

295

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION



Before the Commission

In the Matter of)	
Philadelphia Electric Company)	Docket No. 50-352-OLA
(Limerick Generating Station,)	
Unit 1))	March 11, 1986

LICENSEE'S ANSWER IN OPPOSITION TO LATE-FILED
PETITION FOR LEAVE TO INTERVENE AND REQUEST FOR
HEARING BY ROBERT L. ANTHONY ON AMENDMENT NO. 2

Preliminary Statement

On February 26, 1986, petitioner Robert L. Anthony filed a late request for leave to intervene and for a hearing with respect to the proposed issuance of an amendment to Facility Operating License No. NPF-39, which authorizes Philadelphia Electric Company ("Licensee") to operate its Limerick Generating Station, Unit 1 ("Limerick").

In an Application for Amendment of Facility Operating License NPF-39 and Exemption to Part 50, Appendix J filed December 18, 1985,^{1/} Licensee sought an amendment which would revise Technical Specifications 4.6.1.2.d and g for Unit 1 to allow a once-only extension of time to satisfy local leak rate testing requirements on certain primary containment isolation valves. Under the proposed amendment, the surveillance

1/ The Application for Amendment was transmitted by letter dated December 18, 1985 from Eugene J. Bradley, Associate General Counsel, Philadelphia Electric Company, to Harold R. Denton, Director, Office of Nuclear Reactor Regulation, NRC (copy attached).

D503

8603170122 860311
PDR ADOCK 05000352
G PDR

testing would be performed during a plant shutdown beginning no later than May 26, 1986, which would be a maximum of 84 days beyond the time otherwise required by the Technical Specifications.

Pursuant to its delegated authority under 10 C.F.R. §50.91(a)(2), the NRC Staff published the Commission's proposed determination that the requested amendment involves "no significant hazards consideration" in the Federal Register on December 30, 1985.^{2/} The notice in the Federal Register expressly stated that "any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written petition for leave to intervene" within the time prescribed.^{3/} Accordingly, the last day for filing a timely petition to intervene and request for a hearing in the instant matter was January 29, 1986. Mr. Anthony's petition, filed four weeks later, is clearly and inexcusably late. Mr. Anthony has failed to state any "good cause" for his lateness. Nor has he even discussed, much less satisfied, the remaining criteria under the Commission's regulations for accepting late-filed petitions.

Additionally, Mr. Anthony has failed to meet with the Commission's requirements for intervention under 10 C.F.R. §§2.714(a)(2) and (d) because he has failed to assert any cognizable interest in the amendment at issue. Therefore, under the Commission's regulations and precedents,

^{2/} 50 Fed. Reg. 53226, 53235 (December 30, 1985).

^{3/} Id. at 53227. The notice erroneously stated the deadline as February 3, 1986. This error resulted from miscalculation of the actual publication date and was rectified by a subsequent notice which correctly stated the deadline as January 29, 1986. 51 Fed. Reg. 1051 (January 9, 1986).

Mr. Anthony does not qualify for intervention and lacks standing to contest the issuance of the amendment. Accordingly, his petition should be dismissed.

Argument

I. Mr. Anthony's Petition is Late Without "Good Cause" and Fails to Satisfy the Criteria for Admitting Late Petitions.

At the outset, the instant petition should be distinguished from another, entirely different petition filed by Mr. Anthony which is now pending before the duly designated Atomic Safety and Licensing Board.^{4/} In an earlier petition, Mr. Anthony challenged Amendment No. 1 to the Limerick operating license, which was granted by the NRC on February 6, 1986, following notice of proposed action in the Federal Register on December 26, 1985.^{5/} Amendment No. 1 authorized an extension of the allowable interval for testing certain reactor instrumentation line excess flow check valves as required by the plant's Technical Specifications. Both the NRC Staff and Licensee have opposed Mr. Anthony's amended petition to intervene and request for a hearing regarding the

^{4/} Should the Commission similarly designate the same or a new licensing board to decide the instant petition, Licensee's arguments are, of course, directed to the appointed board.

^{5/} 50 Fed. Reg. 52874 (December 26, 1985). Without apparent reference to the Commissioners and without regard to the requirements of the Federal Register Act and the Commission's regulations in 10 C.F.R. §2.714 and §50.91, the Office of the Secretary advised Mr. Anthony by letter dated February 6, 1986 that a "conforming petition" Mr. Anthony said he would file "will be docketed and referred to the Atomic Safety and Licensing Board Panel for consideration."

grant of that operating license amendment.^{6/} On February 12, 1986, the Chief of the Atomic Safety and Licensing Board Panel established an Atomic Safety and Licensing Board to rule upon any petition to intervene and request for hearing associated with that amendment.

The instant petition by Mr. Anthony pertains to a different license amendment request concerning local leak rate testing requirements on certain primary containment isolation valves. As noted, notice of that proposed amendment was published in the Federal Register on December 30, 1985. The request was granted by the NRC on March 3, 1986 as Amendment No. 2 to the Limerick operating license.^{7/} Accordingly, Mr. Anthony errs in concluding that the jurisdiction of the Licensing Board already designated in the proceeding regarding Amendment No. 1, absent some action by the Commission, "extends also" to his petition and hearing request regarding Amendment No. 2.^{8/} Likewise, there is no basis for Mr. Anthony's attempt to incorporate by reference his papers concerning Amendment No. 1 inasmuch as they involve an entirely different proceeding.

^{6/} See Response of NRC Staff in Opposition to Petition to Intervene and Request for a Hearing by Anthony/FOE Regarding Licensee's Amendment Request (February 25, 1986); Licensee's Answer in Opposition to Late-Filed Petition for Leave to Intervene and Request for Hearing by Robert L. Anthony (February 19, 1986).

^{7/} See letter from Walter R. Butler, Division of BWR Licensing, NRC to Edward G. Bauer, Jr., Vice President and General Counsel, Philadelphia Electric Company (March 3, 1986) (copy attached).

^{8/} See Petition by Anthony for a Hearing and Leave to Intervene (February 26, 1986).

Thus, whether Mr. Anthony has shown "good cause" for lateness must be established on the basis of notice pertaining to Amendment No. 2 rather than any circumstances concerning other amendments or proceedings for the Limerick facility. Mr. Anthony's purported justification for lateness, that he received a copy of the Federal Register notice along with an NRC document on January 29, 1986, is totally unconvincing and without merit. As noted, Mr. Anthony had actual notice of the Application for Amendment by virtue of the copy served by Licensee on December 18, 1985. He has filed many similar "petitions" before the Commission and must be held accountable for knowing that deadlines for filings must be met.

To allow intervention on the basis of the Staff's summary of applications, particularly one dated after the expiration of the 30-day notice under 10 C.F.R. §50.91 in the Federal Register, would make a mockery of the Federal Register Act and is highly prejudicial to the rights of applicants. The law is clear that publication in the Federal Register gives full notice to all persons who might later seek to intervene:

The law required that the Nuclear Regulatory Commission publish once in the Federal Register notice of its intention to act on an application for an amendment to an operating license (The Atomic Energy Act of 1954, as amended, Sec. 189). The Appeal Board noted, in Jamesport, that "The Federal Register Act expressly provides that such publication constitutes notice to 'all persons residing within the States of the Union.' 44 U.S.C. 1508." Long Island Lighting Company (Jamesport Nuclear Power Station, Units 1 and 2)[,] ALAB-292, 2 NRC 631 (1975). Moreover, many years ago the U.S. Supreme Court ruled that publication in the Federal Register

gives legal notice to all citizens (Federal Crop Insurance Corp. v Merrill, 332 US 380-388, 1947).^{9/}

As the Licensing Board aptly stated in the Seabrook proceeding, publication in the Federal Register to parties wishing to intervene in hearings before the NRC "is a notice to all the world."^{10/}

The Appeal Board recently reiterated this very point in a case on all fours with Mr. Anthony's petition, which involved an amendment to the operating license for the Pilgrim reactor. Like Mr. Anthony, who participated at great length as an intervenor in the Limerick proceeding, the petitioner in Pilgrim was a long-time intervenor in NRC cases. Nonetheless, he ignored the deadline for timely intervention given in a Federal Register notice. The petitioner there did not contest the finding that his petition, filed eight days late, was untimely.^{11/} The Appeal Board affirmed, rejecting petitioner's claim that he should have been granted a second opportunity to explain his lateness after the issue had been raised by the Licensee's and NRC Staff's answers to his petition.^{12/}

^{9/} Florida Power and Light Company (Turkey Point Nuclear Generating Station, Units 3 and 4), LBP-79-21, 10 NRC 183, 192 (1979). See also Maine Yankee Atomic Power Company (Maine Yankee Atomic Power Station), LBP-82-4, 15 NRC 199, 201 (1982); New England Power & Light Company (NEP, Units 1 and 2), LBP-78-18, 7 NRC 932, 933-34 (1978).

^{10/} Public Service Company of New Hampshire (Seabrook Station, Units 1 and 2), LBP-82-76, 16 NRC 1029, 1085 (1982).

^{11/} Boston Edison Company (Pilgrim Nuclear Power Station), LBP-85-24, 22 NRC 97 (1985), aff'd, ALAB-816, 22 NRC 461 (1985).

^{12/} Pilgrim, supra, ALAB-816, 22 NRC at 466-68.

Equally important, the Appeal Board held that "given [petitioner's] failure even to address the section 2.714(a) lateness factors, his intervention petition was correctly denied because it was untimely."^{13/} It ruled that "the burden of persuasion on the lateness factors is on the tardy petitioner and that, in order to discharge that burden, the petitioner must come to grips with those factors in the petition itself."^{14/} Like Mr. Anthony in the instant proceeding, the petitioner in Pilgrim was "by no means a newcomer to NRC licensing proceedings"^{15/} and, given his experience, "fully apprehended the reach of the affirmative obligation imposed upon the petitioner who appears on the scene after the prescribed deadline has passed."^{16/} The Appeal Board recently had occasion to remind Mr. Anthony of that "affirmative obligation,"^{17/} but he has nonetheless failed to address the lateness criteria here.

Also on point is the holding in Seabrook dismissing a late-filed petition by a knowledgeable intervenor in the operating license proceeding. Citing an argument by petitioner which "betrayed his understanding

^{13/} Id. at 465-66.

^{14/} Id. at 466.

^{15/} Id. at 467.

^{16/} Id. at 468.

^{17/} Limerick, supra, ALAB-828, 23 NRC ____ (January 16, 1986) (slip op. at 10-16).

of such legal requirement as notice [in the Federal Register],^{18/} the Licensing Board held:

This appears to be the statement of one well versed in nuclear matters appearing in the Federal Register. Thus, Petitioner apparently was well qualified to locate notice of hearings in the Federal Register The Board has elected to address this argument to make it clear to others in this proceeding who do not understand that ignorance of Federal Register notice is no justification for permitting late intervention or justification for ignoring the matters set forth in Federal Register notices pertaining to this proceeding.^{19/}

Accordingly, Mr. Anthony's petition is four weeks late without "good cause" for lateness.

Mr. Anthony has also failed to address, much less satisfy, the remaining four factors for considering late-filed petitions under 10 C.F.R. §2.714(a)(1).^{20/} On the second factor, other means exist to protect Mr. Anthony's interest. As the Appeal Board recently ruled in the Limerick case, reliance upon the NRC Staff may constitute sufficient "other means," depending upon the issues sought to be raised, the relief requested and the stage of the proceeding.^{21/} Inasmuch as the Staff has

^{18/} Public Service Company of New Hampshire (Seabrook Station, Units 1 and 2), Docket Nos. 50-443-OL and 50-444-OL, "Order" (November 15, 1983) (slip op. at 4-5).

^{19/} Id. at 5.

^{20/} Failure even to discuss the five factors itself justifies denial of his late petition. Duke Power Company (Perkins Nuclear Station, Units 1, 2 and 3), ALAB-615, 12 NRC 350, 352-53 (1980). See also Metropolitan Edison Company (Three Mile Island Nuclear Station, Unit No. 1), CLI-83-25, 18 NRC 327, 331 (1983).

^{21/} Limerick, supra, ALAB-828, 23 NRC ____ (January 16, 1986) (slip op. at 12).

already prepared a detailed, written safety evaluation in support of Amendment No. 2, it is clear that it has acted and will continue to act in protection of any interest asserted by Mr. Anthony.

On the third factor, requiring a demonstration that petitioner can assist the Board in developing a sound record, Mr. Anthony has not demonstrated any particular knowledge or expertise on reactor safety. Mr. Anthony makes no personal claim of expertise in analyzing the potential for significant safety hazards associated with the subject operating license amendment, nor has he provided the names of any prospective expert witnesses and a summary of their proposed testimony.^{22/}

On the fourth factor, representation of Mr. Anthony's interests by existing parties, the NRC Staff is a party to every proceeding. For the reasons discussed above, it would adequately represent Mr. Anthony's interests if there were a hearing on the challenged amendment. In any event, the second and fourth factors are entitled to substantially less consideration.^{23/} Fifth, regarding the potential for delaying the proceeding and broadening the issues, it is axiomatic that granting Mr. Anthony's late petition will result in delay because, unless his late

^{22/} Accordingly, Mr. Anthony has not complied with the requirement of Grand Gulf that "[w]hen a petitioner addresses this criterion it should set out with as much particularity as possible the precise issues it plans to cover, identify its prospective witnesses, and summarize their proposed testimony." Mississippi Power & Light Company (Grand Gulf Nuclear Station, Units 1 and 2), ALAB-704, 16 NRC 1725, 1730 (1982). See also Washington Public Power Supply System (WPPSS Nuclear Project No. 3), ALAB-747, 18 NRC 1167, 1177 (1983); Long Island Lighting Company (Shoreham Nuclear Power Station, Unit 1), ALAB-743, 18 NRC 387, 399 (1983).

^{23/} South Carolina Electric and Gas Company (Virgil C. Summer Nuclear Station, Unit 1), ALAB-642, 13 NRC 881, 894-95 (1981).

petition is granted, there would be no hearing at all.^{24/} Allowing late intervention without good cause is highly prejudicial to the Licensee, which would be put to the time and expense of defending yet another attack on Limerick by petitioners. Further, it is clear that Mr. Romano wishes to litigate certain matters not raised by Mr. Anthony, albeit those matters are beyond the scope of this proceeding, such as previous Licensee Event Reports and IE Report 50-352/86-02.^{25/} Accordingly, Mr. Anthony has failed to discuss the five criteria for considering late petitions and has also failed to satisfy those criteria on balance.

II. Mr. Anthony Has Not Satisfied the Requirements of 10 C.F.R. §§2.714(a)(2) and (d) and Lacks Standing to Intervene.

Under the Commission's Rules of Practice, a petition to intervene in a licensing proceeding may be granted only if the requirements of 10

^{24/} See Houston Lighting and Power Company (South Texas Project, Units 1 and 2), ALAB-549, 9 NRC 644, 650-51 (1979); Tennessee Valley Authority (Watts Bar Nuclear Plant, Units 1 and 2), ALAB-413, 5 NRC 1418, 1422 (1977). These principles require particular attention to objections on the grounds of standing and timeliness because "boards should be cautious about triggering such hearings at the behest of those without a statutory right to intervene." South Texas, supra, ALAB-549, 9 NRC at 649. It is noted that delay in completing the proceeding, not delay in issuing the license amendment or plant operation, is the controlling factor. Limerick, supra, ALAB-828, 23 NRC ____ (January 16, 1986) (slip op. at 15).

^{25/} IE Report 50-352/86-02 (February 4, 1986) (copy attached) involved a routine safety inspection of the Limerick Unit 1 radiation protection program. The NRC found no violations and required no reply to the report. There is no basis for Mr. Romano's assertion that the report shows "welding and improperly proportioned concrete." Romano Petition at 2 (February 24, 1986). Moreover, his allegation is totally unconnected to any aspect of Amendment No. 1.

