50-275/323



# UNITED STATES NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

April 11, 1995

Mr. Gregory M. Rueger Nuclear Power Generation, B14A Pacific Gas and Electric Company 77 Beale Street, Room 1451 P. O. Box 770000 San Francisco, California 94106

SUBJECT: ISSUANCE OF AMENDMENTS AND EXEMPTION FOR DIABLO CANYON NUCLEAR POWER

PLANT, UNIT NO. 1 (TAC NO. M88826) AND UNIT NO. 2 (TAC NO. M88827)

Dear Mr. Rueger:

The Commission has issued the enclosed Amendment No. 99 to Facility Operating License No. DPR-80 and Amendment No. 98 to Facility Operating License No. DPR-82 for the Diablo Canyon Nuclear Power Plant, Unit Nos. 1 and 2, respectively. The Commission has also granted the enclosed exemption to Section III.D.1.(a) of Appendix J to 10 CFR Part 50. The amendments, which revise Technical Specification (TS) 4.6.1.2, "Containment Integrity," and the exemption are provided in response to your February 16, 1994, application (reference LAR 94-03).

The amendments will permit you more flexibility in Type A test (integrated leak rate test) scheduling. Specifically, they will replace current TS requirements that Type A tests be performed at 40  $\pm$ 10-month intervals within the 10-year service period and that the third Type A test in each period occur during the plant shutdown for the 10-year ISI. The amendment allows the Type A tests to be conducted at three approximately equal intervals within the 10-year service period.

Section III.D.1.(a) of Appendix J to 10 CFR Part 50 requires the three Type A tests to be conducted at approximately equal intervals with the third done during the plant shutdown for the 10-year ISI. The exemption would allow the tests to be approximately equally spaced without the specific scheduling requirement for the third Type A test. We find that granting the exemption is authorized by law, will not present an undue risk to public health and safety, is consistent with the common defense and security, and meets the special circumstances described in 10 CFR 50.12(a)(2)(ii).

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A copy of the related Safety Evaluation is enclosed. A notice of issuance will be included in the Commission's next regular biweekly <u>Federal Register</u> notice. The exemption is being forwarded to the Office of the Federal Register for publication.

Sincerely,

Melanie A. Miller, Senior Project Manager

Project Directorate IV-2

Division of Reactor Projects III/IV Office of Nuclear Reactor Regulation

nelanie a. Willer

Docket Nos. 50-275 and 50-323

 Amendment No. 99 to DPR-80
 Amendment No. 98 to DPR-82 Enclosures:

Safety Evaluation

4. Exemption

cc w/encls: See next page

A copy of the related Safety Evaluation is enclosed. A notice of issuance will be included in the Commission's next regular biweekly <u>Federal Register</u> notice. The exemption is being forwarded to the Office of the Federal Register for publication.

# Sincerely,

Original Signed By

Melanie A. Miller, Senior Project Manager Project Directorate IV-2 Division of Reactor Projects III/IV Office of Nuclear Reactor Regulation

Docket Nos.	50-275 and 50-323	<u>DISTRIBUTION</u> Docket File	PUBLIC
Enclosures:	<ol> <li>Amendment No. 99 to DPR-80</li> <li>Amendment No. 98 to DPR-82</li> <li>Safety Evaluation</li> <li>Exemption</li> </ol>	MMiller KPerkins, WCFO OPA, O2G5 JRoe TQuay	DFoster-Curseen GHill (4), T5C3 OC/LFDCB, T9E10 PDIV-2 Reading OGC, O15B18
cc w/encls:	See next page	CGrimes, O11E22 Region IV RSpessard JLieberman, OE JMitchell, EDO	ACRS (4), TWFN RIV, WCFO (4) WRussell/FMiraglia EJordan, AEOD

DOCUMENT NAME: DC88826.AMD PM/PDIV-2 D/DRPW **OFC** LA/DRPW SCSB OGC D/PD4-2 TQuay 人<sup>QX</sup> C. Marco EAdensam NAME DFoster-Curseen **RBarrett** H/95 / B /95 3/1495 3/39/95 ·3/95 DATE OFFICIAL RECORD COPY

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A copy of the related Safety Evaluation is enclosed. A notice of issuance will be included in the Commission's next regular biweekly <u>Federal Register</u> notice. The exemption is being forwarded to the Office of the Federal Register for publication.

