

over a nominal 24 month operating cycle.

Environmental Impacts of the Proposed Action

The Commission has completed its evaluation of the proposed action and concludes that the licensee has provided information supporting the use of a 1.04 multiplier. This multiplier is applied to pool dynamic loads previously calculated for the plant unique analysis report (PUAR), to account for the EMRV setpoint increase and to account for errors in calculations of the PUAR loads due to use of an incorrect EMRV flow rating. The staff has reviewed the licensee's basis for use of the multiplier and finds it acceptable. The staff also finds that the structural analysis of the affected plant components was adequately conservative to demonstrate acceptability of the EMRV setpoint change.

The proposed amendment involves a minor change in the operation of the facility. The change will not increase the probability or consequences of accidents, no 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. Accordingly, the Commission concludes that there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential nonradiological impacts, the proposed action does involve features located entirely within the restricted area as defined in 10 CFR Part 20. It does not affect nonradiological plant effluents and has no other environmental impact. Accordingly, the Commission concludes that there are no significant nonradiological environmental impacts associated with the proposed action.

Alternatives to the Proposed Action

Since the Commission has concluded there is no measurable environmental impact associated with the proposed action, any alternatives with equal or greater environmental impact need not be evaluated. As an alternative to the proposed action, the staff considered denial of the proposed action. Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar.

Alternative Use of Resources

This action does not involve the use of any resources not previously

considered in the Final Environmental Statement for the Oyster Creek Nuclear Generating Station.

Agencies and Persons Consulted

In accordance with its stated policy, the staff consulted with the New Jersey State official regarding the environmental impact of the proposed action. The State official had no comments.

Finding of No Significant Impact

Based upon the environmental assessment, the Commission concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee's letter dated June 15, 1994, as supplemented by letters dated September 23, and November 3, 1994, which are available for public inspection at the Commission's Public Document Room, The Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Ocean County Library, 101 Washington Street, Toms River, NJ 08753.

Dated at Rockville, Maryland, this 8th day of February 1995.

For the Nuclear Regulatory Commission.

Phillip F. McKee,

Director, Project Directorate I-4, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

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[Docket No. 50-325]

Carolina Power & Light Co.; Facility Operating License

Exemption

In the Matter of Carolina Power & Light Co.; (Brunswick Steam Electric Plant, Unit 1).

I

The Carolina Power & Light Company (the licensee), is the holder of Facility Operating License Nos. DPR-71 and DPR-62 which authorizes operation of the Brunswick Steam Electric Plant (BSEP or the facility), Units 1 and 2, respectively, at steady state power levels not in excess of 2436 megawatts thermal. The facility consists of two boiling water reactors located at the licensee's site in Brunswick County, North Carolina. The license provides, among other things, that BSEP is subject to all rules, regulations and Orders of the Nuclear Regulatory Commission (the

Commission) now and hereafter in effect.

II

Section III.D.1.(a) of appendix J to 10 CFR part 50 requires the performance of three Type A containment integrated leakage rate tests at approximately equal intervals during each 10-year service period of the primary containment. The third test of each set shall be conducted when the plant is shutdown for the 10-year inservice inspection of the primary containment.

III

By letter dated November 22, 1994, CP&L requested a one-time exemption from the requirement to perform a set of three Type A tests at approximately equal intervals during each 10-year service period of the primary containment for the Brunswick Steam Electric Plant, Unit 1 (BSEP-1). The requested exemption would permit a one-time extension of the second 10-year service period by approximately 18 months (from the April 1995 refueling outage to the September 1996 refueling outage). The requested temporary relief would permit the third test of the second 10-year service period to correspond with the end of the current American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code) inservice inspection interval.

IV

Section III.D.1.(a) of appendix J to 10 CFR part 50 states that a set of three Type A leakage tests shall be performed at approximately equal intervals during each 10-year service period.

The requirement to perform a set of three Type A leakage rate tests at approximately equal intervals during each 10-year containment service period provides assurance that containment leakage will not exceed allowable values. Type A leakage rate tests were performed as required by appendix J during the first 10-year containment service period that ended in 1986.

