



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

EVALUATION OF REQUEST FOR EXEMPTION FROM 10 CFR 50.55a

ENTERGY OPERATIONS, INC., ET AL.

GRAND GULF NUCLEAR STATION, UNIT 1

DOCKET NO. 50-416

1.0 BACKGROUND

By Federal Register Notice dated August 8, 1996 (61 FR 41303) the Nuclear Regulatory Commission (NRC) amended its regulations to incorporate by reference the 1992 edition with 1992 addenda 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 Section XI, Division 1, of the ASME Boiler and Pressure Vessel Code, with specified modifications and a limitation in 10 CFR 50.55a. The effective date of the amended rule was September 9, 1996. In order to facilitate efforts by licensees to integrate their routine 120 month inservice inspection (ISI) examinations with those of Subsections IWE and IWL, the rule provides for an expedited schedule for complete examination, which requires that the first containment inspection (of the first interval) must be completed within 5 years from the effective date of the rule, that is, by September 9, 2001.

By letter dated September 10, 1996, (Reference) the licensee (Entergy Operations, Inc.), requested an exemption from implementing the rule for 5 years. The following evaluation addresses some of the points raised by the licensee in the letter, and explains the staff position.

2.0 EVALUATION

The licensee has correctly interpreted the expedited examination portion of the rule for completing the first inspection of the first 10 year interval within a period of 5 years from the effective date of the rule. However, the staff disagrees with the licensee's position that repair or replacement activities that may have to be undertaken by a licensee in response to a deficiency discovered between the effective date of the rule and September 9, 2001, need not be conducted in accordance with the provisions of Subsections IWE and IWL. It is the staff's position that pursuant to 10 CFR 50.55a(g)(4)(v), all repair or replacement activities within the scope of Subsection IWE and IWL which are conducted after September 9, 1996, must be conducted in accordance with those Subsections.

ENCLOSURE

Nonetheless, the staff recognizes that, as a practical matter, licensees may require a period of time to develop and implement procedures for repair and replacement which meet the requirements of Subsections IWE and IWL. Because 10 CFR 50.55a(a)(3) and (g)(6)(i) permits relief from the requirements of 10 CFR 50.55a (i.e., the new requirements in IWE and IWL), 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. However, the staff also concludes that the licensee has not provided sufficient justification to obtain relief from the new requirements in IWE and IWL because the licensee, in its submittal, did not (1) propose an alternative which would provide an acceptable level of quality or safety, (2) show that 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) show that these requirements are impractical.

3.0 CONCLUSION

The staff denies the licensee's request for exemption. However, the staff will review relief requests, as explained in the Evaluation, on a case by case basis.

4.0 REFERENCE

Letter from C. R. Hutchinson (Entergy Operations, Inc.) to NRC, "Exemption from 10 CFR 50.55a," Dated September 10, 1996.

Principal Contributor: Hansraj Ashar

Date: January 30, 1997

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