

BWR OWNERS' GROUP

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T. J. Dente, Chairman

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BWROG-8307

March 4, 1983

Darrel G. Eisenhut, Director
U.S. Nuclear Regulatory Commission
Division of Licensing
Office of Nuclear Reactor Regulations
Washington, DC 20555

SUBJECT: Primary Containment Leak Testing
10CFR50 Appendix J
Proposed Revisions

Dear Mr. Eisenhut:

Over the past few years many of our member utilities have become aware of Commission efforts to revise 10CFR50 Appendix J. While the general consensus appears to support the need for an Appendix J revision, a number of utilities have recently expressed concerns regarding the premature and inconsistent imposition of some of these proposed requirements by the staff. It is our position that all aspects of the proposed revisions to the existing rule should be subjected to the test of the full rulemaking process and not imposed in anticipation of their promulgation.

Several licensees have been provided copies of a memorandum from J. Sniezek to R. Mattson dated 1/11/82 describing what appears to be a new approach to determining the acceptability of Type A (ILRT) test results. In several instances, licensees have been requested to make commitments to perform their tests, and report test results, in accordance with the provisions of this internal NRC document. A copy of an excerpt from a recent I&E Inspection Report is attached as an example of this action. When it was pointed out that this issue is a part of proposed rulemaking under consideration (see attached paper by G. Arndt), the NRC staff has, on at least one occasion, explained that they are "... trying to get a jump on this slow-moving rule change."

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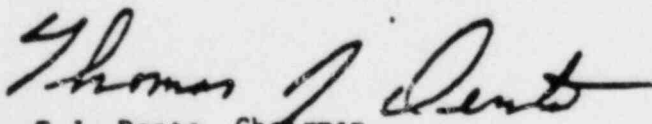
The "new interpretation" of Appendix J provided in the above memorandum represents a significant departure from the original intent of the rule. We feel that there are a large number of technical and administrative issues to be dealt with before this change is finalized. While it is not appropriate to present our comments in detail at this time, we would like to inform you of our concern regarding the current course of action. In addition, we would like to call your attention to the NRR conclusions regarding this issue contained in Draft NUREG-0933, Rev. 0:

"Revising Appendix J and issuing a Regulatory Guide with acceptable containment leakage testing methods have a low potential for reducing risk. However, considering the work accomplished thus far, it is recommended that the containment leakage task be completed as a Licensing Improvement issue on the basis of reducing the compliance burden on licensees and the paperwork burden on the NRC. However, emphasis should be placed on eliminating the ambiguities in the present regulation without imposing more stringent leakage testing requirements since they do not appear to be effective in reducing risks."

We note that the proposed Appendix J change is on the agenda of the Committee to Review Generic Requirements (CRGR) for the very near future. We feel that it would be most appropriate to raise the implementation issue during the CRGR review and would be happy to provide any additional information which you might require to support this effort. In previous discussions between the NRC staff and individual licensees it was suggested that joint discussions between NRC and BWROG representatives would be appropriate for this generic topic. The BWROG is prepared to cooperate in such an effort. We would also like to point out that there is an existing ANS Standards Committee (ANS 56.8) which would be well-suited to provide expert input to this review process.

Please note that the position stated in this letter should not be interpreted as a position of any individual BWR Owners' Group member or as a commitment to any specific course of action. This position has, however, received the endorsement of a majority of the BWROG voting member utilities.

Sincerely,



T.J. Dente, Chairman

DRH/rma

Attachments (2)

cc: BWROG Primary Reps.
 J.F. Schilder (GE)
 J.W. Power (NSAC)
 R. Szalay (AIF)
 R.S. Baker (AIF)
 V. Stello (NRC)