C.F.R. §§2.714(a)(2) and (d) have been satisfied. These prerequisites are set forth below:

(a)(2) The petition shall set forth with particularity the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, including the reasons why petitioner should be permitted to intervene, with particular reference to the factors in paragraph (d) of this section, and the specific aspect or aspects of the subject matter of the proceeding as to which petitioner wishes to intervene.

. . . .

(d) The Commission, the presiding officer or the atomic safety and licensing board designated to rule on petitions to intervene and/or requests for hearing shall, in ruling on a petition for leave to intervene, consider the following factors, among other things:

(1) The nature of the petitioner's right under the Act to be made a party to the proceeding.

(2) The nature and extent of the petitioner's property, financial, or other interest in the proceeding.

(3) The possible effect of any order which may be entered in the proceeding on the petitioner's interest.

However liberally these requirements might be interpreted in a plenary operating license case, a much more specific showing must be made in a case involving only a temporary schedular change for compliance with plant Technical Specifications. In the Pilgrim operating license amendment proceeding, the Licensing Board denied a late petition for leave to intervene because the petitioner lacked standing under the stricter standard applicable to amendment proceedings. The Board held:

This case concerns a request for a license amendment and it is not controlled by the same standing considerations that govern standing when an operating license is sought. Whatever the risk to the surrounding community from a reactor and its associated fuel pool, the risk from the fuel pool

alone is less and the distance of residence from the pool for which standing would be appropriate would, accordingly, be less. Consequently, we do not consider residence 43 miles from this plant to be adequate for standing. We need not decide how close residence might be before standing would be established.^{26/}

In affirming that decision in Pilgrim, the Appeal Board expressly left open the question of "whether either [petitioner's] place of residence or his consumption of food products originating in the vicinity of the facility serves to clothe [petitioner] with the requisite mantle of standing to challenge the proposed amendment to the Pilgrim operating license."^{27/}

Licensee submits that the Pilgrim rationale and outcome are controlling here. Mr. Anthony resides in Moylan, Pennsylvania, which lies some 20 miles southeast of the Limerick plant. The only purported "interest" in the proposed amendment asserted by Mr. Anthony is as follows:

We believe that we are entitled as effected [sic] residents and PECO ratepayers (1) to be admitted as

^{26/} Pilgrim, supra, LBP-85-24, 22 NRC at 99 (emphasis in original). The Board added that it knew of "no scenario under which radiation attributable to the fuel pool would affect a residence 43 miles distant from the fuel pool; and petitioner has not informed us of any such scenario." Id.

^{27/} Pilgrim, supra, ALAB-816, 22 NRC at 465. Although it noted one particular precedent on standing which it deemed relevant, the Appeal Board in Pilgrim did not cite its prior holding in Virginia Electric and Power Company (North Anna Nuclear Power Station, Units 1 and 2), ALAB-522, 9 NRC 54 (1979). In that case, the Appeal Board reversed the denial of standing to petitioners in a license amendment proceeding to enable expansion of the spent fuel pool capacity for Units 1 and 2 of the North Anna plant. It is uncertain whether the Appeal Board in Pilgrim believed that its earlier North Anna holding was distinguishable or should be reconsidered when its opinion would not constitute dictum.

a party to the proceedings, and that (2) as property owners and workers in the area of the Limerick plant we have family and financial interests in the proceedings, and (3) if this amendment were issued, there would be severe repercussions for us through the threat of radioactive poisoning from a possible radiological accident, the necessity to sell our property and seek employment outside the PECO area, and the accompanying financial and social disruption of our lives.^{28/}

Nothing in these self-serving but unsupported allegations states how Mr. Anthony, as one who resides, owns property or works 20 miles distant from the Limerick plant, will suffer any injury or otherwise be affected by a short extension of the time within which Licensee must conduct its local leak rate testing on certain primary containment isolation valves. Nothing asserted by Mr. Anthony states any connection between the grant of such an amendment to the plant's operating license and the alleged "threat of radioactive poisoning from a possible radiological accident."^{29/} The mere recitation that an accident is possible fails to specify any interest on the part of Mr. Anthony which might be potentially affected by this particular amendment. Absent a specified nexus between the amendment and his putative interest, Mr. Anthony has failed to demonstrate either the nature of his interest or how it might be affected by the outcome of this proceeding.^{30/}

^{28/} Petition by Anthony for a Hearing and Leave to Intervene (February 26, 1986).

^{29/} Id.

^{30/} Mr. Anthony attempts to establish an interest by asserting that the extension "constitutes a high risk . . . since the safe operation of the reactor cannot be assured without these tests having been successfully concluded." Id. Apparently, Mr. Anthony is arguing
(Footnote Continued)

Put differently, nothing alleged by Mr. Anthony shows any personalized grievance which gives him standing under the Commission's regulations and precedents. As the Commission has stated, some "injury in fact" to the petitioner himself, and not a generalized grievance or interest shared by a large class of the public, is necessary for standing. In Transnuclear, Inc., CLI-77-24, 6 NRC 525 (1977), the Commission held as follows in deciding that petitioners lacked standing to request a hearing:

Any right the Petitioner may have to demand a hearing in the present proceeding must be based upon Section 189 of the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2239. That section provides that a hearing must be granted, on the request of persons who can demonstrate an "interest [which] may be affected by the proceeding." Under the most recent Supreme Court decisions on standing, a party seeking relief must "allege some threatened or actual injury resulting from the putatively illegal action before a federal court may assume jurisdiction." Linda R.S. v. Richard D., 410 U.S. 614, 617 (1973), Warth v. Seldin, 422 U.S. 490, 499 (1975); see Simon v. Eastern Kentucky Welfare Rights Organization, 426 U.S. 26 (1976). One focus of the "injury in fact" test is the concept that a claim will not normally be entertained if the "asserted harm is a 'generalized grievance' shared in substantially equal measure by all or a large class of citizens" Warth v. Seldin, 422 U.S. at 499. Thus, even if there is a generalized asserted harm, the Petitioners must still show a distinct and palpable harm to them. Id. at 501. See United States v. Students

(Footnote Continued)

that any schedular exemption automatically constitutes a safety hazard. Such reasoning is logically deficient because, on that basis, the NRC could never grant a schedular exemption or any other license amendment upon a finding of "no significant hazards consideration." This allegation does not create any interest on the part of Mr. Anthony.

Challenging Regulatory Action Procedures (SCRAP),
412 U.S. 669 (1973).^{31/}

The Commission reviewed and reaffirmed these requirements for standing in rejecting intervention petitions in Westinghouse Electric Corp. (Export to South Korea), CLI-80-30, 12 NRC 253 (1980). It again emphasized the importance of stating some "injury in fact" to the petitioner himself as a basis for establishing the requisite personal interest in the proceeding. The Commission held:

In developing the "injury in fact" requirement, the Court has held that an organization's mere interest in a problem, "no matter how long-standing the interest and no matter how qualified the organization is in evaluating the problem," is not sufficient for standing to obtain judicial review. Sierra Club v. Morton, 405 US 727, 739 (1972). The organization seeking relief must allege that it will suffer some threatened or actual injury resulting from the agency action. Linda R.S. v. Richard D., 410 US 614, 617 (1973); Warth v. Seldin, 422 US 490, 499 (1975). Simon v. Eastern Kentucky Welfare Rights Organization, 426 US 26, 40 (1976), made clear that "an organization's abstract concern with a subject that could be affected by an adjudication does not substitute for the concrete injury, required by article III."^{32/}

Contrary to these requirements, Mr. Anthony has shown no threatened or actual injury in fact from the issuance of Amendment No. 1. His petition states only an abstract, generalized concern for safety

^{31/} 6 NRC at 530-31 (emphasis added). While the cited proceeding was for consideration of export license applications, the Commission did not distinguish the standing requirements from those applications in other proceedings, including reactor applications.

^{32/} 12 NRC at 258. See also Nuclear Engineering Company, Inc. (Sheffield, Illinois, Low-Level Radioactive Waste Disposal Site), ALAB-473, 7 NRC 737, 739-43 (1978); Allied-General Nuclear Services (Barrwell Fuel Receiving and Storage Station), ALAB-328, 3 NRC 420 (1976).

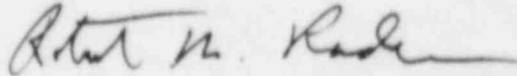
indistinguishable from the concern of the general public and is therefore insufficient for standing.

Conclusion

For the reasons discussed above, Mr. Anthony's petition for leave to intervene and request for a hearing should be denied.

Respectfully submitted,

CONNER & WETTERHAHN, P.C.



Troy B. Conner, Jr.
Robert M. Rader

Counsel for Licensee

March 11, 1986

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION



In the Matter of)
)
Philadelphia Electric Company) Docket Nos. 50-352
) 50-353
(Limerick Generating Station,)
Units 1 and 2))

CERTIFICATE OF SERVICE

I hereby certify that copies of "Licensee's Answer in Opposition to Late-Filed Petition for Leave to Intervene and Request for Hearing by Robert L. Anthony on Amendment No. 2," dated March 11, 1986 in the captioned matter have been served upon the following by deposit in the United States mail this 11th day of March, 1986:

Samuel J. Chilk, Secretary
Office of the Secretary
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Atomic Safety and Licensing
Appeal Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Nunzio J. Palladino,
Chairman
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Thomas M. Roberts,
Commissioner
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Philadelphia Electric Company
ATTN: Edward G. Bauer, Jr.
Vice President &
General Counsel
2301 Market Street
Philadelphia, PA 19101

James K. Asselstine,
Commissioner
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

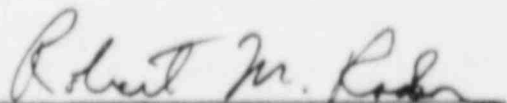
Docketing and Service Section
Office of the Secretary
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Frederick M. Bernthal,
Commissioner
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Ann P. Hodgdon, Esq.
Counsel for NRC Staff
Office of the Executive
Legal Director
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Jay M. Gutierrez, Esq.
U.S. Nuclear Regulatory
Commission
631 Park Avenue
King of Prussia, PA 19406

Mr. Robert L. Anthony
Friends of the Earth of
the Delaware Valley
106 Vernon Lane, Box 186
Moylan, Pennsylvania 19065


Robert M. Rader



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

MAR 03 1986



Docket No. 50-352

Mr. Edward G. Bauer, Jr.
Vice President and General Counsel
Philadelphia Electric Company
2301 Market Street
Philadelphia, Pennsylvania 19101

Dear Mr. Bauer:

SUBJECT: ISSUANCE OF AMENDMENT NO. 2 TO FACILITY OPERATING LICENSE NO. NPF-39,
LIMERICK GENERATING STATION, UNIT 1

The Nuclear Regulatory Commission has issued the enclosed Amendment No. 2 to Facility Operating License No. NPF-39 for the Limerick Generating Station, Unit 1. This amendment is in response to your letters dated December 18, 1985, January 29, February 5, February 25 and March 3, 1986. The amendment extends on a one-time-only basis the surveillance requirements in the Technical Specifications for containment isolation valves which must be performed nominally every eighteen or twenty-four months and which can be done only when the plant is shutdown. Your reason for this extension is that Limerick, Unit 1 has experienced an extended start-up program schedule and has been shutdown for much of the first surveillance interval. Therefore you have requested a temporary extension of twelve weeks in the surveillance testing to allow the testing to be performed during a maintenance and surveillance testing outage which will begin on or before May 26, 1986. A copy of the related safety evaluation supporting Amendment No. 2 to Facility Operating License NPF-39 is enclosed.

The approval of these amendments also requires a one-time exemption from certain Type C local leakage rate test requirements of 10 CFR Part 50, Appendix J. In response to your letter of December 18, 1985, such a one-time exemption is being issued separately.

Sincerely,

Walter R. Butler, Director
BWR Project Directorate No. 4
Division of BWR Licensing

Enclosures:

- 1. Amendment No. 2 to NPF-39
- 2. Safety Evaluation

cc: See next page

8603130330

Mr. Edward G. Bauer, Jr
Philadelphia Electric Company

Limerick Generating Station
Units 1 & 2

cc:
Troy B. Conner, Jr., Esquire
Conner and Wetterhahn
1747 Pennsylvania Ave, N.W.
Washington, D. C. 20006

Mr. Marvin I. Lewis
6504 Bradford Terrace
Philadelphia, Pennsylvania 19149

Zori G. Ferkin
Assistant Counsel
Governor's Energy Council
1625 N. Front Street
Harrisburg, Pennsylvania 17105

Frank R. Romano, Chairman
Air & Water Pollution Patrol
61 Forest Avenue
Ambler, Pennsylvania 19002

Federic M. Wentz
County Solicitor
County of Montgomery
Courthouse
Norristown, Pennsylvania 19404

Charles W. Elliott, Esquire
Brose & Poswistilo, 1101 Bldg.
325 N. 10th Street
Easton, Pennsylvania 18402

Eugene J. Bradley
Philadelphia Electric Company
Associate General Counsel
2301 Market Street
Philadelphia, Pennsylvania 19101

Ms. M. Mulligan
Limerick Ecology Action
762 Queen St.
Pottstown, Pennsylvania 19464

Mr. Karl Abraham
Public Affairs Officer
Region 1
U.S. Nuclear Regulatory Commission
631 Park Avenue
King of Prussia, PA 19806

Thomas Gerusky, Director
Bureau of Radiation Protection
Dept. of Environmental Resources
5th Floor, Fulton Bank Bldg.
Third and Locust Streets
Harrisburg, Pennsylvania 17120

Mr. Gene Kelly
Senior Resident Inspector
U.S. Nuclear Regulatory Commission
P. O. Box 47
Sanatoga, Pennsylvania 19464

cc:

Sugarman, Denworth & Hellegers
16th Floor Center Plaza
101 North Broad Street
Philadelphia, Pennsylvania 19106

Robert L. Anthony
Friends of the Earth
of the Delaware Valley
103 Vernon Lane, Box 186
Moylan, Pennsylvania 19065

Kathryn S. Lewis, Esq.
Municipal Services Bldg.
15th and JFK Blvd.
Philadelphia, Pennsylvania 19102

David Wersan, Esq.
Assistant Consumer Advocate
Office of Consumer Advocate
1425 Strawberry Square
Harrisburg, Pennsylvania 17120

Steven P. Hershey, Esq.
Community Legal Services, Inc.
Law Center North Central - Bevery Bldg.
3701 North Board Street
Philadelphia, Pennsylvania 19140

Mr. J. T. Robb, NS-1
Philadelphia Electric Company
2301 Market Street
Philadelphia, Pennsylvania 19101

Timothy R. S. Campbell, Director
Department of Emergency Services
14 East Biddle Street
West Chester, Pennsylvania 19380

Director, Pennsylvania Emergency
Management Agency
Basement, Transportation &
Safety Building
Harrisburg, Pennsylvania 17120

Angus Love, Esq.
107 East Main Street
Norristown, Pennsylvania 19402

Helen F. Hoyt, Chairman
Administrative Judge
Atomic Safety & Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dr. Jerry Harbour
Administrative Judge
Atomic Safety & Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dr. Richard F. Cole
Administrative Judge
Atomic Safety & Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Mr. Spence W. Perry, Esq.
Associate General Counsel
Federal Emergency Management Agency
Room 840
500 C St., S.W.
Washington, D. C. 20472



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

PHILADELPHIA ELECTRIC COMPANY

DOCKET NO. 50-352

LIMERICK GENERATING STATION, UNIT 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 2
License No. NPF-39

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment filed by the Philadelphia Electric Company dated December 18, 1985, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations as set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the regulations of the Commission;
 - C. There is reasonable assurance: (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations set forth in 10 CFR Chapter I;
 - D. The issuance of this license amendment will not be inimical to the common defense and security or to the health and safety of the public;
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this amendment and Paragraph 2.C(2) of Facility Operating License No. NPF-39 is hereby amended to read as follows:

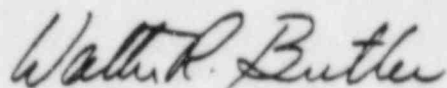
(2) Technical Specifications

The Technical Specifications contained in Appendix A and the Environmental Protection Plan contained in Appendix B, as revised through Amendment No. 2, are hereby incorporated in the license. PECO shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

~~860313033T~~

3. This amendment is effective immediately and is to be fully implemented within 30 days of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Walter R. Butler, Director
Project Directorate No. 4
Division of BWR Licensing

Attachment:
Changes to the Technical
Specifications

Date of Issuance: MAR 03 '88

ATTACHMENT TO LICENSE AMENDMENT NO. 2

FACILITY OPERATING LICENSE NO. NPF-39

DOCKET NO. 50-352

Replace the following pages of the Appendix A Technical Specifications with the enclosed pages. The revised pages are identified by Amendment number and contain vertical lines indicating the area of change. Also to be replaced are the following overleaf pages to the amended pages.

