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JUN 25 1982

Docket Nos. 50-266
and 50-301

Mr. C.W. Fay
Assistant Vice President
Wisconsin Electric Power Company
231 West Michigan Street
Milwaukee, Wisconsin 53201

Dear Mr. Fay:

The Commission has issued the enclosed Exemption from certain requirements of Section 50.54(o) and Appendix J to 10 CFR Part 50 for the Point Beach Nuclear Plants Units 1 and 2 in response to your letter dated December 12, 1975 as supplemented by letters dated July 18, 1977, February 6, 1978 and February 25, 1981. This Exemption, which is being forwarded to the Office of the Federal Register for publication, pertains to the Type C substitution for the Type A testing requirements of the service air supply system, hydrostatic testing in lieu of Type C testing for the decay heat removal system and Type A test sequence and methodology.

The request for exemption to permit the Type A containment integrated leak rate test to be terminated in less than 24 hours was not evaluated since an exemption from this requirement is not needed if you commit, in writing, to conduct Type A tests in accordance with the staff-approved Bechtel Topical Report BN-TOP 1, and the plant Technical Specifications reflect this commitment.

The proposed method of measuring the gas flow required to maintain constant test chamber pressure and the reverse-direction method for Type B testing of certain containment isolation valves were evaluated and found to meet the requirements of Appendix J to 10 CFR Part 50. Therefore, no exemptions from Appendix J are required.

Your requests for exemption from the airlock testing requirements of section III.D.2 of Appendix J and for substitution of a hydraulic test from the required pneumatic test of the containment spray isolation check valves are not acceptable and have been denied.

The bases for our findings and the disposition of all of your exemption requests are contained in the enclosed Safety Evaluation. These have also been discussed by telephone with members of your staff.

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With regard to your exemption requests that have been denied, we request that you inform us within 45 days of receipt of this letter regarding your plans for meeting the requirements of Appendix J, including submission of a Technical Specification change, as necessary. This request for information affects fewer than 10 respondents, therefore OMB clearance is not required under P.L. 96-511.

Sincerely,

Original signed by

Darrell G. Eisenhut, Director
Division of Licensing

Enclosures:

- 1. Exemption
- 2. Safety Evaluation

cc: See next page

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

Docket No. **50-266/50-301**

Docketing and Service Section
Office of the Secretary of the Commission

SUBJECT: WISCONSIN ELECTRIC POWER COMPANY, Point Beach Nuclear Plant

Two signed originals of the Federal Register Notice identified below are enclosed for your transmittal to the Office of the Federal Register for publication. Additional conformed copies (**12**) of the Notice are enclosed for your use.

- Notice of Receipt of Application for Construction Permit(s) and Operating License(s).
- Notice of Receipt of Partial Application for Construction Permit(s) and Facility License(s): Time for Submission of Views on Antitrust Matters.
- Notice of Availability of Applicant's Environmental Report.
- Notice of Proposed Issuance of Amendment to Facility Operating License.
- Notice of Receipt of Application for Facility License(s); Notice of Availability of Applicant's Environmental Report; and Notice of Consideration of Issuance of Facility License(s) and Notice of Opportunity for Hearing.
- Notice of Availability of NRC Draft/Final Environmental Statement.
- Notice of Limited Work Authorization.
- Notice of Availability of Safety Evaluation Report.
- Notice of Issuance of Construction Permit(s).
- Notice of Issuance of Facility Operating License(s) or Amendment(s).
- Other: **Amendment Nos. 61 and 66 and Exemption - Appendix J.**

~~Reference documents have been provided.
Please publish these documents simultaneously.~~

**Division of Licensing
Office of Nuclear Reactor Regulation**

Enclosure:
As Stated

**ORB#3:DL
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Enclosure 1

Certified By

Patricia J. Hogan

UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

In the Matter of)

WISCONSIN ELECTRIC POWER)
COMPANY)

Point Beach Nuclear Plant)
Units 1 and 2)

Docket Nos. 50-266
and 50-301

Exemption

I.

Wisconsin Electric Power Company (the licensee) is the holder of Facility Operating License Nos. DPR-24 and DPR-27 (the licenses) which authorize operation of the Point Beach Nuclear Plant, Units 1 and 2, respectively, located in Manatowoc County, Wisconsin, at steady state reactor power levels not in excess of 1519 megawatts thermal (rated power). These licenses provide, among other things, that they are subject to all rules, regulations and Orders of the Commission.

II.

Section 50.54(o) of 10 CFR Part 50 requires that primary reactor containments for water cooled power reactors be subject to the requirements of Appendix J to 10 CFR Part 50. Appendix J contains the leakage test requirements, schedules, and acceptance criteria for tests of the leak-tight integrity of the primary reactor containment and systems and components which penetrate the containment. Appendix J was published on February 14, 1973 and in August 1975 each licensee was requested to review the extent

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to which its facilities met the requirements.

