions from the requirements of the regulations, pursuant to 10 CFR 50.12, that (1) are 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) of 10 CFR Part 50 describes special circumstances as including cases that would not serve the underlying purpose of the rule or are not necessary to achieve the underlying purpose of the rule.

III.

The underlying purpose of the requirements in Appendix J is to ensure that containment leakage remains below criteria established to limit the release of radioactive materials in the event of a design basis accident. The Type A test is defined in 10 CFR Part 50, Appendix J, Section II.F, as a "test intended to measure the primary reactor containment overall integrated leakage rate (1) after the containment has been completed and is ready for operation, and (2) at periodic intervals thereafter." Containment leakage is measured during the periodic testing required by Section III.D.1(a) and the additional testing requirements of Section III.A.6 if the measured leakage

exceeds the established limits. The testing and other requirements contained in Appendix J ensure that leakage from the containment structure and penetrations remain below the acceptance criteria.

The licensee conducted four ILRTs during the first 10-year service period for Unit 1. For Unit 2, ILRTs were performed during the first, third, fourth, and fifth refueling outages. The Type A test history for Unit 2 is that the measured leakage rates for Type B and C penetrations, when added to the measured results from the Type A test, resulted in an "as-found" integrated leakage rate above the acceptance criteria. These test failures were the direct result of leakage penalties from Type B and C LLRTs.

Leakage from specific containment penetrations that have been major contributors to the failure of the integrated leakage rate acceptance criteria for Unit 2 have been identified. These leakage paths include isolation valves associated with the drywell equipment and floor drain sumps, reactor water cleanup suction, transversing incore probe air purge supply, residual heat removal shutdown cooling return, hydrogen recombiners, and primary containment chilled water supply. The leakage associated with the reactor water cleanup suction penetration provided the overwhelming contribution of local leakage penalty that resulted in the unsuccessful test during the fourth refueling outage. Leakage through the various isolation valves has been attributed to causes such as the introduction of foreign materials, misapplication of valve types, insufficient seating, defective valve internals, and failure of valve motor operators. Specific corrective actions have addressed the above contributors by improving foreign material exclusion controls, replacing and refurbishing valves, revising test procedures, and cleaning and lapping

seating surfaces. Overall performance of the identified penetrations has improved significantly.

In addition to the specific corrective actions taken for the above isolation valves, the licensee's Corrective Action Plan includes programmatic changes to limit the leakage occurring from Type C penetrations. These changes include development and implementation of an improved trending program to track penetration and valve leakage rate performance. The improved trending will be designed to help determine any patterns or groups of valves that demonstrate either good or poor leakage behavior. Those penetrations determined to be susceptible to excessive leakage will also be subject to additional testing requirements beyond that routinely performed during refueling outages. Identified penetrations will be subject to Type B or C testing during any non-refueling outage for which a unit is in cold shutdown for fourteen days or longer. Poorly performing penetrations will also be reviewed for possible improvements in testing methods as well as possible repair, modification, or replacement of isolation devices.

As discussed in Information Notice 85-71, the staff has determined that:

> "... if Type B and C leakage rates constitute an identified contributor to this failure of the "as-found" condition for the Type A test, the general purpose of maintaining a high degree of containment integrity might be better served through an improved maintenance and testing program for containment penetration boundaries and isolation valves. In this situation, the licensee may submit a Corrective Action Plan with an alternative leakage test program proposal as an exemption request for NRC staff review. If this submittal is approved by the NRC staff, the licensee may implement the corrective action and alternative leakage test program in lieu of the required increase in Type A test frequency incurred after the failure of two successive Type A tests."

The licensee's Corrective Action Plan describes the modification, testing and preventive maintenance programs implemented or planned to decrease the leakage from poorly performing isolation devices. The specific corrective actions performed to date and the programmatic changes associated with ensuring future performance of penetrations provide an equivalent degree of assurance that containment integrity will be maintained as that provided by an additional Type A test performed on the accelerated frequency specified by Section III.A.6(b) of Appendix J. The NRC staff concludes that a return to the normal retest interval of Section III.D of Appendix J is justified and that the corrective actions taken and the creation of the Corrective Action Plan for local leak rate testing adequately address the underlying purpose of the requirements of Appendix J.

