



Commonwealth Edison

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December 7, 1982

Mr. A. Schwencer, Chief
Licensing Branch #2
Division of Licensing
U. S. Nuclear Regulatory Commission
Washington, DC 20555

Subject: LaSalle County Station Unit 1
Request for Exemption
from 10 CFR 50.44
NRC Docket No. 50-373

- References (a): Generic Letter 82-17, Inconsistency Between Requirements of 10 CFR 50.54(t) and Standard Technical Specifications for Performing Audits of Emergency Preparedness Programs.
- (b): Generic Letter 82-23, Inconsistency Between Requirements of 10 CFR 73.40(d) and Standard Technical Specifications for Performing Audits of Safeguards Contingency Plans (Security Plan).
- (c): 10 CFR 50.44 Standards for Combustible Gas Control System in Light Water Cooled Power Reactors, Section 50.44.(c).(3).(i).
- (d): LaSalle County Station Technical Specification 3.6.6.2, Drywell and Suppression Chamber Oxygen Concentration.
- (e): LaSalle County Station Technical Specification 3.10.5, Special Test Execution Oxygen Concentration.
- (f): C. W. Schroeder letter to A. Schwencer dated November 18, 1982, "Requirements for Inerting Primary Containment."

Dear Mr. Schwencer:

The NRC has recently issued References (a) and (b) which indicate inconsistencies between the Standard Technical Specifications and specific audit requirements per 10 CFR. The NRC has indicated that, notwithstanding the Technical Specifications issued by the NRC, the 10 CFR requirements must also be met because the Technical Specifications in these two cases were not meant as exceptions or exemptions.

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Reference (c) states, in part, that "Effective May 4, 1982 or 6 months after initial criticality, whichever is later, an inerted atmosphere shall be provided for each boiling light-water nuclear power reactor with a Mark I or Mark II type containment..."

Reference (d) requires that drywell and suppression chamber atmosphere oxygen concentration shall be less than 4% by volume during the time period from within 24 hours after exceeding 15% rated thermal power to within 24 hours prior to reducing the thermal power to less than 15% rated thermal power.

Reference (e) grants a special test exception that Reference (d) requirements may be suspended during the performance of the startup test program until either the required 100% rated thermal power trip test has been completed or the reactor has operated for 120 Effective Full Power Days.

Reference (f) stated Commonwealth Edison Company's position that the LaSalle County Station Technical Specifications were governing and constituted specific exceptions and exemptions to the requirements of Reference (c). During a telecon on November 30, 1982, between C. W. Schroeder of Commonwealth Edison and Dr. A. Bournia, et al, of the NRC, the NRC stated their position that it was necessary for Commonwealth Edison Company to specifically request an exemption in writing from the NRC to the requirements of Reference (c). The purpose of this letter is to specifically request an exemption from the requirements of 10 CFR 50.44 to allow LaSalle County Station Unit 1 to operate within the provisions of its Technical Specifications (References (d) and (e)). As you are aware, LaSalle County Station Unit 1 performed its initial critical on June 21, 1982. Therefore, NRC approval of this exemption is required by December 20, 1982 to avoid potential negative impact on the startup test program.

The requirements of Reference (c) were predicated on the basis that the initial startup test program for new boiling water reactors is expected to be completed within approximately six months following initial criticality. In the case of LaSalle County Station Unit 1, there have been several reasons for the extension of the initial startup test program beyond six months. These include:

1. NRC delay in granting permission to exceed 5% power due to investigation of allegations.
2. Inclusion of an extensive Safety Relief Valve test program.
3. Redirection of Commonwealth Edison resources to address allegations, as required by the NRC.
4. Current problems with the 1A recirc loop discharge valve, which may require an extensive outage for valve repair.

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It should be noted that the current wording of reference (e) addresses any potential concern that the utility may delay testing for the sole purpose of power generation. The limit of 120 effective full power days is currently deemed sufficient for startup test procedures.

If there are any questions in this matter, please contact this office.

Enclosed for your use are one (1) signed original and forty (40) copies of this letter.

Very truly yours,

CW Schroeder
12/7/82

C. W. Schroeder
Nuclear Licensing Administrator

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cc: NRC Resident Inspector - LSCS
P. P. Steptoe - IL&B

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