<u>Amendment Pages</u>	<u>Overleaf Pages</u>
3/4 6-4	3/4 6-3
3/4 6-19	3/4 6-20
3/4 6-20	3/4 6-19
3/4 6-21	3/4 6-22
3/4 6-24	3/4 6-23
3/4 6-25	3/4 6-26
3/4 6-27	3/4 6-28

CONTAINMENT SYSTEMS

LIMITING CONDITION FOR OPERATION (Continued)

ACTION: (Continued)

- b. The combined leakage rate for all penetrations and all valves listed in Table 3.6.3-1, except for main steam line isolation valves* and valves which are hydrostatically tested per Table 3.6.3-1, subject to Type B and C tests to less than or equal to $0.60 L_a$, and
- c. The leakage rate to less than or equal to 11.5 scf per hour for any one main steam line through the isolation valves, and
- d. The combined leakage rate for all containment isolation valves in hydrostatically tested lines which penetrate the primary containment to less than or equal to 1 gpm times the total number of such valves, prior to increasing reactor coolant system temperature above 200°F.

SURVEILLANCE REQUIREMENTS

4.6.1.2 The primary containment leakage rates shall be demonstrated at the following test schedule and shall be determined in conformance with the criteria specified in Appendix J of 10 CFR Part 50 using the methods and provisions of ANSI 45.4-1972 and BN-TOP-1 and verifying the result by the Mass Point Methodology described in ANSI N56.8-1981:

- a. Three Type A Overall Integrated Containment Leakage Rate tests shall be conducted at 40 ± 10 month intervals during shutdown at P_a , 44.0 psig, during each 10-year service period. The third test of each set shall be conducted during the shutdown for the 10-year plant inservice inspection.
- b. If any periodic Type A test fails to meet $0.75 L_a$, the test schedule for subsequent Type A tests shall be reviewed and approved by the Commission. If two consecutive Type A tests fail to meet $0.75 L_a$, a Type A test shall be performed at least every 18 months until two consecutive Type A tests meet $0.75 L_a$, at which time the above test schedule may be resumed.
- c. The accuracy of each Type A test shall be verified by a supplemental test which:
 1. Confirms the accuracy of the test by verifying that the difference between the supplemental data and the Type A test data is within $0.25 L_a$. The formula to be used is: $[L_o + L_{am} - 0.25 L_a] \leq L_c \leq [L_o + L_{am} + 0.25 L_a]$ where L_c = supplemental test result; L_o = superimposed leakage; L_{am} = measured Type A leakage.
 2. Has duration sufficient to establish accurately the change in leakage rate between the Type A test and the supplemental test.
 3. Requires the quantity of gas injected into the containment or bled from the containment during the supplemental test to be between $0.75 L_a$ and $1.25 L_a$.

*Exemption to Appendix "J" to 10 CFR Part 50.

CONTAINMENT SYSTEMS

SURVEILLANCE REQUIREMENTS (Continued)

- d. Type B and C tests shall be conducted with gas at P_a , 44.0 psig*, at intervals no greater than 24 months** except for tests involving:
 - 1. Air locks,
 - 2. Main steam line isolation valves,
 - 3. Containment isolation valves in hydrostatically tested lines which penetrate the primary containment, and
- e. Air locks shall be tested and demonstrated OPERABLE per Surveillance Requirement 4.6.1.3.
- f. Main steam line isolation valves shall be leak tested at least once per 18 months.
- g. Containment isolation valves in hydrostatically tested lines which penetrate the primary containment shall be leak tested at least once per 18 months.**
- h. The provisions of Specification 4.0.2 are not applicable to Specifications 4.6.1.2a., 4.6.1.2b., 4.6.1.2c., 4.6.1.2d., and 4.6.1.2e.

*Unless a hydrostatic test is required per Table 3.6.3-1.

**A Type C test interval extension to May 26, 1986 is permissible for primary containment isolation valves identified by an asterisk in the inboard and outboard isolation barrier columns of Table 3.6.3-1, Part A, as discussed in Application for Amendment of Facility Operating License dated December 18, 1985.

TABLE 3.6.3-1

PART A - PRIMARY CONTAINMENT ISOLATION VALVES

LIMERICK - UNIT 1

3/4 6-19

AMENDMENT NO. 2

PENETRATION NUMBER	FUNCTION	INBOARD ISOLATION BARRIER	OUTBOARD ISOLATION BARRIER	MAX. ISOL. TIME. IF APP. (SEC)(26)	ISOL. SIGNAL(S), IF APP. (20)	NOTES	P&ID
003B	CONTAINMENT INSTRUMENT GAS SUPPLY - HEADER 'B'	59-1005B (CK)	HV59-129B	NA 7	C,H,S		59
003D-2	CONTAINMENT INSTRUMENT GAS SUPPLY TO ADS VALVES E & K	59-1112*(CK)	HV59-151B*	NA 45	M		59
007A(B,C,D)	MAIN STEAM LINE 'A'(B,C,D)	HV41-1F022A (B,C,D)	HV41-1F028A (B,C,D)	5*	C,D,E,F,P,Q	6	41
			HV40-1F001B (F,K,P)	45	EA	6	
			(XV40-101B (F,K,P)	NA		6,1	
			SEE PART B, THIS TABLE)				
008	MAIN STEAM LINE DRAIN	HV41-1F016	HV41-1F019	30	C,D,E,F,P,Q	4	41
				30	C,D,E,F,P,Q		
009A	FEEDWATER	41-1F010A(CK)		NA			
			HV41-1F074A(CK)	NA			
			41-1036A(CK)	NA			
			HV41-130B	45			
			HV41-133A	45			
			HV41-109A	NA	32		
			HV41-1F032A(CK)	NA			
			HV55-1F105	30	7		
HV44-1F039(CK)	NA						
	(X-9B)						
	41-1016(X-9B, X-44)	NA			31		

TABLE 3.6.3-1 (Continued)

PART A - PRIMARY CONTAINMENT ISOLATION VALVES

LIMERICK - UNIT 1	PENETRATION NUMBER	FUNCTION	INBOARD ISOLATION BARRIER	OUTBOARD ISOLATION BARRIER	MAX. ISOL. TIME. IF APP. (SEC)(26)	ISOL. SIGNAL(S), IF APP. (20)	NOTES	P&ID	
3/4 6-20	009B	FEEDWATER	41-1F010B(CK)		NA				
					HV41-1F074B(CK)	NA			41
					41-1036B(CK)	NA			
					HV41-130A	45			
					HV41-133B	45			
					HV41-109B	NA		32	
					HV41-1F032B(CK)	NA			
					HV49-1F013	23	LFCC		
					HV44-1F039(CK)	NA			
					(X-9A)				
	41-1016(X-9A, X-44)	NA		31					
3/4 6-20	010	RCIC STEAM SUPPLY	HV49-1F007		7.2*	K, KA	5	49	
					HV49-1F008	7.2*			K, KA
					HV49-1F076	45			K, KA
3/4 6-20	011	HPCI STEAM SUPPLY	HV55-1F002		12*	L, LA	5	55	
					HV55-1F003	12*			L, LA
					HV55-1F100	45			L, LA
Amendment No. 2	012	RHR SHUTDOWN COOLING SUPPLY	HV51-1F009 PSV51-155		100	A,V	9,22	51	
					NA				
					HV51-1F008	100			A,V
Amendment No. 2	013A(B)	RHR SHUTDOWN COOLING RETURN	HV51-1F050A*(B*) (CK) HV51-151A*(B*)		NA	A,V	9,22	51	
					20	A,V			
					HV51-1F015A(B)	45			A,V
Amendment No. 2	014	RWCU - SUCTION	HV44-1F001*		10*	B,J,Y		44	
					HV44-1F004*	10*			B,J,Y

TABLE 3.6.3-1 (Continued)

PART A - PRIMARY CONTAINMENT ISOLATION VALVES

LIMERICK - UNIT 1

3/4 6-21

Amendment No. 2

PENETRATION NUMBER	FUNCTION	INBOARD ISOLATION BARRIER	OUTBOARD ISOLATION BARRIER	MAX. ISOL. TIME. IF APP. (SEC)(26)	ISOL. SIGNAL(S), IF APP. (20)	NOTES	P&ID
016A	CORE SPRAY INJECTION	HV52-1F006A(CK) HV52-1F039A		NA 7		9,22	52
			HV52-1F005	18	9,22		
016B	CORE SPRAY INJECTION	HV52-1F006B(CK) HV52-1F039B		NA 7		9,22	52
			HV52-108(CK)	NA	9,22		
017	RPV HEAD SPRAY	HV51-1F022 PSV51-122		60 NA	A,V	4,9,22	51
			HV51-1F023	135	A,V	9,22	
021	SERVICE AIR TO DRYWELL	15-1140		NA NA			15
			15-1139	NA NA			
022	DRYWELL PRESSURE INSTRUMENTATION		HV42-147C	45		10	42
023	RECW SUPPLY TO RECIRC PUMPS	HV13-106*		40		11,28, 29	13
			HV13-108*	30	11,28 29		
			HV13-109*	NA	11,13		
024	RECW RETURN FROM RECIRC PUMPS	HV13-107*		40		11,28, 29	13
			HV13-111*	30	11,28, 29		
			HV13-110*	NA	11,13		

TABLE 3.6.3-1 (Continued)

PART A - PRIMARY CONTAINMENT ISOLATION VALVES

LIMERICK - UNIT 1

3/4 6-22

PENETRATION NUMBER	FUNCTION	INBOARD ISOLATION BARRIER	OUTBOARD ISOLATION BARRIER	MAX. ISOL. TIME. IF APP. (SEC)(26)	ISOL. SIGNAL(S), IF APP. (20)	NOTES	P&ID
025	DRYWELL PURGE SUPPLY	HV57-121(X-201A)		5**	B,H,S,U,W	3,11,14,25	57
		HV57-123		5**	B,H,S,U,W	3,11,14,25	
		HV57-163		9	B,H,R,S	3,11,14	
			HV57-109 (X-201A)	6**	B,H,S,U,W	11,25	
			HV57-131 (X-201A)	5**	B,H,S,U,W	11,25	
		HV57-135	6**	B,H,S,U,W	11,25		
026	DRYWELL PURGE EXHAUST	HV57-114		5**	B,H,S,U,W	3,11,14,25	57
		HV57-111		15**	B,H,S,U	5,11,25	
		HV57-161		9	B,H,R,S	3,11,14	
		SV57-139		5		10	
			HV57-115	6**	B,H,S,U,W	11,25	
		HV57-117	5**	B,H,S,U	11,25		
		SV57-145	5	B,H,R,S	11		
027A	CONTAINMENT INSTRUMENT GAS SUPPLY TO ADS VALVES H,M,&S	59-1128(CK)		NA			59
			HV59-151A	45	M		
028A-1	RECIRC LOOP SAMPLE	HV43-1F019		10	B,D		43
			HV43-1F020	10	B,D		
028A-2	DRYWELL H2/O2 SAMPLE	SV57-132		5	B,H,R,S	11	57
			SV57-142	5	B,H,R,S	11	
028A-3	DRYWELL H2/O2 SAMPLE	SV57-134		5	B,H,R,S	11	57
			SV57-144	5	B,H,R,S	11	

TABLE 3.6.3-1 (Continued)

PART A - PRIMARY CONTAINMENT ISOLATION VALVES

LIMERICK - UNIT 1	PENETRATION NUMBER	FUNCTION	INBOARD ISOLATION BARRIER	OUTBOARD ISOLATION BARRIER	MAX. ISOL. TIME. IF APP. (SEC)(26)	ISOL. SIGNAL(S), IF APP. (20)	NOTES	P&ID
1	028B	DRYWELL H2/O2 SAMPLE	SV57-133		5	B,H,R,S	11	57
					5	B,H,R,S	11	
					5	B,H,R,S	11	
	030B-1	DRYWELL PRESSURE INSTRUMENTATION		HV42-147A	45		10	42
	035A	TIP PURGE	59-1056(CK) (DOUBLE "O" RING)		NA			59
				HV59-131	7	B,H,S	16	
3/4	035C-G	TIP DRIVES	XV59-141A-E (DOUBLE "O" RING)		NA	B,H	11,16,21	59
					XV59-140A-E	NA		
	037A-D	CRD INSERT LINES	BALL CHECK		NA		12	47
				HCU	NA	12		
	038A-D	CRD WITHDRAW LINES SDV VENTS & DRAINS		HCU	NA		12	47
				XV47-1F010	25	30		
				XV47-1F180	30	30		
				XV47-1F011	25	30		
				XV47-1F181	30	30		
	039A(B)	DRYWELL SPRAY	HV51-1F021A(B)		160		4,11	51
				HV51-1F016A(B)	160	11		
	040E	DRYWELL PRESSURE INSTRUMENTATION		HV42-147D	45		10	42
	040F-2	CONTAINMENT INSTRUMENT GAS -SUCTION	HV59-101		45	C,H,S	5	59
				HV59-102	7	C,H,S		

TABLE 3.6.3-1 (Continued)

PART A - PRIMARY CONTAINMENT ISOLATION VALVES

LIMERICK - UNIT 1

3/4 6-24

Amendment No. 2

PENETRATION NUMBER	FUNCTION	INBOARD ISOLATION BARRIER	OUTBOARD ISOLATION BARRIER	MAX. ISOL. TIME. IF APP. (SEC)(26)	ISOL. SIGNAL(S), IF APP. (20)	NOTES	P&ID
040G-1	ILRT DATA ACQUISITION	60-1057	60-1058	NA NA		5,11 11	60
040G-2	ILRT DATA ACQUISITION	60-1071	60-1070	NA NA		5,11 11	60
040H-1	CONTAINMENT INSTRUMENT GAS SUPPLY - HEADER 'A'	59-1005A(CK)	HV59-129A	NA 7	C,H,S		59
042	STANDBY LIQUID CONTROL	48-1F007(CK) (X-116)	HV48-1F006A	NA 60		29	48
043B	MAIN STEAM SAMPLE	HV41-1F084	HV41-1F085	10 10	B,D B,D		41
044	RWCU ALTERNATE RETURN	41-1017	41-1016(X-9A, X-9B) PSV41-112	NA NA NA		5,31	41
045A(B,C,D)	LPCI INJECTION 'A'(B,C,D)	HV51-1F041A*(B,C*, D*)(CK) HV51-142A*(B,C*, D*)	HV51-1F017A* (B,C*,D*)	7 38	NA	9,22	9,22
050A-1	DRYWELL PRESSURE INSTRUMENTATION		HV42-147B	45		10	42
053	DRYWELL CHILLED WATER SUPPLY - LOOP 'A'	HV87-128*	HV87-120A* HV87-125A*	60 60 60	C,H	11 11,28, 29 11,28,29	87