In the absence of the additional testing requirements of Section III.A.6(b), a periodic retest schedule is specified in Section III.D.1(a). This retest schedule requires a minimum of three tests during a 10-year service period with the third test coinciding with the 10-year plant inservice inspections. LaSalle, Unit 1, completed four tests during the first ten year interval with the last test coinciding with the 10-year plant inservice inspections. Due to experiencing Type A test failures, Unit 2 has performed four tests during the first 10-year service period and without the requested exemptions would be required to perform a fifth Type A test during the sixth refueling outage. The sixth refueling outage for Unit 2 is the last refueling outage of the 10-year inservice inspection period and, therefore, the Type A test is required based on the requirements of Section III.D.1(a) as well as the previously discussed requirements of Section III.A.6(b).

Pursuant to Section II.F of Appendix J, the intent of Type A testing is "...to measure the primary reactor containment overall integrated leakage rate ... at periodic intervals...." The licensee has conducted a total of eight ILRTs for LaSalle, Units 1 and 2. The tests conclude that the largest variations in the measured overall leak rates result from the adjustments required to account for leakage from Type B and C penetrations. Leakage from sources other than those covered by Type B and C testing, such as the containment structure itself, have repeatedly been well below the acceptance criteria. The requested exemption from Section III.D.1(a) does not affect the performance of local leak rate testing which would be expected to detect the most probable sources of containment leakage. As discussed above, the licensee will not only continue routine Type B and C testing during each refueling outage, but will also attempt to minimize local leakage in accordance with their Corrective Action Plan.

The proposed exemption from Section III.D.1(a) does not revise the expected Type A test interval of between thirty and fifty months which is derived from the requirement to perform three tests in each ten year period at approximately equal intervals. For example, Unit 2 performed a Type A test during the fifth refueling outage in December 1993 and, with the proposed exemption, will perform another Type A test during the seventh refueling outage scheduled to begin in late 1996. The licensee has only proposed to exempt the requirement to perform a Type A test during the 10-year plant inservice inspections. Given the continued performance of Type A testing at approximately equal intervals of forty months and the performance of Type B and C testing at the required intervals to identify the most probable sources

of containment leakage, the NRC staff finds that performance of Type A tests coincident with 10-year plant inservice inspections is not necessary to achieve the underlying purpose of the rule.

On the bases of the above discussions related to Sections III.A.6(b) and III.D.1(a) of Appendix J, the NRC staff finds that the licensee has demonstrated that special circumstances are present as required by 10 CFR 50.12. Further, the staff finds that providing a one-time exemption of the additional testing requirements of Section III.A.6(b) and an exemption from the requirement to perform a Type A test coincident with the first 10-year plant inservice inspections pursuant to Section III.D.1(a) will not present undue risk to the public health and safety. Although requested as a permanent exemption, the exemption from the requirements of Section III.D.1(a) of Appendix J related to the third test coinciding with the 10-year plant inservice inspections has been granted as a one-time exemption for the first 10-year inservice inspection interval. The exemption is, in effect, limited to the Type A test planned for the current Unit 2 outage since Unit 1 has completed the required Type A tests during its first inservice inspection interval. Future relationships between Appendix J and inservice inspection intervals can be addressed by anticipated changes to Appendix J or requests for exemptions from the current requirements.

IV.

Accordingly, the Commission has determined pursuant to 10 CFR 50.12, these exemptions are authorized by law and will not endanger life or property or the common defense and security and are otherwise in the public interest. Therefore, the Commission hereby grants an exemption from the additional

testing requirements of Section III.A.6(b) of Appendix J to 10 CFR Part 50 to allow the licensee to resume the Type A test interval of Section III.D for LaSalle, Unit 2, and an exemption from the requirements of Section III.D.1(a) of Appendix J to allow the licensee to de-couple the Type A testing and the first 10-year plant inservice inspections for LaSalle, Unit 2.

Pursuant to 10 CFR 31.32, the Commission determined that the granting of this exemption will have no significant impact on the quality of the human environment (60 FR 13187).

FOR THE NUCLEAR REGULATORY COMMISSION

Elinor G. Adensam, Acting Director
Division of Reactor Projects III/IV
Office of Nuclear Reactor Regulation

Dated at Rockville, Maryland
this 10th day of March 1995

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
COMMONWEALTH EDISON COMPANY	)	Docket Nos. 50-373
	)	50-374
(LaSalle County Station, Units 1 and 2)	)	
	)	

EXEMPTION

I.

