



50-416

UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

January 30, 1997

Mr. Joseph J. Hagan
Vice President, Operations GGNS
Entergy Operations, Inc.
P. O. Box 756
Port Gibson, MS 39150

SUBJECT: DENIAL OF EXEMPTION FROM IMPLEMENTATION OF 10 CFR 50.55a AMENDMENT
REGARDING REPAIR AND REPLACEMENT ASPECTS OF THE RULE, GRAND GULF,
UNIT 1 (TAC NO. M96621)

Dear Mr. Hagan:

By letter dated September 10, 1996, you requested an exemption from the subject rule published in the Federal Register on August 8, 1996 (61 FR 41303). The subject rule required the licensees of operating nuclear reactors to start implementing the requirements of Subsection IWE, "Requirements for Class MC and Metallic Liners of Class CC Components of Light Water Cooled Plants," and Subsection IWL, "Requirements for Class CC Concrete Components of Light-Water Cooled Plants," of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code) from the effective date of September 9, 1996. It provided for a period of 5 years within which the licensees must complete the first inspection (of the first interval) of the containment structures utilizing the requirements of the rule (i.e., effective September 9, 2001). Also, any repair and replacement activities for the containment structure, that are within the scope of the rule, must be performed using Subsections IWE and IWL, effective September 9, 1996.

In your letter, you requested an exemption from immediately implementing the requirements of the rule for the repairs and replacement activities required by Subsections IWE and IWL that may have to be performed between September 9, 1996, and September 9, 2001. You stated that immediate implementation of Subsections IWE and IWL was impractical, providing the details in your letter, and requested an exemption from the new requirements for a period of 5 years from the effective date of September 9, 1996, or until September 9, 2001.

As noted in the enclosed safety evaluation, the staff has reviewed your request and determined, because 10 CFR 50.55a(a)(3) and (g)(6)(i) permit relief from, and the use of alternatives to, the requirements of 10 CFR 50.55a (i.e., the new requirements in IWE and IWL), that the proper avenue for relief from compliance with the repair and replacement requirements of Subsections IWE and IWL is a relief request in accordance with 10 CFR 50.55a, and not an exemption from the subject rule.

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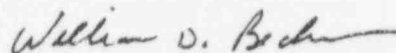
Mr. Joseph J. Hagan

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Therefore, based on this, the staff denies your exemption request. In addition, your submittal does not contain sufficient justification to obtain relief from the new requirements in IWE and IWL pursuant to 10 CFR 50.55a in that you have not (1) proposed an alternative which would provide an acceptable level of quality or safety, (2) shown compliance with the requirements of IWE and IWL would result in hardship or unusual difficulty without a compensating increase in the level of quality and safety, or (3) shown that these requirements are impractical for your facility.

Therefore, relief cannot be granted unless you submit the necessary information under 10 CFR 50.55a.

Sincerely,



William D. Beckner, Director
Project Directorate IV-1
Division of Reactor Projects III/IV
Office of Nuclear Reactor Regulation

Docket No. 50-416

Enclosure: Safety Evaluation

cc w/encl: See next page

Mr. Joseph J. Hagan

- 2 -

Therefore, based on this, the staff denies your exemption request. In addition, your submittal does not contain sufficient justification to obtain relief from the new requirements in IWE and IWL pursuant to 10 CFR 50.55a in that you have not (1) proposed an alternative which would provide an acceptable level of quality or safety, (2) shown compliance with the requirements of IWE and IWL would result in hardship or unusual difficulty without a compensating increase in the level of quality and safety, or (3) shown that these requirements are impractical for your facility.

Therefore, relief cannot be granted unless you submit the necessary information under 10 CFR 50.55a.

Sincerely,

ORIGINAL SIGNED BY:

William D. Beckner, Director
Project Directorate IV-1
Division of Reactor Projects III/IV
Office of Nuclear Reactor Regulation

Docket No. 50-416

Enclosure: Safety Evaluation

cc w/encl: See next page

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C. Hawes	W. Beckner	G. Bagchi
H. Ashar		

SE Memo dated November 13, 1996
*See Previous Concurrence

Document Name: GG96621.EXE

OFC	PM/PD4-1	(A)LA/PD4-1	BC/ECGB*	OGC*	PD/PD4-140A
NAME	JDonohew/cf	CHawes CMT	GBagchi	MYoung	WBeckner
DATE	1/30/97	1/30/97	01/15/97	01/21/97	1/30/97
COPY	YES/NO	YES/NO	YES/NO	YES/NO	YES/NO

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Entergy Operations, Inc.

Grand Gulf Nuclear Station

cc:

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