Since the first 10-year service period for BSEP-1 was not aligned with the service period for BSEP-2, CP&L moved the end date for the BSEP-1 back to coincide with the BSEP-2 end date. Therefore, the second 10-year service period for BSEP-1 began on July 10, 1986. This caused the first BSEP-1 Type A test for the second period to be performed in May 1987, only 11 months into the interval. The second Type A test on BSEP-1 was performed within the 40-month plus or minus 10-month interval required by the Technical Specifications.

However, BSEP, Unit 1, experienced an extended shutdown during the period between April 1992 and February 1994, and the licensee notified the NRC in a letter dated August 5, 1994, that the second 10-year period end date was being extended by one year due to this outage. Because of this shutdown, the licensee also rescheduled the remaining two BSEP-1 refueling outages (reloads 9 and 10) during the second 10-year service period. The reload 9 outage was rescheduled to begin in April 1995, and the reload 10 outage was rescheduled to begin in September 1996.

Unlike Section XI, IWA-2400(c), of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code), appendix J to 10 CFR part 50 does not contain any provisions for adjusting the 10-year service period due to extended outages. The licensee has already performed two of the Type A tests at BSEP-1 required during the second 10-year service period. If a Type A test is conducted during the next refueling outage, Appendix J could be interpreted to require a fourth test to satisfy the requirement that the final test of the set be conducted when the plant is shutdown for the 10-year plant inservice inspections. Due to the extension of the inservice inspection period, the final refueling outage of the current inservice inspection period is scheduled for September 1996. This action would eliminate the need to perform an extra Type A test, which could otherwise be required (one test in 1995 and another in 1996) while recoupling the Type A test period with the inservice inspection interval.

V

The Commission has determined that, pursuant to 10 CFR 50.12(a)(1), this Exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security. The Commission further determines that special circumstances, as provided for in 10 CFR 50.12(a)(2)(ii), are present and justify the exemption; namely, that application of the regulation in the particular circumstances is not necessary to achieve the underlying purpose of the rule. The underlying purpose of Section III.D.1.(a) of appendix J to 10 CFR part 50 is to provide an interval short enough to prevent serious deterioration from occurring between tests and long enough to permit testing to be performed during regular plant outages.

The last two Type A tests at BSEP-1 for the second 10-year period were

performed in May 1987 and in February 1991. Delaying the third Type A test until the 1996 refueling outage would result in a test interval of approximately 68 months rather than the stipulated 40 months plus or minus 10 months interval. The licensee has presented the following information which gives a high degree of confidence that the containment will not degrade to an unacceptable extent while this exemption is in effect:

1. The most recent Type A test data show that the "as left" leakage rates (0.2150 weight percent per day and 0.3408 weight percent per day, respectively) were well within the acceptance limit of 0.75 L_a (0.375 weight percent per day).

2. A review of the potential primary containment degradation mechanisms, including both activity-based and time-based causes, concluded that there has not been any alteration or challenge to the primary containment since the last Type A test.

3. No modifications are scheduled that have the potential to adversely affect the integrity of the primary containment boundary.

4. Modification and maintenance activities that will affect the containment leakage rates during the next refueling outage will include administrative controls requiring the performance of local leak rate testing, Type B or Type C tests, as appropriate.

5. The licensee has committed to perform an inspection of the containment barrier during the reload 9 outage.

6. The Type B and Type C local leak rate testing programs will effectively determine containment leakage caused by degradation of containment penetrations.

The NRC staff has reviewed the licensee's request and basis and finds that there is adequate assurance that there will not be any significant undetected degradation in primary containment leakage during the extended Type A test interval in that the primary contributors to potentially excessive leakage paths will be measured during the required Type B and Type C tests. These latter tests will be conducted at least during each 18-month refueling outage, but in no case at intervals greater than 2 years (Sections III.D.2 and III.D.3 of appendix J to 10 CFR part 50).