# Sincerely,

Original Signed By

Melanie A. Miller, Senior Project Manager Project Directorate IV-2 Division of Reactor Projects III/IV Office of Nuclear Reactor Regulation

Docket Nos. 50-275 and 50-323 DISTRIBUTION Docket File **PUBLIC** Enclosures: 1. Amendment No. 99 to DPR-80 MMiller DFoster-Curseen Amendment No. 98 to DPR-82 2. GHill (4), T5C3 KPerkins, WCFO OC/LFDCB, T9E10 Safety Evaluation OPA. 02G5 Exemption JRoe PDIV-2 Reading OGC, 015B18 ACRS (4), TWFN RIV, WCFO (4) **TQuay** cc w/encls: See next page CGrimes, 011E22 Region IV WRussell/FMiraglia RSpessard JLieberman, OE EJordan, AEOD

JMitchell, EDO

DOCUMENT NAME: DC88826.AMD **OFC** LA/DRPW PM/PDIV-2 **SCSB** OGC D/PD4-2 的D/DRPW TQuay 人<sup>Q文</sup> MM Her:pk C. Marco NAME DFoster-Curseen **RBarrett EAdensam** H/95 18/95 1295 3/39/95 DATE 3 11495 3/95

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Mr. Gregory M. Rueger Pacific Gas and Electric Company

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# UNITED STATES NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

# PACIFIC GAS AND ELECTRIC COMPANY

## **DOCKET NO. 50-275**

#### DIABLO CANYON NUCLEAR POWER PLANT, UNIT NO. 1

# AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 99 License No. DPR-80

- 1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by Pacific Gas and Electric Company (the licensee) dated February 16, 1994, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations set forth in 10 CFR Chapter I:
  - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
  - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
  - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
  - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
- 2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. DPR-80 is hereby amended to read as follows:

# (2) <u>Technical Specifications</u>

The Technical Specifications contained in Appendix A and the Environmental Protection Plan contained in Appendix B, as revised through Amendment No. 99, are hereby incorporated in the license. Pacific Gas and Electric Company shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan, except where otherwise stated in specific license conditions.

3. This license amendment is effective 30 days after the date of its issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Melanie A. Miller, Senior Project Manager Project Directorate IV-2

Division of Reactor Projects III/IV Office of Nuclear Reactor Regulation

Melanie a. Wille.

Attachment: Changes to the Technical Specifications

Date of Issuance: April 11, 1995



# UNITED STATES NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

# PACIFIC GAS AND ELECTRIC COMPANY

# **DOCKET NO. 50-323**

# DIABLO CANYON NUCLEAR POWER PLANT, UNIT NO. 2

## AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 98 License No. DPR-82

- 1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by Pacific Gas and Electric Company (the licensee) dated February 16, 1994, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations set forth in 10 CFR Chapter I;
  - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission:
  - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
  - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
  - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
- 2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. DPR-82 is hereby amended to read as follows:

# (2) Technical Specifications

The Technical Specifications contained in Appendix A and the Environmental Protection Plan contained in Appendix B, as revised through Amendment No. 98, are hereby incorporated in the license. Pacific Gas and Electric Company shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan, except where otherwise stated in specific license conditions.