TABLE 3.6.3-1 (Continued)

PART A - PRIMARY CONTAINMENT ISOLATION VALVES

LIMERICK - UNIT 1	PENETRATION NUMBER	FUNCTION	INBOARD ISOLATION BARRIER	OUTBOARD ISOLATION BARRIER	MAX. ISOL. TIME. IF APP. (SEC)(26)	ISOL. SIGNAL(S), IF APP. (20)	NOTES	P&ID	
	054	DRYWELL CHILLED WATER RETURN - LOOP 'A'	HV87-129*		60	C,H	11	87	
				HV87-121A*	60				11,28,29
				HV87-124A*	60				11,28,29
	055	DRYWELL CHILLED WATER SUPPLY - LOOP 'B'	HV87-122*		60	C,H	11	87	
				HV87-120B*	60				11,28,29
				HV87-125B*	60				11,28,29
3/4 6-25	056	DRYWELL CHILLED WATER RETURN - LOOP 'B'	HV87-123*		60	C,H	11	87	
				HV87-121B*	60				11,28,29
				HV87-124B*	60				11,28,29
Amendment No. 2	061-1	RECIRC PUMP 'A' SEAL PURGE	43-1004A(CX)		NA		15	43	
				(XV43-103A - SEE PART B, THIS TABLE)	NA				1
	061-2	RECIRC PUMP 'B' SEAL PURGE	43-1004B*(CX)		NA		15	43	
				(XV43-103B - SEE PART B, THIS TABLE)	NA				1
	062	DRYWELL H2/O2 SAMPLE RETURN, N2 MAKE-UP	SV57-150(X-220A)		5	B,H,R,S	11	57	
				SV57-159 (X-220A)	5				B,H,R,S
				HV57-116 (X-220A)	30**				B,H,R,S
				SV57-190 (X-220A)	5				B,H,R,S

TABLE 3.6.3-1 (Continued)

PART A - PRIMARY CONTAINMENT ISOLATION VALVES

LIMERICK - UNIT 1

3/4 6-26

PENETRATION NUMBER	FUNCTION	INBOARD ISOLATION BARRIER	OUTBOARD ISOLATION BARRIER	MAX. ISOL. TIME. IF APP. (SEC)(26)	ISOL. SIGNAL(S), IF APP. (20)	NOTES	P&ID
			SV57-191 (X-220A)	5	B,H,R,S	11	
116	STANDBY LIQUID CONTROL	48-1F007(CK) (X-42)	HV48-1F006B	NA 60		29	48
117B-1	DRYWELL RADIATION MONITORING SUPPLY	SV26-190A	SV26-190B	5 5	B,H,R,S B,H,R,S	11 11	26
117B-2	DRYWELL RADIATION MONITORING RETURN	SV26-190C	SV26-190D	5 5	B,H,R,S B,H,R,S	11 11	26
201A	SUPPRESSION POOL PURGE SUPPLY	HV57-124 HV57-131(X-25) HV57-164	HV57-109(X-25) HV57-147 HV57-121(X-25)	5** 5** 9 6** 6** 5**	B,H,S,U,W B,H,S,U,W B,H,R,S B,H,S,U,W B,H,S,U,W B,H,S,U,W	3,11,14,25 3,11,14,25 3,11,14 11,25 11,25 11,25	57
202	SUPPRESSION POOL PURGE EXHAUST	HV57-104 HV57-105 HV57-162	HV57-112 HV57-118 SV57-185	5** 15** 9 6** 5** 5	B,H,S,U,W B,H,S,U B,H,R,S B,H,S,U,W B,H,S,U B,H,R,S	3,11,14,25 5,11,25 3,11,14 11,25 11,25 11	57
203A(B,C,D)	RHR PUMP SUCTION		HV51-1F004A(B, C,D) PSV51-1F030A(B, C,D)	240 NA		4,22, 19,29 22	51

TABLE 3.6.3-1 (Continued)

PART A - PRIMARY CONTAINMENT ISOLATION VALVES

PENETRATION NUMBER	FUNCTION	INBOARD ISOLATION BARRIER	OUTBOARD ISOLATION BARRIER	MAX. ISOL. TIME. IF APP. (SEC)(26)	ISOL. SIGNAL(S), IF APP. (20)	NOTES	P&ID
204A(B)	RHR PUMP TEST LINE AND CONTAINMENT COOLING		HV51-125A(B)	180		4,22,29	51
205A(B)	SUPPRESSION POOL SPRAY		HV51-1F027A*(B)	45	C,G	11	51
206A(B,C,D)	CS PUMP SUCTION		HV52-1F001A (B,C,D)	160		4,22,29	52
207A(B)	CS PUMP TEST AND FLUSH		HV52-1F015A(B)	23	C,G	5,22	52
208B	CS PUMP MINIMUM RECIRC		HV52-1F031B	45	LFCH	5,22,29	52
209	HPCI PUMP SUCTION		HV55-1F042	160	L,LA	4,22	55
210	HPCI TURBINE EXHAUST		HV55-1F072	120		4,22,29	55
212	HPCI PUMP TEST AND FLUSH		HV55-1F071	40	B,H	4,22	55
214	RCIC PUMP SUCTION		HV49-1F031	60		4,22,29	49
215	RCIC TURBINE EXHAUST		HV49-1F060	80		4,22,29	49
216	RCIC MINIMUM FLOW		HV49-1F019	8	LFRC	5,22	49

LIMERICK - UNIT 1

3/4 6-27

Amendment No. 2

TABLE 3.6.3-1 (Continued)

PART A - PRIMARY CONTAINMENT ISOLATION VALVES

LIMERICK - UNIT 1

3/4 6-28

PENETRATION NUMBER	FUNCTION	INBOARD ISOLATION BARRIER	OUTBOARD ISOLATION BARRIER	MAX. ISOL. TIME. IF APP. (SEC)(26)	ISOL. SIGNAL(S), IF APP. (20)	NOTES	P&ID
217	RCIC VACUUM PUMP DISCH	HV49-1F002	49-1F028(CK)	60 NA		5,29	49
218	INSTRUMENT GAS TO VACUUM RELIEF VALVES	59-1001(CK)	HV59-135	NA 7	C,H,S		59
219A	INSTRUMENTATION - SUPPRESSION POOL LEVEL	--	HV55-121	45		10	55
219B	INSTRUMENTATION - SUPPRESSION POOL LEVEL	--	HV55-120	45		10	55
220A	H2/O2 SAMPLE RETURN	SV57-191(X-62)	SV57-190(X-62) HV57-116(X-62) SV57-150(X-62) SV57-159(X-62)	5 5 30** 5 5	B,H,R,S B,H,R,S B,H,R,S B,H,R,S B,H,R,S	11 11 11 11 11	57
220B	INSTRUMENTATION - SUPPRESSION POOL PRESSURE SUPPRESSION POOL LEVEL	--	SV57-101	5		10	57
221A	WETWELL H2/O2 SAMPLE	SV57-181	SV57-141 SV57-184	5 5 5	B,H,R,S B,H,R,S B,H,R,S	11 11 11	57
221B	WETWELL H2/O2 SAMPLE	SV57-183	SV57-186	5 5	B,H,R,S	11	57

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



SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
SUPPORT AMENDMENT NO. 2 TO FACILITY OPERATING LICENSE NO. NPF-39

PHILADELPHIA ELECTRIC COMPANY
LIMERICK GENERATING STATION, UNIT NO. 1

DOCKET NO. 50-352

1.0 Introduction

By letter dated December 18, 1985, the Philadelphia Electric Company (the licensee) requested a one-time-only approval to temporarily extend certain surveillance requirements in the Technical Specifications, which must be performed nominally every 18 or 24 months and which can only be done when the plant is shutdown. The change would extend the 18 or 24 month surveillance intervals for leakage testing of selected containment isolation valves by up to 12 weeks beyond the time allowed by the Technical Specifications. This would permit the licensee to delay performing this testing until a maintenance and surveillance outage which will begin on or before May 26, 1986.

By letters dated January 29, February 5, February 25, and March 3, 1986 the licensee provided additional information in support of the proposed changes. Technical Specification (TS) 4.6.1.2.d requires that Type C tests shall be conducted at intervals no greater than 24 months except for tests involving valves in hydrostatically tested lines. The 24 month interval for this Type C testing is consistent with the requirements of 10 CFR Part 50, Appendix J, paragraph III.D.3 which specifies that Type C tests shall be performed at intervals no greater than 2 years. The licensee's letter of December 18, 1985 requested an extension of the 24 month TS testing requirement by a maximum of 12 weeks for a group of 27 isolation valves. In addition, in the December 18, 1985 letter the licensee requested a one-time exemption from the Appendix J 24 month testing requirements for these 27 valves. The related exemption is the subject of a separate Safety Evaluation dated March 3, 1986.

Technical Specification 4.6.1.2.g requires that local leak rate tests on containment isolation valves in hydrostatically tested lines shall be leak tested at least once per 18 months. The licensee's letter of December 18, 1985 requested an extension of this 18 month TS testing requirement by a maximum of 12 weeks for a group of 10 isolation valves.

2.0 Evaluation

Since the Limerick Unit 1 plant has been through an extended startup program schedule, which included relatively little startup testing program activity from about April to early August 1985, the scheduled surveillance tests fall in a period of what would otherwise be a continuation of first fuel cycle power operations. Since the plant must be shutdown for about two weeks to perform these tests and since the licensee plans to shut the plant down on or before May 26, 1986 to perform other surveillance tests and maintenance activities the licensee proposes to extend the surveillance interval for these isolation

8603130532

valves to allow those tests to also be performed during the outage to begin on or before May 26, 1986.

The 18 and 24 month surveillance intervals were selected to provide flexibility in scheduling these tests for execution during refueling outages. Technical Specification 4.0.2 does allow the 18 month TS interval between surveillance testing to be extended by 25 percent in order to provide flexibility in operations scheduling. The end of the most limiting surveillance interval, considering the 24 month limit and the 18 month limit extended by the allowable 25 percent, is March 3, 1986.

The requirements of the TS for testing nominally every 18 or 24 months for which extensions are proposed and the reason these tests can only be performed while the reactor is shutdown are as follows.

General Design Criterion 56, Primary Containment Isolation, requires that lines to be isolated be provided with an isolation valve inside containment and an isolation valve outside containment. The design of the isolation valves and their associated piping and test connections requires personnel access to the primary containment to isolate the valve inside the containment from the balance of its associated system and to implement the test procedure. Entry into containment during power operations would expose personnel to the hazards of high air temperature (about 120°F), radiation exposure that is high with respect to as-low-as-reasonably-achievable (ALARA) standards (about 10 R/hour in representative areas) and the nitrogen environment of the inerted containment atmosphere for which self contained breathing apparatus (SCUBA) would be required. The licensee has stated orally that they consider the hazard of the inerted containment atmosphere to be too great to permit personnel access for routine plant operational tasks. The licensee has also stated that further factors which preclude testing these valves at power include the need to depressurize the reactor, drain the reactor enclosure chilled water (RECW) system, drain the drywell chilled water (DCW) system, drain the emergency service water (ESW) loop, remove the reactor recirculation pumps from service or a combination of the above. The staff concludes that the licensee has shown that it is not practical or feasible to test these valves at power and that the plant would be required to shutdown for about two weeks to cooldown, depressurize and conduct the tests beginning on March 3, 1986 unless the requested extension in surveillance test periods is granted.

The licensee has stated that the types of valves subject to this surveillance schedule extension request have traditionally good maintenance histories and do not include those valves known to be maintenance intensive in boiling water reactors such as the main steam isolation valves or the feedwater check valves. The licensee also points out that these valves are used in applications where they are either normally open or normally closed and are not used in a modulating mode to control flow rates. The licensee further states that such valves when used in non-modulating applications tend not to have problems meeting leakage criteria. In this regard, the licensee has also considered the leak rate information reported in Licensee Event Report (LER) No. 352/85-102. This LER deals with a valve that is not within the scope of the Limerick surveillance schedule extension request. The licensee has reached a determination, with which the staff concurs, that the LER 85-102 event was an isolated event and as such has no significant effect upon the conclusions and basis for the request for extension.

In support of the position that these valves are reliable in meeting leakage criteria the licensee has interrogated the Nuclear Plant Reliability Data System (NPRDS) for similar types of valves and has reviewed these specific valves' previous leakrate test histories.

The NPRDS query serves as a useful qualitative estimation of these valves' reliability since the reporting of data to the system is on a voluntary basis and therefore there is no representation that the data from the system represents all of the valves in the industry of that specific valve type. Nevertheless, the data as presented in the licensee's letter dated January 29, 1986, is useful in considering whether these valve types are generally reliable in meeting their leakage criteria. The licensee notes that the valves in the NPRDS data base have been in service for significant periods whereas the Limerick valves will have experienced only a part of the first fuel cycle's operating time by the date of the next planned surveillance test. The NPRDS data does not suggest that these valves, either individually or collectively, should be expected to experience undue difficulties in meeting the leakage criteria.

The licensee states that testing has been performed on those valves that can be tested at power such that only 37 valves out of a total of 245 valves in Part A of TS Table 3.6.3-1 require the one-time extension of the surveillance interval. This is reflected in the following specific system discussions wherein, as applicable, it is noted that the extension request does not apply to all of the valves in a given system since the other valves have been tested on a more recent schedule which does not require their retest until after May 26, 1986.

Technical Specification 4.6.1.2.d-Twenty-Four Month Tests

There are 27 valves subject to this specification for which the licensee has requested one time extension of no more than 12 weeks in the surveillance test schedule. These valves are as listed below.

<u>System</u>	<u>Valve Number</u>	<u>Size/Type</u>
° LPCI injection loops A,C,D	HV-51-1F017A,C,D	12" gate
° Suppression Pool Spray	HV-51-1F027A	6" globe
° Reactor enclosure cooling water		
- supply line	HV-13-106,108,109	3" and 4" gate
- return line	HV-13-107,110,111	3" and 4" gate
° Drywell Chilled Water, Loops A and B		
- Supply lines	HV-87-120A, 125A, 128 and 120B, 125B, 122	8" gate
- Return lines	HV-87-121A, 124A, 129 and 121B, 124B, 123	8" gate
° Reactor Water Cleanup supply line	HV-44-1F001, 1F004	6" globe

Technical Specification 4.6.1.2.d-Twenty-Four Month Tests (cont'd.)

<u>System</u>	<u>Valve Number</u>	<u>Size/Type</u>
° Recirculation Pump B seal purge	43-1004B	1" check
° Instrument Gas Supply to ADs valves E and K	HV-59-151B 59-1112	1" globe 1" check

The licensee's letter of January 29, 1986 also provides information on the previous leakage testing for the specific valves which are subject to this amendment request. As indicated in the licensee's letters the total leakage measured as a result of the previous tests on all applicable Type C valve tests is about 22,000. standard cubic centimeters per minute (SCCM) which is about 23% of the total allowed by the Technical Specifications. Of this 22,000. SCCM only about 3800. SCCM (or 4% of the TS limit) was contributed by the 27 valves subject to the amendment application. Thus, it may be seen that leakage through these valves would have to increase many times before they contributed a large portion of either (1) the total measured leakage from all such valves or (2) the TS limit value. Some discussion of the individual valves is provided below.