On December 12, 1975, Wisconsin Electric Power Company submitted its evaluation of the Point Beach Nuclear Plant Units 1 and 2 with regard to compliance with the requirements of Appendix J to 10 CFR Part 50. The licensee proposed Technical Specification changes to achieve compliance with some portions of the rule and requested exemptions from certain other of the rule's requirements. The licensee's submittal for Point Beach Units 1 and 2 was supplemented by letters dated July 18, 1977, February 6, 1978 and February 25, 1981. In these submittals the licensee requested that certain test sequences and methodology, components and penetrations be exempted from the Appendix J requirements and also submitted proposed Technical Specification changes to upgrade portions of their testing procedures to meet the Appendix J requirements. The Technical Specification changes are being addressed in a separate evaluation.

The Franklin Research Center (FRC), as a consultant to the Nuclear Regulatory Commission, (NRC), has reviewed the licensee's submittals and prepared a Technical Evaluation Report (TER) of its findings. The NRC staff has reviewed this TER and in its Safety Evaluation Report dated June 25, 1982, the staff has concurred in the TER's base and findings. The exemption requests found to be acceptable are as follows:

1. Wisconsin Electric Power Company (WEPCO) requested an exemption from the Appendix J Type A testing requirements for the air supply line used in performing the Type A containment

integrated leak rate test. WEPCO proposed to perform Type C local leakage tests on the isolation valves for this system and add the leakage results to the overall Type A test results. WEPCO stated that the containment service air supply line is used to pressurize and depressurize the containment during the Type A test. WEPCO further stated that the isolation requirements for the test and the temporary piping installed for the test prevent the containment service air supply line from being tested in accordance with Appendix J. Section III.A.1.(d) of Appendix J states in part that systems required to maintain the plant in a safe condition during the test shall be operable in their normal mode and need not be vented. However the containment isolation valves shall be tested in accordance with III.C (Type C testing). FRC and the NRC staff agree that, since this line is used during the Type A test, its testing requirements should be comparable to the systems specified in Section III.A.1.(d). Therefore, the licensee's exemption request is acceptable.

3. WEPCO requested an exemption to periodically hydrostatically test the residual heat removal system containment isolation valves in lieu of the pneumatic (Type C) testing requirements of Appendix J since this system cannot be drained and vented with fuel in the core. FRC and the NRC staff agree that periodic hydrostatic testing of the residual heat removal system ensures that the containment isolation valves of this system are not relied upon to prevent the post-accident escape of containment air. Appendix J does not require further Type C testing of these valves; therefore, an exemption from the requirements of Appendix J is acceptable.

3. WEPCO requested an exemption from the requirements of Appendix J for conduct of the Type A test such that if repairs were necessary to meet the acceptance criteria, the integrated leakage rate test (Type A test) need not be repeated provided local measured reductions in leakages achieved by repairs reduces the overall measured leakage rate to a value not in excess of $0.75 L_t$. It is not acceptable to terminate the Type A test without achieving a leakage rate which meets the acceptance criteria and then to subtract the differential leakage from repaired valves in order to meet the acceptance criteria because subtraction of certain internal containment leakage may erroneously reduce the apparent overall containment leakage rate. From a complete reading of WEPCO's proposed procedures for conduct of the Type A test, FRC and the NRC staff do not believe this to be the intent of the licensee and conclude that WEPCO's proposed procedures for conduct of the Type A test are acceptable as an exemption to the requirements of Section III.A.1.(a) of Appendix J because the objective of Appendix J is achieved.

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. Therefore, the Commission hereby approves the exemption request identified above.

The NRC staff has determined that the granting of this exemption will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4), an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with this action.

FOR THE NUCLEAR REGULATORY COMMISSION



Darrell G. Eisenhut, Director
Division of Licensing
Office of Nuclear Reactor Regulation

Dated at Bethesda, Maryland,
this 25th day of June,
1982.

Attachments:

1. Safety Evaluation Report
2. Technical Evaluation Report



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

WISCONSIN ELECTRIC POWER COMPANY

POINT BEACH NUCLEAR PLANT, UNIT NOS. 1 AND 2

DOCKET NOS. 50-266 AND 50-301

1.0 Introduction

On August 5, 1975(1), the NRC requested Wisconsin Electric Power Company (WEPCo) to review its containment leakage testing program for the Point Beach Nuclear Plant, Units 1 and 2 (Point Beach 1/2) and the associated Technical Specifications, for compliance with the requirements of Appendix J to 10 CFR Part 50.