3. This license amendment is effective 30 days after the date of its issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Melanie A. Miller, Senior Project Manager

Project Directorate IV-2

Division of Reactor Projects III/IV Office of Nuclear Reactor Regulation

nelanie a. Willer

Attachment: Changes to the Technical Specifications

Date of Issuance: April 11, 1995

# ATTACHMENT TO LICENSE AMENDMENTS

# AMENDMENT NO. 99 TO FACILITY OPERATING LICENSE NO. DPR-80

# AND AMENDMENT NO. 98 TO FACILITY OPERATING LICENSE NO. DPR-82

# **DOCKET NOS. 50-275 AND 50-323**

Revise Appendix A Technical Specifications by removing the pages identified below and inserting the enclosed pages. The revised pages are identified by Amendment number and contain marginal lines indicating the area of change. The corresponding overleaf pages are also provided to maintain document completeness.

<u>REMOVE</u>	<u>INSERT</u>
3/4 6-3	3/4 6-3
B 3/4 6-1	B 3/4 6-1

#### **CONTAINMENT SYSTEMS**

#### SURVEILLANCE REQUIREMENTS

- 4.6.1.2 The containment leakage rates shall be demonstrated at the following test schedule and shall be determined in conformance with the criteria specified in Appendix J of 10 CFR Part 50 using the methods and provisions of ANSI N45.4-1972:
  - a. Three Type A tests (Overall Integrated Containment Leakage Rate) shall be conducted at approximately equal intervals during shutdown at greater than or equal to  $P_{\rm t}$ , 47 psig, or, as applicable, at greater than or equal to  $P_{\rm t}$ , 25 psig, during each 10-year service period;
  - b. If any periodic Type A test fails to meet  $0.75 L_a$  or  $0.75 L_t$ , as applicable, the test schedule for subsequent Type A tests shall be reviewed and approved by the Commission. If two consecutive Type A tests fail to meet either  $0.75 L_a$  or  $0.75 L_t$ , as applicable, a Type A test shall be performed at least every 18 months until two consecutive Type A tests meet either  $0.75 L_a$  or  $0.75 L_t$ , as applicable, at which time the above test schedule may be resumed;
  - c. The accuracy of each Type A test shall be verified by a supplemental test which:
    - 1) Confirms the accuracy of the test by verifying that the supplemental test result,  $L_c$ , minus the sum of the Type A and the superimposed leak,  $L_o$ , is equal to or less than 0.25  $L_a$  or 0.25  $L_t$ , as applicable;
    - 2) Has a duration sufficient to establish accurately the change in leakage between the Type A test and the supplemental test; and
    - 3) Requires that the rate at which gas is injected into the containment or bled from the containment during the supplemental test is between 0.75  $L_a$  and 1.25  $L_a$ , or 0.75  $L_t$  and 1.25  $L_t$ , as applicable.

# CONTAINMENT SYSTEMS

# SURVEILLANCE REQUIREMENTS (Continued)

- d. Type B and C tests shall be conducted with gas at  $P_a$ , 47 psig, at intervals no greater than 24 months except for tests involving:
  - 1) Air locks, and
  - Penetrations using continuous Leakage Monitoring Systems.
- e. Air locks shall be tested and demonstrated OPERABLE by the requirements of Specification 4.6.1.3;
- f. Type B tests for penetrations employing a continuous Leakage Monitoring System shall be conducted at greater than or equal to P<sub>a</sub>, 47 psig, at intervals no greater than once per 3 years;
- g. All test leakage rates shall be calculated using observed data converted to absolute values. Error analyses shall be performed to select a balanced integrated Leakage Measurement System; and
- h. The provisions of Specification 4.0.2 are not applicable.

# 3/4.6 CONTAINMENT SYSTEMS

BASES

# 3/4.6.1 CONTAINMENT

# 3/4.6.1.1 CONTAINMENT INTEGRITY

CONTAINMENT INTEGRITY ensures that the release of radioactive materials from the containment atmosphere will be restricted to those leakage paths and associated leak rates assumed in the safety analyses. This restriction, in conjunction with the leakage rate limitation, will limit the SITE BOUNDARY radiation doses to within the dose guideline values of 10 CFR Part 100 during accident conditions.