Commonwealth Edison Company (ComEd, the licensee) is the holder of Facility Operating License Nos. NPF-11 and NPF-18, which authorize operation of the LaSalle County Station, Units 1 and 2 (the facility), at a steady state power level not in excess of 3323 megawatts thermal. The facility consists of two boiling water reactors at the licensee's site located in LaSalle County, Illinois. The licenses provide, among other things, that they are subject to all rules, regulations, and orders of the U. S. Nuclear Regulatory Commission (the Commission) now or hereafter in effect.

II.

Section III.A.6(b) of Appendix J to 10 CFR Part 50 states the following in regard to performing Overall Integrated Containment Leakage Rate (Type A) Tests (ILRT):

> If two consecutive periodic Type A tests fail to meet the applicable acceptance criteria in III.A.5(b), notwithstanding the periodic retest schedule of III.D., a Type A test shall be performed at each plant shutdown for refueling or approximately every 18 months, whichever occurs first, until two consecutive

Type A tests meet the acceptance criteria in III.A.5(b), after which time the retest schedule specified in III.D. may be resumed.

The Type A tests performed during the first, third and fourth refueling outages for LaSalle County Station, Unit 2, were considered to be failures in the "as-found" condition due to penalties incurred as a result of leakage measured in Type B and C local leak rate tests (LLRT). Pursuant to Section III.A.6(b) of Appendix J, Type A testing was performed during the fifth refueling outage for LaSalle County Station, Unit 2, in December 1993. That Type A test satisfied the "as-found" acceptance criteria. Section III.A.6(b) of Appendix J requires an additional Type A test during the sixth refueling outage, currently scheduled for February 1995, in order to fulfil the condition of two consecutive successful tests prior to resuming the Type A test interval of Section III.D.

As an alternative to performing the required Type A test, the licensee has submitted a Corrective Action Plan to address excessive local leakage in accordance with the guidance provided in NRC Information Notice 85-71, "Containment Integrated Leak Rate Tests," dated August 22, 1985. The Corrective Action Plan is in lieu of the increased test frequency required by Section III.A.6(b) and, therefore, an exemption from this requirement is needed.

Section III.D.1(a) of Appendix J requires "... 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 last refueling outage for Unit 2 during the first 10-year inservice inspection period is the sixth refueling outage scheduled for February 1995. Therefore, in addition to

the requirements for additional testing specified in Section III.A.6(b), a Type A test is required during the upcoming Unit 2 refueling outage as a result of the periodic retest schedule contained in Section III.D.1(a). To address the short-term desire not to perform a Type A test during the sixth refueling outage for Unit 2 and avoid potential future problems, the licensee has requested an exemption from this requirement such that future Type A tests would not need to coincide with the end of 10-year inservice inspection periods.

The NRC may grant exemptions from the requirements of the regulations, pursuant to 10 CFR 50.12, that (1) are 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) of 10 CFR Part 50 describes special circumstances as including cases that would not serve the underlying purpose of the rule or are not necessary to achieve the underlying purpose of the rule.

III.

The underlying purpose of the requirements in Appendix J is to ensure that containment leakage remains below criteria established to limit the release of radioactive materials in the event of a design basis accident. The Type A test is defined in 10 CFR Part 50, Appendix J, Section II.F, as a "test intended to measure the primary reactor containment overall integrated leakage rate (1) after the containment has been completed and is ready for operation, and (2) at periodic intervals thereafter." Containment leakage is measured during the periodic testing required by Section III.D.1(a) and the additional testing requirements of Section III.A.6 if the measured leakage

exceeds the established limits. The testing and other requirements contained in Appendix J ensure that leakage from the containment structure and penetrations remain below the acceptance criteria.

The licensee conducted four ILRTs during the first 10-year service period for Unit 1. For Unit 2, ILRTs were performed during the first, third, fourth, and fifth refueling outages. The Type A test history for Unit 2 is that the measured leakage rates for Type B and C penetrations, when added to the measured results from the Type A test, resulted in an "as-found" integrated leakage rate above the acceptance criteria. These test failures were the direct result of leakage penalties from Type B and C LLRTs.

