

**From:** Peter Tam  
**To:** David Distel; David Helker; David Robillard; Pareez Golub; Thomas Loomis  
**Date:** 8/25/04 7:12AM  
**Subject:** Proposed exemption and amendment re. MSIVs (**TAC MC1653 and MC1654**)

Dave:

This e-mail is regarding your 12/23/04 applications (2 letters) for exemption and amendment. The NRC staff would like clarification of an ambiguity in the requested TS change.

10 CFR Part 50, Appendix J, Option B, Section III.B., 'Type B and C Tests,' states, in part: "The tests must demonstrate that the sum of the leakage rates at accident pressure of Type B tests, and ... Type C tests, is less than the performance criterion (La) with margin, as specified in the Technical Specification."

This requirement has (at least) two parts:

- 1) Type B and C tests must be performed with a test pressure of at least Pa (calculated peak containment accident pressure).
- 2) All of the Type B and C leakage rates must be summed up and be less than a TS limit.

You have requested an exemption from 1), only, for the MSIVs. However, the requested TS change, meant to implement the exemption, might be interpreted as relieving you from complying with both 1) and 2) for the MSIVs.

Current TS 4.5.D. states, in part:

D. Primary Containment Leakage Rates shall be limited to:

1. ....The leakage rate acceptance criteria for the Primary Containment Leakage Rate Testing Program for Type B and Type C tests is 0.60 La at Pa.
2. The leakage rate acceptance criteria for an MSIV shall be 0.05(0.75) La at Pa.

The proposed TS is changed to the following:

D. Primary Containment Leakage Rates shall be limited to:

1. ....The leakage rate acceptance criteria for the Primary Containment Leakage Rate Testing Program for Type B and Type C tests is 0.60 La at Pa, except as stated in Specification 4.5.D.2.
2. Verify leakage rate through each MSIV is 11.9 scfh when tested at 20 psig.

The new clause added to 4.5.D.1. is apparently meant only to be an exception from the Pa test pressure requirement. However, because 4.5.D.2. provides both a test pressure and a leakage rate limit, the clause could also be interpreted as allowing the MSIV leakage rate to be excluded from the sum of all Type B and C leakage rates, which must be less than or equal to 0.60 La. In that case, the MSIVs would only have to meet the 11.9 scfh limit. This interpretation is made

more credible (or confusing) by the fact that many BWRs have exemptions for their MSIVs from both requirements 1) and 2) of Appendix J, stated above. In other words, for many BWRs, this interpretation would be correct.

Please call me to set up a teleconference with the reviewer (Jim Pulsipher) to address this apparent discrepancy. **The sole purpose of this e-mail is to prepare you and others for the proposed teleconference. This e-mail does not convey an official NRC staff position, nor does it formally request for additional information.**

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