# 3/4.6.1.2 CONTAINMENT LEAKAGE

The limitations on containment leakage rates ensure that the total containment leakage volume will not exceed the value assumed in the safety analyses at the peak accident pressure,  $P_a$ . As an added conservatism, the measured overall integrated leakage rate is further limited to less than or equal to 0.75  $L_a$  or less than or equal to 0.75  $L_t$ , as applicable, during performance of the periodic test to account for possible degradation of the containment leakage barriers between leakage tests.

The surveillance testing for measuring leakage rates is consistent with the requirements of Appendix J of 10 CFR Part 50.

An exemption has been granted from the requirements of 10 CFR Part 50, Appendix J, Section III.D.1.(a). The exemption removes the requirement that the third Type A test for each 10-year period be conducted when the plant is shut down for the 10-year plant inservice inspection (Reference License Amendment Nos. 99 and 98). The interval between Type A containment tests will be no greater than three 18-month fuel cycles, or 4.5 years.

#### 3/4.6.1.3 CONTAINMENT AIR LOCKS

The limitations on closure and leak rate for the containment air locks are required to meet the restrictions on CONTAINMENT INTEGRITY and containment leak rate. Surveillance testing of the air lock seals provide assurance that the overall air lock leakage will not become excessive due to seal damage during the intervals between air lock leakage tests.

# 3/4.6.1.4 INTERNAL PRESSURE

The limitations on containment internal pressure ensure that: (1) the containment structure is prevented from exceeding its design negative pressure differential with respect to the outside atmosphere of 3.5 psig, and (2) the containment peak pressure does not exceed the design pressure of 47 psig during LOCA conditions.

The maximum peak pressure expected to be obtained from a LOCA event is less than 47 psig, which is the maximum design pressure of containment. This includes the limit of 1.2 psig for initial positive containment pressure. The total pressure is less than design pressure and is consistent with the safety analyses.

# 3/4.6.1.5 AIR TEMPERATURE

The limitations on containment average air temperature ensure that the overall containment average air temperature does not exceed the initial temperature condition assumed in the safety analysis for a LOCA.

# 3/4.6.1.6 CONTAINMENT STRUCTURAL INTEGRITY

This limitation ensures that the structural integrity of the containment will be maintained comparable to the original design standards for the life of the facility. Structural integrity is required to ensure that the containment will withstand the maximum pressure in the event of a LOCA. The visual examination of the concrete, liner, and the Type A leakage test are sufficient to demonstrate this capability.

# 3/4.6.1.7 CONTAINMENT VENTILATION SYSTEM

Use of the containment purge lines is restricted to two of the three following lines: (1) a supply line, (2) an exhaust line of the purge system, and (3) the vacuum/pressure relief line to ensure that the SITE BOUNDARY dose guidelines of 10 CFR Part 100 would not be exceeded in the event of a loss-of-coolant accident during containment purging operations. The vacuum/pressure relief valves must be blocked to open no more than 50° because these valves have not yet been qualified to close under accident conditions.

Operation will be limited to 200 hours during a calendar year. The 200-hour limit shall not become effective until after initial criticality. The total time the Containment Purge (vent) System isolation valves may be open during MODES 1, 2, 3, and 4 in a calendar year is a function of anticipated need and operating experience.



# UNITED STATES NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

# SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION RELATED TO AMENDMENT NO. 99 TO FACILITY OPERATING LICENSE NO. DPR-80 AND AMENDMENT NO. 98 TO FACILITY OPERATING LICENSE NO. DPR-82 PACIFIC GAS AND ELECTRIC COMPANY

DIABLO CANYON NUCLEAR POWER PLANT, UNITS 1 AND 2

DOCKET NOS. 50-275 AND 50-323

# 1.0 INTRODUCTION

By letter of February 16, 1994, Pacific Gas and Electric Company (or the licensee) submitted a request for changes to the Technical Specifications (TS) for Diablo Canyon Nuclear Power Plant (DCPP), Units 1 and 2. The proposed amendments would revise TS 4.6.1.2, "Containment Integrity," to allow a more flexible schedule for testing the primary containment integrated leakage rate.