Leakage from specific containment penetrations that have been major contributors to the failure of the integrated leakage rate acceptance criteria for Unit 2 have been identified. These leakage paths include isolation valves associated with the drywell equipment and floor drain sumps, reactor water cleanup suction, transversing incore probe air purge supply, residual heat removal shutdown cooling return, hydrogen recombiners, and primary containment chilled water supply. The leakage associated with the reactor water cleanup suction penetration provided the overwhelming contribution of local leakage penalty that resulted in the unsuccessful test during the fourth refueling outage. Leakage through the various isolation valves has been attributed to causes such as the introduction of foreign materials, misapplication of valve types, insufficient seating, defective valve internals, and failure of valve motor operators. Specific corrective actions have addressed the above contributors by improving foreign material exclusion controls, replacing and refurbishing valves, revising test procedures, and cleaning and lapping

seating surfaces. Overall performance of the identified penetrations has improved significantly.

In addition to the specific corrective actions taken for the above isolation valves, the licensee's Corrective Action Plan includes programmatic changes to limit the leakage occurring from Type C penetrations. These changes include development and implementation of an improved trending program to track penetration and valve leakage rate performance. The improved trending will be designed to help determine any patterns or groups of valves that demonstrate either good or poor leakage behavior. Those penetrations determined to be susceptible to excessive leakage will also be subject to additional testing requirements beyond that routinely performed during refueling outages. Identified penetrations will be subject to Type B or C testing during any non-refueling outage for which a unit is in cold shutdown for fourteen days or longer. Poorly performing penetrations will also be reviewed for possible improvements in testing methods as well as possible repair, modification, or replacement of isolation devices.

As discussed in Information Notice 85-71, the staff has determined that:

> "... if Type B and C leakage rates constitute an identified contributor to this failure of the "as-found" condition for the Type A test, the general purpose of maintaining a high degree of containment integrity might be better served through an improved maintenance and testing program for containment penetration boundaries and isolation valves. In this situation, the licensee may submit a Corrective Action Plan with an alternative leakage test program proposal as an exemption request for NRC staff review. If this submittal is approved by the NRC staff, the licensee may implement the corrective action and alternative leakage test program in lieu of the required increase in Type A test frequency incurred after the failure of two successive Type A tests."

The licensee's Corrective Action Plan describes the modification, testing and preventive maintenance programs implemented or planned to decrease the leakage from poorly performing isolation devices. The specific corrective actions performed to date and the programmatic changes associated with ensuring future performance of penetrations provide an equivalent degree of assurance that containment integrity will be maintained as that provided by an additional Type A test performed on the accelerated frequency specified by Section III.A.6(b) of Appendix J. The NRC staff concludes that a return to the normal retest interval of Section III.D of Appendix J is justified and that the corrective actions taken and the creation of the Corrective Action Plan for local leak rate testing adequately address the underlying purpose of the requirements of Appendix J.

In the absence of the additional testing requirements of Section III.A.6(b), a periodic retest schedule is specified in Section III.D.1(a). This retest schedule requires a minimum of three tests during a 10-year service period with the third test coinciding with the 10-year plant inservice inspections. LaSalle, Unit 1, completed four tests during the first ten year interval with the last test coinciding with the 10-year plant inservice inspections. Due to experiencing Type A test failures, Unit 2 has performed four tests during the first 10-year service period and without the requested exemptions would be required to perform a fifth Type A test during the sixth refueling outage. The sixth refueling outage for Unit 2 is the last refueling outage of the 10-year inservice inspection period and, therefore, the Type A test is required based on the requirements of Section III.D.1(a) as well as the previously discussed requirements of Section III.A.6(b).

Pursuant to Section II.F of Appendix J, the intent of Type A testing is "...to measure the primary reactor containment overall integrated leakage rate ... at periodic intervals...." The licensee has conducted a total of eight ILRTs for LaSalle, Units 1 and 2. The tests conclude that the largest variations in the measured overall leak rates result from the adjustments required to account for leakage from Type B and C penetrations. Leakage from sources other than those covered by Type B and C testing, such as the containment structure itself, have repeatedly been well below the acceptance criteria. The requested exemption from Section III.D.1(a) does not affect the performance of local leak rate testing which would be expected to detect the most probable sources of containment leakage. As discussed above, the licensee will not only continue routine Type B and C testing during each refueling outage, but will also attempt to minimize local leakage in accordance with their Corrective Action Plan.