LPCI Injection

Valves HV51-1F017A, C and D require an extension of less than 10 weeks in a 24 month surveillance interval. The comparable valve in the B loop was tested on a schedule which does not require its retest until after May 26, 1986. The leakage from these three valves during the previous tests totaled 1210 SCCM or 1% of the TS limit valve. The line in which these valves are located is provided with instrumentation which will detect and annunciate excessive leakage past the valves.

Suppression Pool Spray

Valve HV-51-1F027A requires an extension of about 8 weeks in a 24 month surveillance interval. The comparable valve in the B loop of suppression pool spray was tested on a schedule which does not require its retest until after May 26, 1986. The leakage from this valve during the previous test was 2.25 SCCM or 0.002% of the TS limit valve.

Reactor Enclosure Cooling Water (RECW)

Valves HV-13-106, 108, 109 in the RECW supply line and HV-13-107, 110, 111 in the RECW return line require an extension of 12 weeks in a 24 month surveillance interval. The leakage from these valves during the previous tests was 145 SCCM or 0.15% of the TS limit for the supply valves and 9 SCCM or 0.01% of the TS limit for the return valves.

Drywell Chilled Water

The valves in loops A and B of the drywell chilled water system, each loop having 3 involved valves in the supply line and 3 involved valves in the return line, require an extension of up to 12 weeks in a 24 month surveillance interval. The leakage from these valves during the initial tests was 203 SCCM for loop A supply valves, 653 SCCM for loop A return valves, 668 SCCM for loop B supply valves and 338 SCCM for loop B return valves for a total of 1862 SCCM or 2% of the TS limit.

Reactor Water Cleanup

Valves HV-44-1F001, 1F004 in the RWCU supply line require an extension of less than 10 weeks in a 24 month surveillance interval. The leakage from these valves from previous tests was 510 SCCM or 0.5% of the TS limit value.

Recirculation Pump B Seal Purge

Valve 43-1004B in the reactor recirculation pump seal purge line requires an extension of 3 weeks in a 24 month surveillance interval. The comparable valve in the A loop line was tested on a schedule which does not require its retest until after May 26, 1986. The leakage from this valve from previous tests was 76 SCCM or 0.1% of the TS limit value.

Instrument Gas Supply to ADS Valves

Valves HV-59-151B and 59-1112 in the instrument gas supply to automatic depressurization system (ADS) valves E and K require an extension of less than 2 weeks in a 24 month surveillance interval. Comparable valves in the gas supply line for ADS valves H, M and S and other instrument gas supply and return lines were tested on a schedule which does not require retest until after May 26, 1986. The leakage from these valves during the previous tests was 9 SCCM or 0.01% of the TS limit value.

Summary for 24 Month Surveillance Interval Valves

In assessing whether an extension of 12 weeks in a 24 month surveillance interval would be appropriate for these valves the staff has considered the previous leak rate test results for these valves, their propensity for requiring extensive maintenance to maintain their leak tight integrity and the consequences of any additional degradation during the requested extension. Based on its review the staff finds that:

- (1) The previously measured Type C test leakage through these valves (3800 SCCM) constituted but 17% of the total measured Type C leakage. There is considerable margin between these values and the limit established by Appendix J and the technical specification of 0.6 L (94, 964 SCCM) for the Type B and C tests. These valves were not found to contribute either individually or collectively a disproportionate percentage of the total measured leakage or of the technical specification limit values.

- (2) To date these valves have not required maintenance, repairs or adjustments which would require reperformance of their Type C test. The licensee's review of similar valves via NPRDS provides a qualitative assessment that supports the licensee's findings that these valves typically have good maintenance histories, do not require intensive maintenance to ensure their leak tight integrity and thus are unlikely to degrade significantly in the period of the extension.
- (3) There is ample margin between the leakage previously measured during the Type C isolation valve tests, including the previous tests of the 27 valves subject to this amendment request, and the limiting leakage values in the technical specifications and in Appendix J to accommodate any degradation likely to be experienced by these 27 valves during the extension period. Therefore the consequences of leakage past these isolation valves is bounded by safety analyses previously performed which were based on the limiting leakage values in the technical specifications and in Appendix J.

The licensee has determined that the proposed changes will have little or no effect on containment integrity and that the proposed amendment will not alter any of the accident analyses. The staff has reviewed these determinations and the associated changes and concludes that, on the bases discussed above, they are acceptable.

Technical Specification 4.6.1.2.g - Eighteen Month Tests

There are 10 valves subject to this specification for which the licensee has requested a one time extension of no more than 10 weeks in the surveillance test schedule. Considering the 25% extension in the nominal 18 month period also provided for in the Technical Specifications these tests would be extended from about 22.5 months to 25 months. These valves are as listed below:

° Shutdown Cooling Return Loop A and B lines	HV-51-1F050A, B HV-51-151A, B	12" Check 1.5" Globe
° Low Pressure Coolant Injection Loop A, C and D lines	HV-51-1F041A, C, D HV-51-142A, C, D	12" Check 1.5" Globe

Shutdown Cooling Return

The extension request for the isolation valves in the shutdown cooling return lines apply only to the inboard valves since the outboard (outside containment) isolation valves were tested on a schedule which does not require their retest until after May 26, 1986. These lines are equipped with instrumentation which will annunciate leakage past the isolation valves to the operator. The leakage through these valves during the initial leak tests was 0.1 gallons per minute (gpm) for the loop A valves and no measured leakage for the loop B valves, well below the limit of 1.0gpm imposed by the Technical Specifications.

Low Pressure Coolant Injection

The extension request for these isolation valves in the low pressure coolant injection lines applies to the A, C and D loop valves since the B loop valves were tested on a schedule which does not require their retest until after May 26, 1986. These lines are equipped with instrumentation which will annunciate leakage past the isolation valves to the operator. The leakage through these valves during the initial leak tests was 0.2 gpm for the A loop, 0.002 gpm for the C loop, and 0.09 gpm for the D loop, all of which are well below the limit of 1.0gpm imposed by the Technical Specifications.

Summary for Eighteen Month Surveillance Interval Valves

In assessing whether an extension of 10 weeks in the 18 month surveillance interval, as extended by 25%, would be appropriate for these valves the staff has considered the previous leak rate test results for these valves, their propensity for requiring extensive maintenance to maintain their leak tight integrity and the consequences of any additional degradation during the requested extension. Based on its review the staff finds that:

- (1) The previously measured leakage for these valves (0.1 gallons per minute (gpm) maximum for any 1 valve) is well below the technical specification limit of 1 gpm for any 1 valve. Thus, ample margin exists between the previously measured leakage and the TS limiting value to accommodate any degradation likely to be experienced during the extension period.
- (2) The lines in which these valves are located are provided with instrumentation which will detect and annunciate excessive leakage past these valves.
- (3) The lines in which these valves are located are connected to closed systems outside of containment. Leakage out of those systems would be into the reactor enclosure thus facilitating collection and treatment.
- (4) The licensee's review of NPRDS data for similar valves provides a qualitative assessment that supports the licensee's findings that leakage rate test experience with these valves has been excellent.

The licensee has determined that these changes have little safety significance and that the proposed amendment will not alter any of the accident analyses. The staff has reviewed these determinations and the associated changes and concludes, on the bases stated above, that they are acceptable.

3.0 Environmental Consideration

This amendment changes some surveillance requirements on a one-time-only basis. The staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that this amendment involves no significant hazards consideration and there has been no public comment on such finding within the

time provided by the Federal Register notice of consideration of the licensee's amendment request. Thus, there is no need to make a final determination regarding no significant hazards consideration. Accordingly, this amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b) no environmental impact statement nor environmental assessment need be prepared in connection with the issuance of this amendment. However a related exemption from Appendix J to 10 CFR Part 50 is being processed relative to this action and a Notice of Environmental Assessment and Finding of No Significant Impact has been processed relative to the Exemption. This Notice of Environmental Assessment and Finding of No Significant Impact was published in the Federal Register on March 3, 1986 (51 FR 7344).

4.0 Conclusion

The staff has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, and (2) such activities will be conducted in compliance with the Commission's regulations and the issuance of this amendment will not be inimical to the common defense and security nor to the health and safety of the public.

Principal Contributors: R. E. Martin, S. Kucharski, J. S. Guo, J. Kudrick

Dated: MAR 03 1986

PHILADELPHIA ELECTRIC COMPANY

2301 MARKET STREET

P.O. BOX 8699

PHILADELPHIA, PA. 19101

(215) 841-4000

EDWARD G. BAUER, JR.
VICE PRESIDENT
AND GENERAL COUNSEL

EUGENE J. BRADLEY
ASSOCIATE GENERAL COUNSEL

DONALD BLANKEN
RUDOLPH A. CHILLEMI

E. C. KIRK HALL

T. H. MAHER CORNELL

PAUL AUERBACH
ASSISTANT GENERAL COUNSEL

EDWARD J. CULLEN, JR.

THOMAS H. MILLER, JR.

IRENE A. MCKENNA
ASSISTANT COUNSEL

December 18, 1985

Mr. Harold R. Denton, Director
Office of Nuclear Reactor Regulation
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

Re: Limerick Generating Station, Unit 1
Docket No. 50-352

Dear Mr. Denton:

Transmitted herewith for filing with the Commission are 3 originals and 19 copies of Philadelphia Electric Company's Application for Amendment of Facility Operating License NPF-39 and Exemption to Part 50, Appendix J. This Application seeks a 14 week extension in the allowable interval for conducting certain Type C leak rate tests.

There are also transmitted herewith for filing 3 originals and 19 copies of an Application for Amendment of Facility Operating License NPF-39 which requests an extension of the allowable interval for testing certain reactor instrumentation line excess flow check valves.

In accordance with Section 170.12 of the Commission's regulations, there are enclosed Philadelphia Electric Company's checks totalling \$300 to cover the filing fees for these Applications.

Very truly yours,

Eugene J. Bradley
Eugene J. Bradley

EJB:pkc
Enclosures
cc: See Attached Service List

0137q

~~8512230168~~

cc: Troy B. Conner, Jr., Esq. (w/enclosure)
Ann P. Hodgdon, Esq. (w/enclosure)
Mr. Frank R. Romano (w/enclosure)
Mr. Robert L. Anthony (w/enclosure)
Ms. Phyllis Zitzer (w/enclosure)
Charles W. Elliott, Esq. (w/enclosure)
Zori G. Ferkin, Esq. (w/enclosure)
Mr. Thomas Gerusky (w/enclosure)
Director, Penna. Emergency (w/enclosure)
Management Agency
Angus Love, Esq. (w/enclosure)
David Wersan, Esq. (w/enclosure)
Robert J. Sugarman, Esq. (w/enclosure)
Kathryn S. Lewis, Esq. (w/enclosure)
Spence W. Perry, Esq. (w/enclosure)
Jay M. Gutierrez, Esq. (w/enclosure)
Atomic Safety & Licensing Appeal Board (w/enclosure)
Atomic Safety & Licensing Board Panel (w/enclosure)
Docket & Service Section (w/enclosure - 3 copies))
E. M. Kelly (w/enclosure)
Timothy R. S. Campbell (w/enclosure)

BEFORE THE

UNITED STATES NUCLEAR REGULATORY COMMISSION

JAN 16
COMM. P.
&
MAY 1968

In the Matter of :
PHILADELPHIA ELECTRIC COMPANY : Docket No. 50-352

APPLICATION FOR AMENDMENT
OF
FACILITY OPERATING LICENSE
NPF-39
AND
EXEMPTION TO PART 50, APPENDIX J

Edward G. Bauer, Jr.
Eugene J. Bradley

2301 Market Street
Philadelphia, Pennsylvania 19101

Attorneys for
Philadelphia Electric Company

~~8512230175~~

BEFORE THE

UNITED STATES NUCLEAR REGULATORY COMMISSION

In the Matter of :
PHILADELPHIA ELECTRIC COMPANY : Docket No. 50-352

APPLICATION FOR AMENDMENT
OF
FACILITY OPERATING LICENSE
NPF-39
AND
EXEMPTION TO PART 50, APPENDIX J

Philadelphia Electric Company, Licensee under Facility Operating License NPF-39 for Limerick Generating Station Unit 1, hereby requests that the Technical Specifications contained in Appendix A of the Operating License be temporarily amended to provide an extension of up to twelve weeks (see attachment 1) to the local leak rate test interval (Type C tests) for certain primary containment isolation valves specified in Technical Specifications 4.6.1.2.d and 4.6.1.2.g (page 3/4 6-4). Additionally, Philadelphia Electric Company requests, pursuant to Section 50.12 of the Commission's Regulations, an exemption from

the requirements of 10 CFR 50, Appendix J, Section III.D.3 to provide the same temporary relief.

Technical Specifications 4.6.1.2.d and 4.6.1.2.g (page 3/4 6-4) requires local leak rate tests (Type C tests) on the primary containment isolation valves listed in Table 3.6.3-1 to be performed at intervals no greater than 24 months, except for containment isolation valves, in hydrostatically tested lines penetrating the primary containment, which shall be leak tested at least once per 18 months. The Commission's Regulations (10 CFR 50, Appendix J, Section III.D.3) require local leak test (Type C tests) to be performed during each reactor shutdown for refueling, but in no case at intervals greater than 2 years.

The end of the initial 18 month and 24 month intervals for some of the Limerick Generating Station Unit 1 primary containment isolation valves is approaching. Type C tests are being performed on those valves that can be safely tested at power within the required test interval. However, in order to meet the test interval requirements for approximately 15 tests covering thirty-seven valves (out of a total of approximately 245 valves), it would be necessary to shut down the plant prior to March 3, 1986, solely for this purpose, for approximately two weeks.

A containment entry is required to perform testing upon the valves that cannot be tested at power. Testing of these valves at power poses a personnel hazard due to the radiation field and high ambient temperatures existing within containment.

Additional restraints to testing some of the valves at power include the need to depressurize the reactor, drain the Reactor Enclosure Chilled Water (RECW) system, the Drywell Chilled Water System (DCW) or one Emergency Service Water (ESW) loop, remove the recirculation pump or drywell coolers from service, or a combination of the above.

The long time associated with obtaining the full power license is a major factor in the need for schedule relief. A normal schedule for low power testing, Start-up Testing and 100 hour full power warranty run would not have resulted in a requirement to extend the testing interval. All low power (less than 5% thermal power) testing was completed prior to late April 1985. Circumstances beyond the control of licensee delayed the issuance of the full power license until August 1985. During this period of time the unit was maintained in a 48 hour standby condition to demonstrate its availability for operation. Because of this condition, testing of all of these valves was not possible. During this same time period surveillance testing was completed on a number of valves. These valves had test intervals that would expire prior to the expiration of the excess flow check valve test interval, which was the controlling interval due to the time required for its performance (i.e. two weeks).

The current schedule is for a maintenance and testing outage beginning on or before May 26, 1986 when the testing for those valves which are known to be maintenance-intensive in Boiling Water Reactors (e.g. main steam isolation valves and feedwater check valves) is required to be performed. During this

outage, maintenance activities, surveillance testing and minor plant modifications will be performed which will allow the plant to operate through the first refueling outage.

A two week outage required to perform this testing prior to May 26, 1986 would result in a net increase in overall outage time. This additional outage would impose an economic penalty of greater than 6 million dollars to area customers as a result of replacement energy costs, and subject plant equipment and systems to the detrimental effects inherent in an additional shutdown and startup operation.

Therefore, Licensee requests an extension of up to twelve weeks to the Type C test interval for the specified primary containment isolation valves listed in Table 3.6.3-1, Part A, that require a plant outage, to test and a conforming exemption to the requirements of Appendix J to Part 50 (see attachment 1) for the applicable valves. The proposed change as shown on enclosed Technical Specification page 3/4 6-4 would extend the test interval for these valves until May 26, 1986.