# 2.0 EVALUATION

Section III.D.1.(a) of Appendix J to 10 CFR Part 50 requires the licensee to perform three Type A tests at approximately equal intervals during each 10-year service period and that the third test be done when the plant is shut down for the 10-year inservice inspection (ISI). TS 4.6.1.2 requires that the Type A tests be performed at intervals of 40 months plus or minus 10 months and that the third Type A test within the 10-year ISI inspection period be done when the plant is shut down for the 10-year ISI. The proposed TS change would eliminate these requirements and allow Type A tests to be performed at approximately equal intervals over the 10-year period.

With 18-month refueling outage cycles at DCPP, the licensee would have to perform Type A tests during the second, fourth, and sixth refueling outages in each 10-year ISI interval to meet the 40  $\pm$ 10-month requirement and would also have to perform a fourth Type A test during the seventh refueling outage to meet the requirement that the third test be done when the plant is shut down for the 10-year ISI. To avoid a fourth test, the licensee has requested an amendment to allow the three Type A tests to be done at roughly equal intervals over 10 years.

The 40 ±10-month requirement would impose hardship on the licensee without increasing the level of quality or safety. The proposed amendments have no safety consequences because the intent of the Appendix J requirements relating to containment leak-tight integrity would be achieved by three approximately equally spaced tests in each ISI period.

The staff has considered the amendment request to relax the requirements that Type A tests be done at 40  $\pm 10$ -month intervals in each 10-year service period and that the third Type A test in each period be performed when the plant is shut down for the 10-year ISI. The staff concludes that these requirements are not required to ensure safe operation of DCPP and that the licensee's alternate proposal meets the intent of Appendix J. Therefore, the staff finds the amendment request acceptable.

#### 3.0 STATE CONSULTATION

In accordance with the Commission's regulations, the California State official was notified of the proposed issuance of the amendments. The State official had no comments.

### 4.0 ENVIRONMENTAL CONSIDERATION

These amendments change surveillance requirements. The NRC staff has determined that the amendments involve no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendments involve no significant hazards consideration, and there has been no public comment on such finding (59 FR 14893). Accordingly, the amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendments.

## 5.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributors: M. H. Miller M. A. Miller

Date: April 11, 1995

# UNITED STATES OF AMERICA

# **NUCLEAR REGULATORY COMMISSION**

In the Matter of	<b>)</b>
PACIFIC GAS AND ELECTRIC COMPANY	Docket Nos. 50-275 and 50-323
(Diablo Canyon Nuclear Power Plant Unit Nos. 1 and 2)	}

**EXEMPTION** 

I.

The Pacific Gas and Electric Company (the licensee) holds Facility
Operating License Nos. DPR-80 and DPR-82, which authorizes operation of the
Diablo Canyon Nuclear Power Plant, Unit Nos. 1 and 2, respectively. 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 facilities are pressurized-water
reactors located at the licensee's site in San Luis Obispo County, California.

II.

Section III.D.1.(a) of Appendix J to 10 CFR Part 50 requires that three sets of Type A tests (integrated leak rate tests) be conducted at approximately equal intervals during each 10-year service period and that the third test be conducted when the plant is shut down for the 10-year plant inservice inspections.

The NRC may grant exemptions from the requirements of the regulations, pursuant to 10 CFR 50.12, that (i) 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.

By letter dated February 16, 1994, the licensee requested an Exemption from the requirement of 10 CFR Part 50, Appendix J, Section III.D.1.(a) and associated changes to the technical specifications (TS).