Appendix J to 10 CFR Part 50 was published on February 14, 1973. Since by this date there were already many operating nuclear plants and a number of more in advanced stages of design or construction, the NRC decided to have these plants re-evaluated against the requirements of this new regulation. Therefore, beginning in August 1975, requests for review of the extent of compliance with the requirements of Appendix J were made of each licensee. Following the initial responses to these requests, NRC staff positions were developed which would assure that the objectives of the testing requirements of the above cited regulation were satisfied. These staff positions have since been applied in our review of the submittals filed by the licensee for Point Beach 1/2. The results of our evaluation are provided below.

2.0 Discussion

Our consultant, the Franklin Research Center (FRC), has reviewed the licensee's submittals (2, 3, 5, 6, 9 and 10) and prepared the attached evaluation of containment leak rate tests for Point Beach 1/2. We have reviewed this evaluation and concur in its bases and findings.

3.0 Evaluation

Based on our review of the enclosed technical evaluation report (TER) as prepared by the FRC, the following conclusions are made regarding the Appendix J review for Point Beach 1/2:

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Certified By

Patricia J. Noonan

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1. The service air supply system is used in conjunction with the Type A test and, consequently, its leakage integrity is not factored into the test results. However, Type C testing of the service air supply line, with measured leakage added to the Type A results, is an adequate substitution for the Type A testing requirements of Appendix J. This approach is described in Section III.A.1.(d) of Appendix J. An exemption from the requirements of Appendix J is necessary, however, because, unlike the systems addressed in Section III.A.1.(d), the service air supply system is not needed to maintain the plant in the safe shutdown mode. The staff and its consultant both conclude that an exemption is acceptable.
2. Periodic hydrostatic testing of the RHR system is an adequate substitute for the pneumatic (Type C) testing required by Appendix J because the hydrostatic testing is utilized to ensure that the isolation valves are not relied upon to prevent the post-accident escape of containment air. Appendix J does not require further air (Type C) testing of these valves; therefore, an exemption from the requirements of Appendix J is acceptable.
3. The request for exemption to permit the Type A test to be terminated in less than 24 hours was not evaluated since an exemption from the requirements of Appendix J is not needed if the licensee commits, in writing, to conduct Type A tests in accordance with the staff-approved Bechtel Topical Report BN-TOP1, and the plant Technical Specifications reflect this commitments.
4. An exemption from the revised containment airlock testing requirements of Section III.D.2 is not justified. Airlock testing at Point Beach should be conducted in accordance with Appendix J.
5. The proposed method of measuring the gas flow required to maintain constant test chamber pressure (Operating Instruction No. 58) is equivalent to the pressure-loss method of Section III.B.1.(b) of Appendix J. The Wisconsin Electric Power Company test procedure is acceptable for use in performing Type B tests. No exemption from Appendix J is necessary since acceptable test methods are not limited to those described in Appendix J.
6. Reverse-direction testing of certain containment isolation valves is authorized because the licensee has determined that the criteria of Section III.C.1 have been met. No exemption is required.
7. Substitution of a hydraulic test for the required pneumatic test of the containment spray isolation check valves is not acceptable.
8. Proposed specification 15.4.4.I.A.2 was not evaluated because the issue of performing a Type A test in less than a 24 hour period should be resolved in accordance with Item 3, above.

9. Proposed specification 15.4.4.I.B.5 is acceptable as an exemption to the requirements of Section III.A.1.(a) of Appendix J. Our acceptance is based upon our understanding that the licensee's sequence and methodology for conducting Type A containment tests is as described in the attached FRC TER. WEPCo's actual test procedures should be sufficiently clear and detailed to reflect this.
10. Proposed specification 15.4.4.II.C.1 should be revised to require airlock testing in accordance with Section III.D.2 of Appendix J.

4.0 References

- 1) NRC Generic Letter regarding Containment Leakage Testing at Point Beach, dated August 7, 1975.
- 2) S. Burstein (WEPCO) letter to K. Goller (NRC), dated September 5, 1975.
- 3) S. Burstein (WEPCO) letter to B. Rusche (NRC), dated December 12, 1975.
- 4) G. Lear (NRC) letter to S. Burstein (WEPCO), dated May 31, 1977.
- 5) S. Burstein (WEPCO) letter to G. Lear (NRC), dated July 18, 1977.
- 6) C. W. Fay (WEPCO) letter to R. A. Clark (NRC), dated February 25, 1981.
- 7) R. A. Clark (NRC) letter to S. Burstein (WEPCO), dated January 27, 1981.
- 8) G. Lear (NRC) letter to S. Burstein (WEPCO), dated October 4, 1977.
- 9) S. Burstein (WEPCO) letter to G. Lear (NRC), dated October 10, 1977.
- 10) S. Burstein (WEPCO) letter to E. Case (NRC), dated February 6, 1978.

Dated: June 25, 1982
Principal Contributors:
P. Hearn
T. Colburn