

UNITED STATES OF AMERICA
 NUCLEAR REGULATORY COMMISSION

In the Matter of
 MAINE YANKEE ATOMIC POWER COMPANY }
 (Maine Yankee Atomic Power Plant) } Docket No. 50-309

EXEMPTION

I.

The Maine Yankee Atomic Power Company (the licensee) is the holder of Facility Operating License No. DPR-36 which authorizes operation of the Maine Yankee Atomic Power Plant. This license provides, among other things, that it is subject to all rules, regulations and Orders of the Commission now or hereafter in effect.

The facility comprises one pressurized water reactor at the licensee's site located in Lincoln County, Maine.

II.

On November 19, 1980, the Commission published a revised Section 10 CFR 50.48 and a new Appendix R to 10 CFR 50 regarding fire protection features of nuclear power plants (45 F.R. 76602). The revised Section 50.48 and Appendix R became effective on February 17, 1981. Section III of Appendix R contains fifteen subsections, lettered A through O, each of which specifies requirements for a particular aspect of the fire protection features at a nuclear power plant. One of these fifteen subsections, III.L.1.(d), is the subject of this exemption request.

Section III.L.1. details the requirements for alternative and dedicated shutdown capability. Specifically, Section III.L.1.(d) require alternative and dedicated shutdown capability shall be able to achieve cold shutdown conditions within 72 hours.

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III.

By letter dated December 22, 1982 the licensee requested an exemption from the requirement to achieve cold shutdown in 72 hours using alternate methods. In support of this request the licensee notes that the plant will be "safely" shutdown prior to 72 hours and proceeding in an orderly manner to cold shutdown. Similiar plants have required approximately 130 hours to reach cold shutdown. The licensee provided additional information based on the criteria of Section III.L to the effect that the Alternative shutdown system for these areas may not be capable of achieving cold shutdown of the reactor coolant system within 72 hours.

The licensee proposes a method of achieving cold shutdown utilizing a water solid mode of steam generator operation for the situation wherein the residual heat removal system is lost due to the fire. This method will require about 130 hours to reach a cold shutdown condition. Adequate water supply is available for the extended shutdown. Additionally, the alternative shutdown systems can accomplish cold shutdown using only onsite power sources. With the residual heat removal system operable the 72 hour requirement can be met. Therefore since the alternative shutdown system uses only onsite power, and shuts down the plant safely, the longer time to reach cold shutdown does not produce a decrease in plant safety. Therefore, the exemption requested should be granted.

IV.

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12(a), 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 an exemption from the requirements of Section III.L.1.(d) of Appendix R

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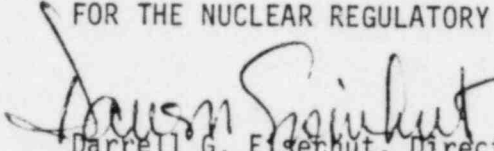
to the extent that it requires alternative and dedicated shutdown capability to be able to achieve cold shutdown conditions within 72 hours at Maine Yankee.

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.

A copy of the Safety Evaluation dated Feb. 3, 1983 related to this action is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D. C. and at the local public document room located at the Wiscasset Public Library, High Street, Wiscasset, Maine. A copy may be obtained upon request addressed to the U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, Attention: Director, Division of Licensing.

This Exemption is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION


Darrell G. Eisenhut, Director
Division of Licensing

Dated at Bethesda, Maryland this 3rd day, of February