Currently, the Section III.D.1.(a) requirement to conduct the third

Type A test in each 10-year service period when the plant is shut down for the

10-year plant inservice inspections and the Diablo Canyon TS requirement that

Type A tests be conducted at 40-month intervals plus or minus 10 months would

require the licensee, because of Diablo Canyon's 18-month fuel cycles, to

conduct four sets of Type A tests in each 10-year service period rather than

three in order to meet both requirements. Instead, the licensee proposes to

conduct the three tests at approximately equal intervals during the 10-year

period consistent with the 18-month refueling schedule, thereby eliminating

the Appendix J requirement for the third Type A test.

The purpose of Appendix J to 10 CFR Part 50 is to assure that containment leakage is within the limits specified in the facility TS. The requirement to conduct the third Type A test in each 10-year service period when the plant is shut down for the 10-year inservice inspection is to provide a point to establish the Appendix J 10-year interval. The concurrent timing of the two is for schedular convenience with no safety basis. The licensee's alternative proposal to perform three essentially equally spaced tests during each 10-year service period achieves the underlying purpose of the rule by verifying periodically that containment leakage is maintained within the limits of the facility TS.

Based on the above discussion, the licensee's proposed alternative test schedule is acceptable.

IV.

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, this exemption is authorized by law, and will not present an undue risk to the public health and safety, and is consistent with the common defense and security. The Commission further determines that special circumstances described by 10 CFR 50.12(a)(2)(ii) exist, in that application of the regulation in the particular circumstances is not necessary to achieve the underlying purpose of the rule, since the licensee has proposed an acceptable alternative method that accomplishes the intent of the regulation.

Therefore, the Commission hereby grants Pacific Gas and Electric Company an exemption from the requirements of 10 CFR Part 50, Appendix J, Section III.D.1.(a).

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will have no significant impact on the quality of the human environment (60 FR 18153).

This exemption is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

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

Elino H. adensam

Dated at Rockville, Maryland this 11th day of April 1995.

Based on the above discussion, the licensee's proposed alternative test schedule is acceptable.

IV.

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, this exemption is authorized by law, and will not present an undue risk to the public health and safety, and is consistent with the common defense and security. The Commission further determines that special circumstances described by 10 CFR 50.12(a)(2)(ii) exist, in that application of the regulation in the particular circumstances is not necessary to achieve the underlying purpose of the rule, since the licensee has proposed an acceptable alternative method that accomplishes the intent of the regulation.

Therefore, the Commission hereby grants Pacific Gas and Electric Company an exemption from the requirements of 10 CFR Part 50, Appendix J, Section III.D.1.(a).

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will have no significant impact on the quality of the human environment ( $60 \text{ FR} \ 18153$ ).

This exemption is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Elinon H. adensam

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

Dated at Rockville, Maryland this 11th day of April 1995.

Based on the above discussion, the licensee's proposed alternative test schedule is acceptable.

IV.

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, this exemption is authorized by law, and will not present an undue risk to the public health and safety, and is consistent with the common defense and security. The Commission further determines that special circumstances described by 10 CFR 50.12(a)(2)(ii) exist, in that application of the regulation in the particular circumstances is not necessary to achieve the underlying purpose of the rule, since the licensee has proposed an acceptable alternative method that accomplishes the intent of the regulation.

Therefore, the Commission hereby grants Pacific Gas and Electric Company an exemption from the requirements of 10 CFR Part 50, Appendix J, Section III.D.1.(a).

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will have no significant impact on the quality of the human environment ( $60 \text{ FR} \quad 18153$ ).

This exemption is effective upon issuance.

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 11th day of April 1995.

DOCUMENT NAME: DC88826.EXE \*See Previous Concurrence Sheet

OFC	PDIV-2/LA	PDIV-2//RM	SCSB*	OGC	PDIV-2/D	(ASD/DRPW
NAME	EPeyton	Miller:pk	RBarrett	CMarco	TQuay (Y)	EAdensam
DATE	3 <i>3</i> 0/95	3/31/95	3/8/95	3/29/95	3/20/95	413/95

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