

February 25, 1993

Docket No. 50-483

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Dear Mr. Schnell:	JRoe	GGrant, EDO	

SUBJECT: EXEMPTION TO 10 CFR PART 50, APPENDIX J, SECTION III.D.1.(a)
(TAC NO. M83834)

The Commission has issued the enclosed Exemption for the Callaway Plant, Unit 1, from a certain requirement of Appendix J to 10 CFR Part 50, in response to your letter dated June 16, 1992.

The Exemption removes the requirement that the third Type A test (Containment Integrated Leakage Rate Test or CILRT) for the first 10-year service period be performed during the current service period. The one-time exemption would extend the current service period by approximately 3 months beyond the normal 10-year service period.

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

Sincerely,

ORIGINAL SIGNED BY:

L. Raynard Wharton, Project Manager
Project Directorate III-3
Division of Reactor Projects III/IV/V
Office of Nuclear Reactor Regulation

Enclosure:
As stated

cc w/enclosure:
See next page

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

February 25, 1993

Docket No. 50-483

Mr. Donald F. Schnell
Senior Vice President - Nuclear
Union Electric Company
Post Office Box 149
St. Louis, Missouri 63166

Dear Mr. Schnell:

SUBJECT: EXEMPTION TO 10 CFR PART 50, APPENDIX J, SECTION III.D.1.(a)
(TAC NO. M83834)

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

Sincerely,

A handwritten signature in cursive script that reads "L. Raynard Wharton".

L. Raynard Wharton, Project Manager
Project Directorate III-3
Division of Reactor Projects III/IV/V
Office of Nuclear Reactor Regulation

Enclosure:
As stated

cc w/enclosure:
See next page

Mr. D. F. Schnell
Union Electric Company

Callaway Plant
Unit No. 1

cc:

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
UNION ELECTRIC COMPANY)
(Callaway Plant, Unit No. 1))

Docket No. STN50-483

EXEMPTION

I.

The Union Electric Company (the licensee), is the holder of Facility Operating License No. NPF-30 which authorizes operation of the Callaway Plant, Unit No. 1. The license provides, among other things, that it is subject to all rules, regulations and orders of the Nuclear Regulatory Commission (the Commission) now and hereafter in effect.

The facility consists of a pressurized water reactor located at the license's site in Callaway County, Missouri.

II.

In its letter dated June 16, 1992, the Union Electric Company (the licensee) applied for an amendment to Operating License NPF-30 to change certain provisions of the Callaway Technical Specifications (TSs). The licensee in this letter also requested an exemption from the Commission's regulations. The subject exemption is from a requirement in Appendix J to 10 CFR Part 50 which requires a set of three Type A tests (Containment Integrated Leakage Rate Test or CILRT) be performed, at approximately equal intervals during each 10-year service period.

Type A tests are defined in 10 CFR Part 50, Appendix J, Section II.F as "... 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." The 10-year service period begins with the inservice date. The licensee's submittal assumed the service period began when the preoperational CILRT was performed. Therefore, the first CILRT testing interval was actually 29 months, instead of the assumed 40-month interval. The time interval between CILRTs should be about 40 months based on performing three such tests at approximately equal intervals 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 percent variation) is typically authorized in the technical specifications issued with an operating license to permit flexibility in scheduling the CILRTs.

The proposed revision to the Callaway TSs associated with the licensee's June 16, 1992, request for a one-time exemption would change the TSs by extending the surveillance requirements of Technical Specification 4.6.1.2.a and its associated Bases. The extension would allow the third Type A Containment Leakage Rate Test within the first 10-year service period, to be conducted during the Cycle 7 refueling outage. This TS change is a one-time schedular extension of the current maximum interval from 50 months to 53 months and of the first 10-year service period by approximately 3 months.

The TS also requires that three Type A tests be conducted at 40 ± 10 month intervals during shutdown in each 10-year service period. This particular TS incorporates the requirements of Section III.D.1.(a) of Appendix J, with regard to performing three Type A tests at approximately equal intervals during each 10-year service period. This portion of the proposed revision to TS 4.6.1.2.a will be considered as a separate licensing action after completion of the pending exemption request.

With respect to the subject exemption request, the NRC staff notes that the first and second CILRT of the set of three tests for the first 10-year service period for Callaway were conducted in April 1987 and October 1990, respectively. This represents testing intervals of 40 and 41 months from the initial preoperational CILRT performed in January 1984. The third of the first set of three CILRTs will be scheduled for March 1995 (53 months), pending approval of the exemption request. However, the licensee's assumption that the 10-year service period began with preoperational CILRT, is not correct. The 10-year service period actually began with the inservice date of December 19, 1984. This assumption has no bearing on the request for extending the third test interval to 53 months, but it does change the current service period. The current service period will actually be exceeded by approximately 3 months beyond the normal 10-year service period, instead of 14 months as stated in the licensee's request. The NRC staff concludes that this deviation from the 10-year service period, ending December 1994, is not significant in terms of complying with the scheduling requirements of Section III.D.1.(a). Accordingly, the staff finds, for the reasons set forth above, that the subject exemption request meets the underlying purpose of the rule [10 CFR 50.12(a)(2)(ii)] which requires three type A tests be performed in a 10-year period.

On this basis, the NRC staff finds that the licensee has demonstrated that there are special circumstances present as required by 10 CFR 50.12 (a)(2). Further, the staff also finds that extending the service period will not present an undue risk to the public health and safety; since the licensee has justified the leaktight integrity of the containment based on previous leakage test results, the staff concludes that a one-time extension of

approximately 3 months beyond the maximum permitted test interval will not have a significant safety impact.

III.

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, an 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 and hereby grants the following exemption with respect to a requirement of 10 CFR Part 50, Appendix J, Section III.D.1(a):

For the Callaway Plant, Unit 1, the current service period may be extended by approximately 3 months beyond the normal 10-year service period, so that the third periodic Type A test to be performed during the first 10-year service period may be performed during the Cycle 7 refueling outage.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of the subject exemption will not have a significant effect on the quality of the human environment (57 FR 59850).

This Exemption is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Original signed by Jack W. Roe

Jack W. Roe, Director
Division of Reactor Projects III/IV/V
Office of Nuclear Reactor Regulation

Dated at Rockville, Maryland
this 25th day of February 1993

PD3-3:LA	PD3-3:PM	PD3-3:PD	SCSB*	OTSB	OGC	AD3 <i>π</i>	D:DRPW
PKreutzer	LRWharton/rw	JHannon	RBarrett	CGrimes	<i>BMS</i>	JZwolinski	JRoe <i>2/22</i>
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*See previous concurrence