JUSTIFICATION FOR THE REQUESTED EXEMPTIONS

NRC regulations provide for specific exemptions if the requested exemption is warranted as follows: (1) the exemption and the activities to be conducted are authorized by law, (2) operation with the exemption does not endanger life or property or involve undue risk to the health and safety of the public, (3)

the common defense and security are not endangered, and (4) the exemption is in the public interest because, on balance, there is good cause for granting it and the public health and safety are adequately protected.

I. The Requested Exemptions Are Authorized by Law and the Activities Which Would Be Allowed Thereunder Do Not Violate Applicable Laws.

The criteria established in 10CFR50.12(a) are satisfied in this case, and no other prohibition of law exists which would preclude the activities to be authorized by the requested exemption. Thus the Commission is authorized by law to grant this exemption request.

II. The Requested Exemptions Will Not Endanger Life or Property

The effects of deferral of the requested Type C tests upon the potential for post-accident leakage from the primary containment, and thus endangerment of life and property, have been evaluated and are shown to be negligible. The following forms the basis for this conclusion:

1. This requested exemption applies only to the first scheduled periodic Type C tests for these penetrations. As such, the valves do not have significant operating hours upon them, and

degradation of their sealing capability would not be expected.

2. The two-year time limit of 10CFR50, Appendix J, was written to ensure that Type C tests are performed on a schedule approximately consistent with normal plant refueling outages. At Limerick, the schedule indeterminacy of the plant startup test program and the first fuel cycle has caused the two-year time limit for these valves to expire just as the plant enters its first period of sustained operation. The plant has not operated at consistently high power levels until this time; therefore, the subject valves have not been continuously exposed to the type of environment which will occur during normal plant operation.
 3. Operating experience to date with the subject valves has been favorable. The Type C tests which are the subject of this exemption request are among the earliest performed during the preoperational containment leakage test program. Since that time, the valves have not required any maintenance, repairs, or adjustments which would mandate reperformance of the Type C test in conformance with Paragraph IV of Appendix J.
- The requested exemptions are for containment isolation valves which have traditionally good

maintenance histories in the industry. No exemptions are being requested for the known maintenance-intensive valves in Boiling Water Reactor (BWR) plants, such as feedwater check valves, main steam isolation valves, and containment purge and vent valves.(1)

4. The sum total of the Type C test leakage rates on these valves is not a significant portion of the allowable leakage limits. For the subject valves which are pneumatically tested and included within the plant's 0.6 La Type C leakage total, the total leakage recorded during the preoperational tests was 3786 sccm, or 18% of the current Limerick Type C test total of 20,910 sccm. Since the maximum Limerick Type C test total of 0.6 La is 94,964 sccm, these valves would have to experience a significant increase in leakage before the plant's 0.6 La limit is exceeded.
5. The Limerick preoperational leakage rate test experience with these valves was favorable. Once system start-up type activities (e.g. system flushing, Limitorque operator settings, etc.) had been completed, the valves readily passed their Type C tests.
6. Leakage through these valves will not affect the conclusions of the plant preoperational Integrated

Leakage Rate Test . The valve alignments for the ILRT result in the inclusion of minimum pathway leakage within the leakage rate total. For scoping purposes we have assumed degradation of the tighter containment isolation boundary in the time since the ILRT was conducted, such that maximum pathway leakage would occur. If the maximum pathway leakage for the valves is tabulated the ILRT results may be adjusted as follows:

	Leakage Rates, %/day	
	<u>Mass Point Analysis</u>	
	Calculated	95% UCL
Corrected ILRT leakage, from ILRT report (2)	0.1592	0.1646
Exemption Request Correction	0.0203	0.0203
Total Adjusted ILRT Leakage	0.1795	0.1845

The adjusted leakage rates show that even under this conservative method of assessment, Limerick is still well below the ILRT test acceptance criteria of 0.375%/day outleakage, and also the Technical Specification LCO value of 0.5%/day.

III. The Requested Exemptions Will Not Endanger the Common
Defense and Security

The common defense and security are not implicated in this exemption request. Only the potential impact on public health and safety is at issue.

IV. The Requested Exemptions are In the Public Interest

The requested exemptions are in the public interest in that if literal compliance with the applicable provisions of Appendix J discussed in Section II above were mandated, a forced outage would be required resulting in substantial increased costs to the public without, as shown above, a commensurate increase in the protection of the public.

-
- (1) M. B. Weinstein, "Containment Failure Experience - Implications for Testing" presented at the Eleventh Biennial Topical Conference on Reactor Operating Experience of the American Nuclear Society, Scottsdale, Az, August 1-3, 1983.
- (2) Philadelphia Electric Company; Primary Reactor Containment Integrated Leakage Rate Test for Limerick Generating Station, Unit 1, Final Report August 1984.

Significant Hazards Consideration Determination

The Commission had provided guidance concerning the application of standards in 10 CFR 50.92 for determining whether license amendments involve significant hazards consideration by providing certain examples which were published in Federal Register on April 6, 1983 (48 FR 14870). One of the examples (vi) of an action involving no significant hazards consideration is a change which may in some way reduce a safety margin, but where the results of the change are clearly within all acceptable criteria. The foregoing requested change and exemption fits this example. Postponing the aforementioned local leak rate tests until an outage commencing on or before May 26, 1986 would allow for continued operation of the plant and would have little or no effect on containment integrity as discussed above and for the following additional reasons.

- (1) Redundant primary containment isolation valves are provided for each penetration; that is, two isolation valves in series. Consequently, a reduction in the effectiveness of one seal would not compromise containment integrity. Deterioration in the overall integrity of the containment penetrations is normally a gradual process. Considering the redundancy of the isolation barriers and the short duration of the requested extension of the testing interval, any reduction in containment integrity during the 12 week extension period would be negligible.

- (2) The intent of the Technical Specifications and Section III.D.3 of Appendix J to 10 CFR 50 is to require testing of the isolation valves once every fuel cycle. A normal reactor fuel load is designed to provide an 18 month cycle with approximately 16 months of full power operations. Consequently, the primary containment isolation valves are normally exposed to 18 months of rated temperature conditions between each Type C test. Due to the limited power history of the Limerick Generating Station since the initial Type C tests, these valves will have been subjected to rated temperature conditions for only approximately ten months as of May 26, 1986. Consequently, the valves have been subjected to operating conditions less severe than that anticipated by the test schedule identified in the regulations. A 12 week extension in the Type C test interval does not appear to be inconsistent with the intent of the test schedule specified by the Technical Specifications and Appendix J.
- (3) Five of the tests, which include ten valves, for which extension is requested are for hydrostatically tested valves in which the leakage is excluded from the Type C leakage rate total per Paragraph III.C.3 of Appendix J. The preoperational leakage rate test experience with these valves was excellent; the aggregate leakage for the ten affected valves was approximately 0.2 GPM,

which is substantially below the maximum leakage limit of 1.0 GPM times the total number of the valves.

These valves are in lines which connect to closed systems outside of containment. The closed system is missile protected, Seismic Category I, quality group B, and designed to the temperature and pressure conditions that the system will encounter. The integrity of this closed system is assured by the leakage reduction and maintenance program developed in response to NUREG 0737, Item III.D.1.1. Any leakage out of this system will be into the reactor enclosure, thus facilitating collection and treatment.

For these reasons, the proposed temporary amendment to the Limerick Operating License does not constitute a significant hazards consideration in that it would not:

1. Involve a significant increase in the probability or consequences of an accident previously evaluated because the change extends the surveillance interval less than 20% beyond the current conservative surveillance requirements and has no effect on the assumptions of valve leakages assumed in the present analyses; or
2. Create the possibility of a new type of accident or a different kind of accident from any accident previously analyzed in that current analyses assume certain values

of containment leakage; therefore, new accident scenarios are not credible based upon scheduling of this testing alone; or

3. Involve a significant reduction in the margin of safety because, based on the adjusted ILRT and initial LLRT results, these valves have exhibited a high degree of leak tight reliability. Additionally, the valves have been exposed to operating conditions less severe than are normally experienced between testing.

The requested amendment concerns schedular relief for surveillance testing of a limited number of containment isolation valves and will not result in a significant change in the amounts or types of effluents that may be released off-site.

There will be no significant increase in individual or cumulative occupational radiation exposure as a result of the requested amendment which merely requests to delay testing.

The Plant Operations Review Committee and the Nuclear Review Board have reviewed these proposed temporary changes to the Technical Specifications and exemption request and have concluded that they do not involve an unreviewed safety question

or a significant hazards consideration and will not endanger the public health and safety.

Respectfully Submitted,
PHILADELPHIA ELECTRIC COMPANY



Vice President

CONTAINMENT SYSTEMS

SURVEILLANCE REQUIREMENTS (Continued)

- d. Type B and C tests shall be conducted with gas at P_a , 44.0 psig*, at intervals no greater than 24 months**except for tests involving:
 1. Air locks,
 2. Main steam line isolation valves,
 3. Containment isolation valves in hydrostatically tested lines which penetrate the primary containment, and
- e. Air locks shall be tested and demonstrated OPERABLE per Surveillance Requirement 4.6.1.3.
- f. Main steam line isolation valves shall be leak tested at least once per 18 months.
- g. Containment isolation valves in hydrostatically tested lines which penetrate the primary containment shall be leak tested at least once per 18 months. **
- h. The provisions of Specification 4.0.2 are not applicable to Specifications 4.6.1.2a., 4.6.1.2b., 4.6.1.2c., 4.6.1.2d., and 4.6.1.2e.

*Unless a hydrostatic test is required per Table 3.6.3-1.

**A Type C test interval extension to May 26, 1986 is permissible for primary containment isolation valves listed in Table 3.6.3-1, Part A, which are identified in Application for Amendment of Facility Operating License dated December 18, 1985 that need a plant outage to test.

Summary Of Valves For Which A Change
is Requested

LIR #	Penetration	Description	Valve #	Test Medium	Extention Duration Requested	Restrictions	Appendix J Exemption Required
131	X-13A	A S/D Cooling Return	HV-51-1F050A*	Water	9 weeks 5 days	Containment	No
			HV-51-151A*	Water	9 weeks 5 days	Entry	No
141	X-13B	B S/D Cooling Return	HV-51-1F050B*	Water	9 weeks 5 days	"	No
			HV-51-151B*	Water	9 weeks 5 days	"	No
451	X-45A	A LPCI Injection	HV-51-1F041A*	Water	9 weeks 5 days	Containment	No
			HV-51-142A*	Water	9 weeks 5 days	Entry, RX	No
			HV-51-1F017A*	Air	9 weeks 5 days	Depressuriza- tion	Yes
471	X-45C	C LPCI Injection	HV-51-1F041C*	Water	9 weeks 4 days	Containment	
			HV-51-142C*	Water	9 weeks 4 days	Entry, RX	
			HV-51-1F017C*	Air	9 weeks 4 days	Depressuriza- tion	Yes
481	X-45D	D LPCI Injection	HV-51-1F041D*	Water	9 weeks 4 days	Containment	
			HV-51-142D*	Water	9 weeks 4 days	Entry, RX	
			HV-51-1F017D*	Air	9 weeks 4 days	Depressuriza- tion	Yes
651	X-205A	Suppression Pool Spray	HV-51-1F027A	Air	8 weeks 1 day	Containment Entry	Yes

* Equipped with through leakage detection system.

Summary Of Valves For Which A Change
is Requested
(Continued)

LLR #	Penetration	Description	Valve #	Test Medium	Extention Duration Requested	Restrictions	Appendix J Exemption Required
.21	X-56	DCW Return	HV-87-121B	Air	11 weeks 2 days	Containment	Yes
			HV-87-123	Air	11 weeks 2 days	Entry, DCW	Yes
			HV-87-124B	Air	11 weeks 2 days	Drained, All D/W Cooling Off	Yes
151	X-14	RWCU Supply	HV-44-1F001	Air	9 weeks 3 days	Containment	Yes
			HV-44-1F004	Air	9 weeks 3 days	Entry, No RWCU, RX Depressurized	Yes Yes Yes
532	X-61B	'B' Recirc Seal Purge	43-1004B	Air	3 weeks	Containment Entry, 'B' Recirc Off	Yes
021	X-3D	Instr. Gas Supply	HV-59-151B	Air	1 week 4 days	Containment	Yes
			59-1112	Air	1 week 4 days	Entry	Yes

Summary Of Valves For Which A Change
is Requested
(Continued)

LIR #	Penetration	Description	Valve #	Test Medium	Extention Duration Requested	Restrictions	Appendix J Exemption Required
201	X-23	RECW Supply	HV-13-106	Air	11 weeks 5 days	Containment	Yes
			HV-13-108	Air	11 weeks 5 days	Entry; Recirc.	Yes
			HV-13-109	Air	11 weeks 5 days	Pumps Off; RECW drained; ESW drained (1 loop); No RWCU	Yes
211	X-24	RECW Return	HV-13-107	Air	12 weeks	"	Yes
			HV-13-110	Air	12 weeks	"	Yes
			HV-13-111	Air	12 weeks	"	Yes
491	X-53	ICW Supply	HV-87-120A	Air	12 weeks	Containment	Yes
			HV-87-125A	Air	12 weeks	Entry, DCW	Yes
			HV-87-128	Air	12 weeks	drained, All D/W Cooling Off	Yes
501	X-54	ICW Return	HV-87-121A	Air	11 weeks 5 days	"	Yes
			HV-87-124A	Air	11 weeks 5 days	"	Yes
			HV-87-129	Air	11 weeks 5 days	"	Yes
511	X-55	ICW Supply	HV-87-120B	Air	6 weeks 1 day	"	Yes
			HV-87-122	Air	6 weeks 1 day	"	Yes
			HV-87-125B	Air	6 weeks 1 day	"	Yes

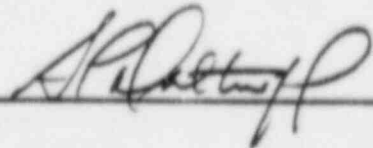
COMMONWEALTH OF PENNSYLVANIA :

: ss.

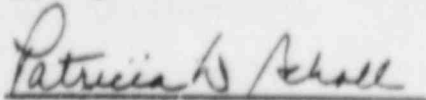
COUNTY OF PHILADELPHIA :

S. L. Daltroff, being first duly sworn, deposes and says:

That he is Vice President of Philadelphia Electric Company, the Applicant herein; that he has read the foregoing Application for Amendment of Facility Operating License NPF-39 and Exemption to Part 50, Appendix J and knows the contents thereof; and that the statements and matters set forth therein are true and correct to the best of his knowledge, information and belief.



Subscribed and sworn to
before me this 18th day
of December, 1985



Notary Public

PATRICIA D. SCHOLL
Notary Public, Philadelphia, Pennsylvania
My Commission Expires January 10, 1988

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of : Docket No. 50-352
: PHILADELPHIA ELECTRIC COMPANY :
: (Limerick Generating Station, :
Unit No. 1) :

CERTIFICATE OF SERVICE

I hereby certify that copies of Philadelphia Electric Company's Application for Amendment of Facility Operating License NPF-39 and Application for Amendment of Facility Operating License NPF-39 and Exemption to Part 50, Appendix J in the above-captioned matter were served on the following by deposit in the United States mail, first-class postage prepaid on this 19th day of December, 1985.

