



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

REQUEST FOR EXEMPTION TO 10 CFR PART 50, APPENDIX J

TO FACILITY OPERATING LICENSE NO. NPF-3

DAVIS-BESSE NUCLEAR POWER STATION, UNIT 1

DOCKET NO. 50-346

By letter dated July 5, 1989, Toledo Edison Company (the licensee) requested for Davis-Besse Nuclear Power Station, Unit 1, an exemption to 10 CFR Part 50, Appendix J, Paragraph III.D.2(b)(i), which requires that "Air locks shall be tested prior to initial fuel loading and at 6-month intervals thereafter at an internal pressure not less than Pa." The requested exemption would allow the testing interval for the air locks to be extended by up to 25 percent of the inspection interval while limiting the total cumulative extension to 25 percent for three consecutive tests.

The licensee requested the exemption because Technical Specification (TS) 4.6.1.3b also requires the air locks to be tested every 6 months, and TS 4.0.2 allows the TS required testing interval to be extended by up to 25 percent of the inspection interval while limiting the total cumulative extension to 25 percent for three consecutive tests. Therefore, the exemption would make the regulation and TS requirements consistent.

The licensee points out that only two air lock surveillance tests have failed due to leakage, since plant startup in 1977. The licensee further states that both failures involved leakage past the hand wheel shaft seal and neither failure was major.

The licensee further cited 10 CFR 50.12(a)(2)(i), "Application of the regulation in the particular circumstances conflicts with other rules or requirements of the Commission;" and 10 CFR 50.12(a)(2)(ii), "Application of the regulation in the particular circumstances...is not necessary to achieve the underlying purpose of the rule;" as special circumstances supporting issuance of the requested exemption.

The NRC staff has reviewed the information provided by the licensee in support of the exemption. The staff finds that although the regulation and TS requirements are not totally consistent with each other, they do not conflict with each other. To make them totally consistent, the licensee could submit a license amendment request clarifying that TS 4.0.2 does not apply to TS 4.6.1.3b.

With regard to the purpose of the tests, 10 CFR Part 50, Appendix J, Paragraph I., "Introduction," states, in part, the following:

The purposes of the tests are to assure that (a) leakage through the primary reactor containment and systems and components penetrating primary containment shall not exceed allowable leakage rate values as specified in the technical specifications or associated bases and (b) periodic surveillance of reactor containment penetrations and isolation valves is performed so that proper maintenance and repairs are made during the service life of the containment, and systems and components penetrating primary containment.

The NRC staff finds that testing at 6-month intervals ensures that proper maintenance and repairs are made during the service life of the containment air locks.

From the above, the NRC staff concludes that the requested exemption should be denied.

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Date: May 7, 1992