

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	Docket Nos. 50-259
TENNESSEE VALLEY AUTHORITY	)	50-260
(Browns Ferry Nuclear Plant, Units 1, 2 and 3)	)	50-296

EXEMPTION

I.

The Tennessee Valley Authority (the licensee) is the holder of Facility Operating Licenses No. DPR-33, DPR-52, and DPR-68 which authorize operation of the Browns Ferry Nuclear Plant, Units 1, 2, and 3, respectively. These licenses provide that, among other things, the facility is subject to all rules, regulations, and orders of the commission now or hereafter in effect.

II.

10 CFR 50.55a(g)(4)(ii) requires that in-service examinations of components, in-service tests to verify operational readiness of pumps and valves whose function is required for safety, and system pressure tests, conducted during the successive 120-month inspection intervals shall comply with the requirements of the latest edition and addenda of the Code incorporated by reference in paragraph (b) of the applicable section.

The Licensee would be required to update its Browns Ferry ASME Section XI pump and valve program to a later edition of the code at the end of the initial 120-month inspection interval which would be no later than March 1, 1988. However, as a result of discussions between TVA and the NRC, TVA agreed to revise and update its pump and valve (IST) program to the later code edition earlier than was required. This revised program was submitted to the NRC on August 31, 1982, which was 5 years into the initial 10-year IST inspection interval.

By letter dated April 6, 1983, TVA requested an exemption to allow Browns Ferry to utilize the updated IST program for a full 10-year interval beginning on August 31, 1982, the date of the revised program submittal. The Licensee revised its exemption request on February 17, 1988 in accordance with the requirements of 10 CFR 50.12(a)(2) pertaining to special circumstances.

With regard to this exemption request, the staff concludes that permitting the 120-month interval for pumps and valves to be extended for all units until August 31, 1992 is acceptable since the Browns Ferry program would not exceed a ten-year period without updating to a more recent edition of the code as required by the rule. The Licensee's revised IST program was submitted on August 31, 1982, mid-way through the first ten-years IST interval. The revised program was based upon the most recent edition of the ASME Code which was the 1980 edition of the Code through the Winter Addenda. Granting the exemption results in updating to a revised ASME Code Edition two times in a 180-months period compared to two times in a 240-months period permitted under the rule. Therefore, granting the exemption would not result in the IST program exceeding the 10-year interval without receiving an ASME code update. In addition, the staff has compared the requirements of the 1980 edition of the Code requirements which would apply in March 1987 if the exemption were not granted (i.e., the 1983 Edition and Addenda through the Summer 1983 Addenda) and has determined that there is no significant difference in the testing requirements for pumps and valves. Therefore, the staff finds that an exemption from the requirements of 10 CFR 50.55a(g)(4) is justified.

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## III.

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, the exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security. The Commission further determines that special circumstances as provided in 10 CFR 50.12(a)(2)(ii) are present and justify the exemptions-- namely, that application of the regulation in the particular circumstances is not necessary to achieve the underlying purpose of the rule in that at no point would granting the exemption result in the IST program exceeding ten years without receiving an ASME code update.

The Commission hereby grants an exemption from the requirements of 10 CFR 50.55a(g)(4)(ii) to the Licensee for the operation of the Browns Ferry Plant, Units 1, 2, and 3, in that the revised IST program of August 31, 1982 complied with the requirements of the latest edition and agenda of the Code and, therefore, the Browns Ferry IST program will not exceed the 120-month interval without an update to a more recent ASME Code update.

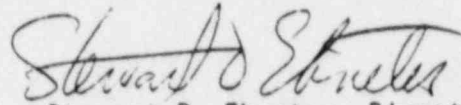
Pursuant to 10 CFR 51.21, the Commission has determined that the issuance of this exemption will have no significant impact on the environment (53FR 8521, March 15, 1988).

For further details with respect to this action, see the request for exemption dated April 6, 1983, as supplemented February 17, 1988, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Athens Public Library, South Street, Athens, Alabama 35611.

This exemption is effective upon issuance.

Dated at Bethesda, this 18th day of March 1988.

FOR THE NUCLEAR REGULATORY COMMISSION

  
Stewart D. Ebner, Director  
Office of Special Projects