Kathryn S. Lewis, Esquire
Municipal Services Building
15th & JFK Blvd.
Philadelphia, PA - 19107

Ann P. Hodgdon, Esquire
Counsel for NRC Staff
Office of the Executive Legal Director
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

Angus R. Love, Esquire
Montgomery County Legal Aid
107 E. Main Street
Norristown, PA 19401

Atomic Safety & Licensing
Appeal Board Panel
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

Robert J. Sugarman, Esquire
Sugarman, Denworth & Hellegers
16th Floor, Center Plaza
101 North Broad Street
Philadelphia, PA 19107

Troy B. Conner, Jr., Esquire
Conner & Wetterhahn, P.C.
1747 Pennsylvania Avenue, NW
Washington, D.C. 20006

Docket & Service Section
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555 - (3 copies)

Mr. Robert L. Anthony
103 Vernon Lane, Box 186
Moylan, PA 19065

David Wersan, Esquire
Assistant Consumer Advocate
Office of Consumer Advocate
1425 Strawberry Square
Harrisburg, PA 17120

Atomic Safety & Licensing Board Panel
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. Frank R. Romano
61 Forest Avenue
Ambler, PA 19002

Zori G. Ferkin, Esquire
Governors' Energy Council
P.O. Box 8010
1625 N. Front Street
Harrisburg, PA 17105

Mr. Thomas Gerusky, Director
Bureau of Radiation Protection
Department of Environmental Resources
Fulton Bank Building, 5th Floor
Third & Locust Streets
Harrisburg, PA 17120

Spence W. Perry, Esquire
Associate General Counsel
FEMA, Room 840
500 C Street, SW
Washington, D.C. 20472

Timothy R. S. Campbell, Director
Department of Emergency Services
14 East Biddle Street
West Chester, PA 19380

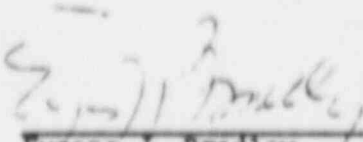
Director
Pennsylvania Emergency Management Agency
Basement, Transportation & Safety Building
Harrisburg, PA 17120

Jay M. Gutierrez, Esquire
U. S. Nuclear Regulatory Commission
Region 1
631 Park Avenue
King of Prussia, PA 19406

Phyllis Zitzer
Limerick Ecology Action
P.O. Box 761
762 Queen Street
Pottstown, PA 19464

Charles W. Elliott, Esquire
Counsel for Limerick Ecology Action
325 N. 10th Street
Easton, PA 18042

E. M. Kelly
Senior Resident Inspector
U. S. Nuclear Regulatory Commission
P.O. Box 47
Sanatoga, PA 19464



Eugene J. Bradley
Attorney for
Philadelphia Electric Company

2301 Market Street
Philadelphia, PA 19101



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

MAR 3 1985

Docket No. 50-352



Mr. Edward G. Bauer, Jr.
Vice President and General Counsel
Philadelphia Electric Company
2301 Market Street
Philadelphia, Pennsylvania 19101

Dear Mr. Bauer:

SUBJECT: ISSUANCE OF AN EXEMPTION FOR FACILITY OPERATING LICENSE NO. NPF-39,
LIMERICK GENERATING STATION, UNIT 1

The U.S. Nuclear Regulatory Commission has issued the enclosed one-time exemption from the requirements of Appendix J, 10 CFR Part 50 for Facility Operating License No. NPF-39 for the Limerick Generating Station, Unit 1 located in Montgomery County, Pennsylvania. This exemption deals with an extension in the schedule for conducting leak rate tests on certain containment isolation valves.

The Philadelphia Electric Company requested this exemption in its letter dated December 18, 1985. The staff has found that approval of the extension in the schedule for testing the subject isolation valves requires the granting of the above identified exemption. The related amendment to the Unit 1 Technical Specifications is being issued separately.

A copy of the related safety evaluation supporting the exemption is enclosed. Also enclosed is a copy of a related notice of environmental assessment and finding of no significant impact which was published in the Federal Register.

A copy of the exemption is being filed with the Office of the Federal Register.

Sincerely,

Walter P. Butler, Director
BWR Project Directorate No. 4
Division of BWR Licensing

Enclosures:

1. Exemption
2. Safety Evaluation
3. Notice of Environmental Assessment

cc: See next page

~~8603130028~~

Mr. Edward G. Bauer, Jr
Philadelphia Electric Company

Limerick Generating Station
Units 1 & 2

cc:

Troy B. Conner, Jr., Esquire
Conner and Wetterhahn
1747 Pennsylvania Ave, N.W.
Washington, D. C. 20006

Mr. Marvin I. Lewis
6504 Bradford Terrace
Philadelphia, Pennsylvania 19149

Zori G. Ferkin
Assistant Counsel
Governor's Energy Council
1625 N. Front Street
Harrisburg, Pennsylvania 17105

Frank R. Romano, Chairman
Air & Water Pollution Patrol
61 Forest Avenue
Ambler, Pennsylvania 19002

Federic M. Wentz
County Solicitor
County of Montgomery
Courthouse
Norristown, Pennsylvania 19304

Charles W. Elliott, Esquire
Brose & Poswistilo, 1101 Bldg.
325 N. 10th Street
Easton, Pennsylvania 18402

Eugene T. Bradley
Philadelphia Electric Company
Associate General Counsel
2301 Market Street
Philadelphia, Pennsylvania 19101

Ms. M. Mulligan
Limerick Ecology Action
762 Queen St.
Pottstown, Pennsylvania 19464

Mr. Karl Abraham
Public Affairs Officer
Region 1
U.S. Nuclear Regulatory Commission
631 Park Avenue
King of Prussia, PA 19806

Thomas Gerusky, Director
Bureau of Radiation Protection
Dept. of Environmental Resources
5th Floor, Fulton Bank Bldg.
Third and Locust Streets
Harrisburg, Pennsylvania 17120

Mr. Gene Kelly
Senior Resident Inspector
U.S. Nuclear Regulatory Commission
P. O. Box 47
Sanatoga, Pennsylvania 19464

cc:

Sugarman, Denworth & Hellegers
16th Floor Center Plaza
101 North Broad Street
Philadelphia, Pennsylvania 19106

Robert L. Anthony
Friends of the Earth
of the Delaware Valley
103 Vernon Lane, Box 186
Meylar, Pennsylvania 19065

Kathryn S. Lewis, Esq.
Municipal Services Bldg.
15th and JFK Blvd.
Philadelphia, Pennsylvania 19102

David Versan, Esq.
Assistant Consumer Advocate
Office of Consumer Advocate
1425 Strawberry Square
Harrisburg, Pennsylvania 17120

Steven P. Hershey, Esq.
Community Legal Services, Inc.
Law Center North Central - Entry Bldg.
3701 North Broad Street
Philadelphia, Pennsylvania 19140

Mr. J. T. Robb, NS-1
Philadelphia Electric Company
200 Market Street
Philadelphia, Pennsylvania 19101

Timothy P. S. Campbell, Director
Department of Emergency Services
14 East Biddle Street
West Chester, Pennsylvania 19380

Director, Pennsylvania Emergency
Management Agency
Basement, Transportation &
Safety Building
Harrisburg, Pennsylvania 17120

Angus Love, Esq.
107 East Main Street
Norristown, Pennsylvania 19402

Helen F. Hoyt, Chairman
Administrative Judge
Atomic Safety & Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dr. Jerry Harbour
Administrative Judge
Atomic Safety & Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dr. Richard F. Cole
Administrative Judge
Atomic Safety & Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Mr. Spence W. Perry, Esq.
Associate General Counsel
Federal Emergency Management Agency
Room 840
500 C St., S.W.
Washington, D. C. 20472

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of
Philadelphia Electric Company

Limerick Generating Station
Unit 1

)
)
)
)

Docket No. 50-352

EXEMPTION

I

The Philadelphia Electric Company (PECo./the licensee) is the holder of Facility Operating License No. NPF-39 which authorizes operation of the Limerick Generating Station, Unit 1 at a power level not in excess of 3293 megawatts thermal for each unit. The facility is a boiling water reactor located at the licensee's site in Montgomery County, Pennsylvania. The license provides, among other things, that the facility is subject to all rules, regulations and orders of the Commission now or hereafter in effect.

II

Paragraphs III.C.3 and III.D.3 of Appendix J to 10 CFR Part 50 require that containment isolation valves which may provide a pathway for leakage of containment atmosphere are required, on at least a 24 month frequency, to have their leakage measured for comparison with the limiting value of 0.6 L_a for Type B and Type C tests.

0603130030

The Philadelphia Electric Company proposed a one-time extension to the Surveillance Requirements for Technical Specification 4.6.1.2 which would allow the 24 month interval for conducting Type C tests with gas on 27 isolation valves to be extended by 12 weeks until May 26, 1986. The staff has found that approval of the proposed extension is warranted and is authorized by the granting of this one-time exemption so that Unit 1 may continue to operate until a shutdown is required on May 26, 1986 to perform other extensive surveillance and maintenance activities.

III

The NRC staff has evaluated the licensee's basis for requesting the extension in the surveillance interval and finds that not granting this exemption would require the licensee to shut down the plant on March 3, 1986 for a period of about two weeks to conduct the testing. Granting of this exemption is likely to result in a negligible reduction in containment integrity during the 12 week extension period. In evaluating the changes to the Technical Specifications and the associated exemption, the staff reviewed the licensee's technical justifications for the requested extension. The staff reviewed the licensee's position that these tests cannot be conducted during power operations and that therefore a shutdown would be required to perform the tests. The staff reviewed the types of valves involved to ascertain that these are not the types of valves used in boiling water reactors which have a greater propensity to require intensive maintenance to maintain their leaktight integrity. The staff considered the uses

of these valves to ascertain that they are not used during normal plant operations in the relatively more demanding applications such as modulating valves to continuously control flow rates or pressure. The staff reviewed available data provided by the licensee on similar valves used elsewhere in the industry which supports the licensee's position that these valves have traditionally good maintenance histories in the industry. The staff also reviewed previous leakage test results on the specific valves subject to the exemption request and has found that there is substantial margin between the values previously measured and the limiting values in Appendix J and the Technical Specifications to accommodate any additional degradation likely to occur during the period of the extension. The details of the above described review are discussed in the attached Safety Evaluation. Based on the information provided by the licensee, the staff's evaluation of the licensee's submittals, the NRC staff concludes that the licensee has provided an adequate basis for the conclusion that postponing the subject local leak rate tests until May 26, 1986 is likely to have little or no effect on containment integrity.

The Commission has amended its regulations, effective on January 13, 1986, in 10 CFR 50.12 (50 FR50764-50778) to modify the criteria for granting exemptions from its regulations. The amended regulations in 10 CFR 50.12 state that the Commission will not consider granting an exemption unless special circumstances are present. In its letter of February 25, 1986 the licensee has addressed two of those special circumstances which are applicable to this exemption request.

The licensee states that the special circumstances of 10 CFR 50.12 (a)(2)(ii) are present in that application of the regulation in 10 CFR 50, Appendix J for the Type C leakage testing of 27 containment isolation valves within 24 months, i.e. by March 3, 1986, of their initial tests versus the requested one-time extension until May 26, 1986 is not necessary to achieve the underlying purpose of the rule. Appendix J states that a purpose of the tests is to assure that 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.

The licensee has provided various bases for its conclusion that the requested delay of 12 weeks is not likely to result in a situation wherein the measured leakage from these valves would cause the limitations of the technical specifications to be exceeded. These bases, which are discussed in more detail in the enclosed Safety Evaluation and the licensee's submittals, include the licensee's characterization of these valves as being of the type which traditionally have good maintenance histories, are not used in the relatively more demanding applications and which have shown in their initial leakage tests that they do not contribute an undue proportion of either the total measured containment leakage or the technical specification allowable leakage values. On these bases the staff agrees that it is unlikely that the delay in the testing of the subject 27 valves would result in measured leakage that would cause the allowable technical specification values to be exceeded. Thus the NRC staff concludes that the underlying purpose of Appendix J in this regard,

to provide assurance that leakage shall not exceed technical specification allowable values, will be met with this one-time extension of the test schedule.

The licensee also states that the special circumstances of 10 CFR 50.12 (a) (2)(v) are present in that the exemption would provide only temporary relief from the applicable regulation and the licensee has made good faith efforts to comply with the regulation.

The exemption is temporary since it provides relief from the requirement to conduct the subject tests only from March 3, 1986 until during a shutdown which shall begin no later than May 26, 1986. The licensee submits that it has made a good faith effort to comply with the requirements of the regulation in that it has tested all but 27 valves out of a total population of over 200 valves subject to such testing by the date initially required by Appendix J and the technical specifications. The licensee also describes its attempts to minimize the number of valves which would require the schedular relief by proceeding with the tests of all valves necessary to permit operations until May 26, 1986 which could be tested without requiring the shutdown of the plant. This effort was undertaken following the delay between the completion of low power testing activities and issuance of the full power license. Thus the NRC staff concludes that the requested exemption meets the criterion of providing only temporary relief and has been accompanied by a good faith effort to comply with the regulation.

Based upon the staff's findings that postponing the local leak rate tests from March 3 until May 26, 1986 is likely to have little or no effect on containment integrity and the staff's assessment of the special circumstances associated with this request for an exemption the NRC staff finds that operation of Limerick Unit 1 during the proposed extension period is acceptable. Therefore, the staff finds that the proposed temporary exemption from 10 CFR 50, Appendix J, Paragraph III.D.3 is acceptable.

IV

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, the exemption is authorized by law, will not endanger life or property or the common defense and security and is otherwise in the public interest. Therefore, the Commission hereby grants the exemption as follows:

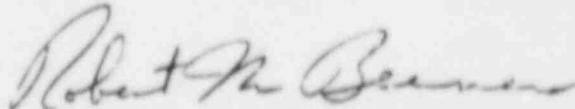
"An exemption is granted from the requirement to conduct Type C testing on containment isolation valves at an interval no greater than 24 months as stated in 10 CFR 50, Appendix J, Paragraph III.D.3. This exemption is granted for the period specified in the licensee's December 18, 1985 request for exemption (from March 3, 1986 until May 26, 1986) and is only applicable to 27 valves in Limerick Unit 1 as indicated in the modified Technical Specification Table 3.6.3-1 accompanying the issuance of Amendment No. 2 to License No. NPF-39."

Pursuant to 10 CFR 51.32, the Commission has determined that the issuance of the exemption will have no significant impact on the environment (51FR7344, March 3, 1986).

A copy of the Commission's Safety Evaluation dated March 3, 1986 related to this action is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, DC and the Pottstown Public Library, 500 High Street, Pottstown, Pennsylvania 19464.

This Exemption is effective upon issuance and is to expire at midnight on May 26, 1986.

FOR THE NUCLEAR REGULATORY COMMISSION



Robert Bernero, Director
Division of BWR Licensing

Dated at Bethesda, Maryland
this 3rd day of March 1986

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

SUPPORT EXEMPTION FROM APPENDIX J FACILITY OPERATING LICENSE NO. NPF-39

PHILADELPHIA ELECTRIC COMPANY

MONTGOMERY COUNTY, PENNSYLVANIA

LIMERICK GENERATING STATION, UNIT NO. 1

DOCKET NO. 50-352

1.0 Introduction

By letter dated December 18, 1985, the Philadelphia Electric Company (the licensee) requested a one-time-only approval to temporarily extend certain surveillance requirements in the Technical Specifications, which must be performed nominally every 24 months and which can only be done when the plant is shutdown. The change would extend the 24 month surveillance intervals for leakage testing of selected containment isolation valves by up to 12 weeks beyond the time allowed by the Technical Specifications. This would permit the licensee to delay performing this testing until a maintenance and surveillance outage which will begin on or before May 26, 1986. The staff has found that approval of the proposed change to the Technical Specification would also require the granting of an exemption from Appendix J along with the issuance of the requested amendment.