The proposed exemption from Section III.D.1(a) does not revise the expected Type A test interval of between thirty and fifty months which is derived from the requirement to perform three tests in each ten year period at approximately equal intervals. For example, Unit 2 performed a Type A test during the fifth refueling outage in December 1993 and, with the proposed exemption, will perform another Type A test during the seventh refueling outage scheduled to begin in late 1996. The licensee has only proposed to exempt the requirement to perform a Type A test during the 10-year plant inservice inspections. Given the continued performance of Type A testing at approximately equal intervals of forty months and the performance of Type B and C testing at the required intervals to identify the most probable sources

of containment leakage, the NRC staff finds that performance of Type A tests coincident with 10-year plant inservice inspections is not necessary to achieve the underlying purpose of the rule.

On the bases of the above discussions related to Sections III.A.6(b) and III.D.1(a) of Appendix J, the NRC staff finds that the licensee has demonstrated that special circumstances are present as required by 10 CFR 50.12. Further, the staff finds that providing a one-time exemption of the additional testing requirements of Section III.A.6(b) and an exemption from the requirement to perform a Type A test coincident with the first 10-year plant inservice inspections pursuant to Section III.D.1(a) will not present undue risk to the public health and safety. Although requested as a permanent exemption, the exemption from the requirements of Section III.D.1(a) of Appendix J related to the third test coinciding with the 10-year plant inservice inspections has been granted as a one-time exemption for the first 10-year inservice inspection interval. The exemption is, in effect, limited to the Type A test planned for the current Unit 2 outage since Unit 1 has completed the required Type A tests during its first inservice inspection interval. Future relationships between Appendix J and inservice inspection intervals can be addressed by anticipated changes to Appendix J or requests for exemptions from the current requirements.

IV.

Accordingly, the Commission has determined pursuant to 10 CFR 50.12, these exemptions are authorized by law and will not endanger life or property or the common defense and security and are otherwise in the public interest. Therefore, the Commission hereby grants an exemption from the additional

testing requirements of Section III.A.6(b) of Appendix J to 10 CFR Part 50 to allow the licensee to resume the Type A test interval of Section III.D for LaSalle, Unit 2, and an exemption from the requirements of Section III.D.1(a) of Appendix J to allow the licensee to de-couple the Type A testing and the first 10-year plant inservice inspections for LaSalle, Unit 2.

Pursuant to 10 CFR 31.32, the Commission determined that the granting of this exemption will have no significant impact on the quality of the human environment (60 FR 13187).

FOR THE NUCLEAR REGULATORY COMMISSION

Elinor G. Adensam, Acting Director
Division of Reactor Projects III/IV
Office of Nuclear Reactor Regulation

Dated at Rockville, Maryland
this 10th day of March 1995

testing requirements of Section III.A.6(b) of Appendix J to 10 CFR Part 50 to allow the licensee to resume the Type A test interval of Section III.D for LaSalle, Unit 2, and an exemption from the requirements of Section III.D.1(a) of Appendix J to allow the licensee to de-couple the Type A testing and the first 10-year plant inservice inspections for LaSalle, Unit 2.

Pursuant to 10 CFR 31.32, the Commission determined that the granting of this exemption will have no significant impact on the quality of the human environment (60 FR 13187).

FOR THE NUCLEAR REGULATORY COMMISSION

Original signed by:

Elinor G. Adensam, Acting Director
Division of Reactor Projects III/IV
Office of Nuclear Reactor Regulation

Dated at Rockville, Maryland
this 10th day of March 1995

*See previous concurrence

To receive a copy of this document, indicate in the box: "C" = Copy without enclosures "E" = Copy with enclosures "N" = No copy

OFFICE	LA:PDIII-2	PM:PDIII-2	BC:SCSB	OGC	PD:PDIII-2	(A)D:DRPW
NAME	C. Moore	W. Reckley:lm	R. Barrett	C. Marco	R. Capra	E. Adensam
DATE	03/ /95	03/ /95	02/17/95*	02/28/95*	03/01/95	03/ /95

OFFICIAL RECORD COPY