By letters dated January 29, February 5, February 25 and March 3, 1986 the licensee provided additional information in support of the proposed changes. Technical Specification (TS) 4.6.1.2.d requires that Type C tests shall be conducted at intervals no greater than 24 months except for tests involving valves in hydrostatically tested lines. The 24 month interval for this Type C testing is consistent with the requirements of 10 CFR Part 50, Appendix J, paragraph III.D.3 which specifies that Type C tests shall be performed at intervals no greater than 2 years. The licensee's letter of December 18, 1985 requested an extension of the 24 month TS testing requirement by a maximum of 12 weeks for a group of 27 isolation valves. In addition, in the December 18, 1985 letter the licensee requested a one-time exemption from the Appendix J 24 month testing requirements for these 27 valves.

Paragraphs III.C.3 and III.D.3 of Appendix J require that containment isolation valves which may provide a pathway for leakage of containment atmosphere are required, on at least a 24 month frequency, to have their leakage measured for comparison with the limiting value of 0.6 L for Type B and Type C tests. Paragraph III.C.3 also provides that leakage from isolation valves that are sealed with fluid may be excluded from the summation of Type B and Type C tests. Consistent with this provision the licensee has identified that 10 of the 37 valves addressed in the December 18, 1985 application amendment are sealed by fluid and therefore are hydrostatically tested on a nominal frequency of 18 months. The acceptability of hydrostatically testing these valves in the

~~8603130096~~

shutdown cooling return line and in the low pressure coolant injection line is addressed in Section 6.2 of the Limerick Safety Evaluation Report dated August 1983. The measured leakage from these hydrostatically tested valves is compared to the limit of 1 gallon per minute in the pressure isolation valve section of the TS and not to the 0.6 L criteria for Type B and Type C tests and accordingly the testing of these valves is not within the scope of the issues addressed by the licensee's exemption request. The acceptability of the surveillance extension for hydrostatically tested valves is addressed in the safety evaluation accompanying the amendment to the technical specifications.

2.0 Evaluation

Since the Limerick Unit 1 plant has been through an extended startup program schedule, which included relatively little startup testing program activity from about April to early August 1985, the scheduled surveillance tests fall in a period of what would otherwise be a continuation of first fuel cycle power operations. Since the plant must be shutdown for about two weeks to perform these tests and since the licensee plans to shut the plant down on or before May 26, 1986 to perform other surveillance tests and maintenance activities the licensee proposes to extend the surveillance interval for these isolation valves to allow those tests to also be performed during the outage to begin on or before May 26, 1986. The end of the present most limiting surveillance interval is March 3, 1986.

The requirements of the TS for which extensions are proposed and the reason these tests can only be performed while the reactor is shutdown are as follows.

General Design Criterion 56, Primary Containment Isolation, requires that lines to be isolated be provided with an isolation valve inside containment and an isolation valve outside containment. The design of the isolation valves and their associated piping and test connections requires personnel access to the primary containment to isolate the valve inside the containment from the balance of its associated system and to implement the test procedure. Entry into containment during power operations would expose personnel to the hazards of high air temperature (about 120°F), radiation exposure that is high with respect to as-low-as-reasonably-achievable (ALARA) standards (about 10 R/hour in representative areas) and the nitrogen environment of the inerted containment atmosphere for which self contained breathing apparatus (SCUBA) would be required. The licensee has stated orally that they consider the hazard of the inerted containment atmosphere to be too great to permit personnel access for routine plant operational tasks. The licensee has also stated that further factors which preclude testing these valves at power include the need to depressurize the reactor, drain the reactor enclosure chilled water (RECW) system, drain the drywell chilled water (DCW) system, drain the emergency service water (ESW) loop, remove the reactor recirculation pumps from service or a combination of the above. The staff concludes that the licensee has shown that it is not practical or feasible to test these valves at power and that the plant would be required to

shutdown for about two weeks to cooldown, depressurize and conduct the tests beginning on March 3, 1986 unless the requested extension in surveillance test periods is granted.

The licensee has stated that the types of valves subject to this surveillance schedule extension request have traditionally good maintenance histories and do not include those valves known to be maintenance intensive in boiling water reactors such as the main steam isolation valves or the feedwater check valves. The licensee also points out that these valves are used in applications where they are either normally open or normally closed and are not used in a modulating mode to control flow rates. The licensee further states that such valves when used in non-modulating applications tend not to have problems meeting leakage criteria. In this regard, the licensee has also considered the leak rate information reported in Licensee Event Report (LER) No. 352/85-102. This LER deals with a valve that is not within the scope of the Limerick surveillance schedule extension request. The licensee has reached a determination, with which the staff concurs, that the LER 85-102 event was an isolated event and as such has no significant effect upon the conclusions and basis for the request for extension.

In support of the position that these valves are reliable in meeting leakage criteria the licensee has interrogated the Nuclear Plant Reliability Data System (NPRDS) for similar types of valves and has reviewed these specific valves' previous leakrate test histories.

The NPRDS query serves as a useful qualitative estimation of these valves' reliability since the reporting of data to the system is on a voluntary basis and therefore there is no representation that the data from the system represents all of the valves in the industry of that specific valve type. Nevertheless, the data as presented in the licensee's letter dated January 29, 1986, is useful in considering whether these valve types are generally reliable in meeting their leakage criteria. The licensee notes that the valves in the NPRDS data base have been in service for significant periods whereas the Limerick valves will have experienced only a part of the first fuel cycle's operating time by the date of the next planned surveillance test. The NPRDS data does not suggest that these valves, either individually or collectively, should be expected to experience undue difficulties in meeting the leakage criteria.

The licensee states that testing has been performed on those valves that can be tested at power such that only 27 valves out of a total of 245 valves in Part A of TS Table 3.6.3-1 require the one-time extension of the 24 month surveillance interval. This is reflected in the following specific system discussions wherein, as applicable, it is noted that the extension request does not apply to all of the valves in a given system since the other valves have been tested on a more recent schedule which does not require their retest until after May 26, 1986.

Technical Specification 4.6.1.2.d-Twenty-Four Month Tests

There are 27 valves subject to this specification for which the licensee has requested one time extension of no more than 12 weeks in the surveillance test schedule. These valves are as listed below.

<u>System</u>	<u>Valve Number</u>	<u>Size/Type</u>
° LPCI injection loops A,C,D	HV-51-1F017A,C,D	12" gate
° Suppression Pool Spray	HV-51-1F027A	6" globe
° Reactor enclosure cooling water		
- supply line	HV-13-106,108,109	3" and 4" gate
- return line	HV-13-107,110,111	3" and 4" gate
° Drywell Chilled Water, Loops A and B		
- Supply lines	HV-87-120A, 125A, 128 and 120B, 125B, 122	8" gate
- Return lines	HV-87-121A, 124A, 129 and 121B, 124B, 123	8" gate
° Reactor Water Cleanup supply line	HV-44-1F001, 1F004	6" globe
° Recirculation Pump B seal purge	43-1004B	1" check
° Instrument Gas Supply to ADS valves E and K	HV-59-151B 59-1112	1" globe 1" check

The licensee's letter of January 29, 1986 also provides information on the previous leakage testing for the specific valves which are subject to this amendment request. As indicated in the licensee's letters, the total leakage measured as a result of the previous tests on all applicable Type C valve tests is about 22,000. standard cubic centimeters per minute (SCCM) which is about 23% of the total allowed by the Technical Specifications. Of this 22,000. SCCM only about 3800. SCCM (or 4% of the TS limit) was contributed by the 27 valves subject to the amendment application. Thus, it may be seen that leakage through these valves would have to increase many times before they contributed a large portion of either (1) the total measured leakage from all such valves or (2) the TS limit value. Some discussion of the individual valves is provided below.

LPCI Injection

Valves HV51-1F017A, C and D require an extension of less than 10 weeks in a 24 month surveillance interval. The comparable valve in the B loop was tested on a schedule which does not require its retest until after May 26, 1986. The leakage from these three valves during the previous tests totaled 1210 SCCM or 1% of the TS limit valve. The line in which these valves are located is provided with instrumentation which will detect and annunciate excessive leakage past the valves.

Suppression Pool Spray

Valve HV-51-1F027A requires an extension of about 8 weeks in a 24 month surveillance interval. The comparable valve in the B loop of suppression pool spray was tested on a schedule which does not require its retest until after May 26, 1986. The leakage from this valve during the previous test was 2.25 SCCM or 0.002% of the TS limit valve.

Reactor Enclosure Cooling Water (RECW)

Valves HV-13-106, 108, 109 in the RECW supply line and HV-13-107, 110, 111 in the RECW return line require an extension of 12 weeks in a 24 month surveillance interval. The leakage from these valves during the previous tests was 145 SCCM or 0.15% of the TS limit for the supply valves and 9 SCCM or 0.01% of the TS limit for the return valves.

Drywell Chilled Water

The valves in loops A and B of the drywell chilled water system, each loop having 3 involved valves in the supply line and 3 involved valves in the return line, require an extension of up to 12 weeks in a 24 month surveillance interval. The leakage from these valves during the initial tests was 203 SCCM for loop A supply valves, 653 SCCM for loop A return valves, 668 SCCM for loop B supply valves and 338 SCCM for loop B return valves for a total of 1862 SCCM or 2% of the TS limit.

Reactor Water Cleanup

Valves HV-44-1F001, 1F004 in the RWCU supply line require an extension of less than 10 weeks in a 24 month surveillance interval. The leakage from these valves from previous tests was 510 SCCM or 0.5% of the TS limit value.

Recirculation Pump B Seal Purge

Valve 43-1004B in the reactor recirculation pump seal purge line requires an extension of 3 weeks in a 24 month surveillance interval. The comparable valve in the A loop line was tested on a schedule which does not require its retest until after May 26, 1986. The leakage from this valve from previous tests was 76 SCCM or 0.1% of the TS limit value.

Instrument Gas Supply to ADS Valves

Valves HV-59-151B and 59-1112 in the instrument gas supply to automatic depressurization system (ADS) valves E and K require an extension of less than 2 weeks in a 24 month surveillance interval. Comparable valves in the gas supply line for ADS valves H, M and S and other instrument gas supply and return lines were tested on a schedule which does not require retest until after May 26, 1986. The leakage from these valves during the previous tests was 9 SCCM or 0.01% of the TS limit value.

Summary for 24 Month Surveillance Interval Valves

In assessing whether an extension of 12 weeks in a 24 month surveillance interval would be appropriate for these valves the staff has considered the previous leak rate test results for these valves, their propensity for requiring extensive maintenance to maintain their leak tight integrity and the consequences of any additional degradation during the requested extension. Based on its review the staff finds that:

- (1) The previously measured Type C test leakage through these valves (3800 SCCM) constituted but 17% of the total measured Type C leakage. There is considerable margin between these values and the limit established by Appendix J and the technical specification of 0.6 L_a (94, 964 SCCM) for the Type B and C tests. These valves were not found to contribute either individually or collectively a disproportionate percentage of the total measured leakage or of the technical specification limit values.
- (2) To date these valves have not required maintenance, repairs or adjustments which would require reperformance of their Type C test. The licensee's review of similar valves via NPRDS provides a qualitative assessment that supports the licensee's findings that these valves typically have good maintenance histories, do not require intensive maintenance to ensure their leak tight integrity and thus are unlikely to degrade significantly in the period of the extension.
- (3) There is ample margin between the leakage previously measured during the Type C isolation valve tests, including the previous tests of the 27 valves subject to this amendment request, and the limiting leakage values in the technical specifications and in Appendix J to accommodate any degradation likely to be experienced by these 27 valves during the extension period. Therefore the consequences of leakage past these isolation valves is bounded by safety analyses previously performed which were based on the limiting leakage values in the technical specifications and in Appendix J.

The licensee has determined that the proposed changes to the TS will have little or no effect on containment integrity and that the proposed amendment will not alter any of the accident analyses. The staff has reviewed these determinations and the associated changes and concludes that, on the bases discussed above, they are acceptable. In addition the staff concludes that the licensee has provided sufficient bases for the temporary extension of the 24 month surveillance interval required by Appendix J and that a temporary exemption from the requirements of Paragraph III.D.3 is acceptable.

3.0 Conclusion

The staff has concluded, based on the considerations discussed above, that the proposed temporary exemption from 10 CFP 50, Appendix J, Paragraph III.D.3 is authorized by law, will not endanger life or property or the common defense and is otherwise in the public interest and should be granted.

Dated: March 3, 1986

UNITED STATES NUCLEAR REGULATORY COMMISSION

PHILADELPHIA ELECTRIC COMPANY

LIMERICK GENERATING STATION, UNIT 1

DOCKET NO. 50-352

NOTICE OF ENVIRONMENTAL ASSESSMENT AND FINDING OF NO SIGNIFICANT IMPACT

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an Exemption to 10 CFR 50, Appendix J, Paragraph III.D.3 for Facility Operating License No. NPF-39, issued to the Philadelphia Electric Company (the licensee), for operation of the Limerick Generating Station, Unit 1, located in Montgomery County, Pennsylvania.

ENVIRONMENTAL ASSESSMENT

Identification of Proposed Action: This Exemption would suspend the requirement to conduct Type C leakage testing at intervals no greater than 24 months, as stated in 10 CFR 50, Appendix J, Paragraph III.D.3, for 27 containment isolation valves from March 3, 1986 until May 26, 1986.

The Need for the Proposed Action: The proposed Exemption from the regulation is required in order to allow continued operation of the plant until May 26, 1986 when the plant will be shutdown for extensive maintenance and surveillance testing activities. Without this Exemption, a forced shutdown, beginning on March 3, 1986 and lasting about two weeks, would be required in order to perform the necessary surveillance tests.

86071301 04

Environmental Impacts of the Proposed Action: There are no environmental impacts of the proposed action. During the period of the extension the plant will continue with normal operations. On May 26, 1986 the plant will be shutdown and the containment isolation valve Type C leakage tests will be performed during that outage. The surveillance test will be performed at that time, in every other respect, the same as if it had been performed during an outage prior to March 3, 1986. The staff has reviewed the information provided by the licensee and finds that postponing these leakrate tests until May 26, 1986 would have little or no effect on containment integrity. No changes are being made in the allowable amounts and no significant changes are being made in the types of any effluents that may be released offsite, and there is no significant increase in the allowable individual or cumulative occupational radiation exposure. Therefore, the Commission concludes that there are no significant radiological environmental impacts associated with this proposed Exemption.

Alternative to the Proposed Actions: Since we have concluded that there is no measurable environmental impact associated with the granting of the proposed Exemption, any alternative to this Exemption will have the same or greater environmental impact.

The principal alternative would be to deny the Exemption which would require a two week shutdown beginning no later than March 3, 1986.

Alternative Use of Resources: This action does not involve the use of resources not previously considered in connection with the "Final Environmental Statement" related to the operation of the Limerick Generating Station, Unit 1, dated April 1, 1984.

Agencies and Persons Consulted: The NRC staff performed the entire review of the licensee's position and did not consult other agencies or persons.

Findings of No Significant Impact: The Commission has determined not to prepare an environmental impact statement for the proposed Exemption.

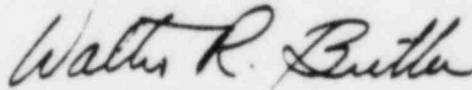
Based on the foregoing environmental assessment, we conclude that the proposed action will not have a significant effect on the quality of the human environment.

For further details with respect to this action see Amendment No. 2 to NPF-39, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, DC 20555 and at the Pottstown Public

Library, 500 High Street, Pottstown, Pennsylvania 19464. A copy may be obtained on request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Walter R. Butler, (301) 492-7456.

Dated at Bethesda, Maryland
this 26th day of February, 1986

FOR THE NUCLEAR REGULATORY COMMISSION



Walter R. Butler, Director
BWR Project Directorate No. 4
Division of BWR Licensing