The NRC staff agrees that the subject exemption request does not pose any undue risk to the public health and safety in that (1) the last as-left Type A test leakage rate was below 0.75 L_a, (2) no modifications are scheduled that have the potential to adversely affect the

primary containment integrity, and (3) there will not be any future maintenance activity during the proposed interval extension that would adversely affect the primary containment leakage rate without administrative control requiring the performance of local leak rate testing. The licensee will continue to demonstrate that the test results from the Type B and C local leak rate tests will be no greater than their specified values in the BSEP Technical Specifications prior to restart after a refueling outage. Any potentially excessive leakage paths will continue to be repaired and/or adjusted prior to restart and at intervals of 18 months, thereby continuing to ensure the integrity of the containment. Based on these considerations, the NRC staff concludes that the licensee's request for a one-time exemption to Section III.D.1.(a) of appendix J to 10 CFR part 50 should be granted.

VI

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, this exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security. The Commission further determines that special circumstances, as provided in 10 CFR 50.12(a)(2)(ii), are present justifying the exemption; namely that the application of this regulation is not necessary to achieve the underlying purpose of the rule. Further, the NRC staff also finds that the protection provided by the licensee against potentially excessive containment leakage will not present an undue risk to the public health and safety. The application of the regulation is not necessary to assure the integrity of the containment in the event of a postulated design basis loss-of-coolant accident.

The Commission hereby grants the one-time Exemption with respect to the requirements of 10 CFR part 50, appendix J, Section III.D.1.(a), to extend the interval between the second and third Type A test for BSEP-1 until the September 1996 refueling outage.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of the subject Exemption will not have a significant effect on the quality of the human environment (60 FR 6567).

This Exemption is effective upon issuance and shall expire at the completion of the 1996 refueling outage (B111R1).

Dated at Rockville, Maryland this 9th day of February.

For the Nuclear Regulatory Commission.
Steven A. Varga,
*Director, Division of Reactor Projects—I/II,
Office of Nuclear Reactor Regulation.*
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[Docket Nos. 50-237, 50-249 50-254, 50-265]

Commonwealth Edison Co., Facility Operating License

Exemption

In the Matter of Commonwealth Edison Co. (Dresden Nuclear Power Station, Units 2 and 3; Quad Cities Nuclear Power Station, Units 1 and 2).

I

Commonwealth Edison Company (ComEd, the licensee) is the holder of Facility Operating License Nos. DRP-19 and DRP-25, which authorize operation of Dresden Nuclear Power Station, Units 2 and 3, at a steady state power level not in excess of 2527 megawatts thermal; and Facility Operating license Nos. DRP-29 and DRP-30, which authorize operation of Quad Cities Nuclear Power Stations, Units 1 and 2, at a steady state power level not in excess of 2511 megawatts thermal. Dresden Station is comprised of two boiling water reactors at the licensee's site located in Grundy County, Illinois. Quad Cities Station is comprised of two boiling water reactors at the licensee's site located in Rock Island County, Illinois. These licenses provide, among other things, that Dresden and Quad Cities are subject to all rules, regulations, and Orders of the U.S. Nuclear Regulatory Commission (the Commission) now or hereafter in effect.

II

By letter dated October 4, 1994, the licensee requested a revision to an exemption from certain Type B (local leak rate) testing requirements of appendix J to 10 CFR part 50, for two-ply containment penetration expansion bellows at four reactor units. The request was made because the licensee has developed a set of alternative approaches which can be applied to ensure the intent of requiring a Type A test, as part of the original exemption, is met.

On February 6, 1992, the NRC issued an Exemption from certain Type B testing requirements of Appendix J. This exemption stated upon completion of the two-ply bellows testing program, a Type A integrated leak rate test (ILRT) will be performed to verify primary containment integrity. The testing program was intended to assure that at

least one ply of a two-ply bellows is intact and that overall containment leakage is within its allowable limit as shown by Type A testing. The Type A test was the only test available that could properly quantify the bellows' leakages, albeit not individually. The Exemption also stated that if a method is developed which ensures a valid Type B test on one or more bellows assemblies, those bellows will also be excluded from the Exemption and will be required to be tested in accordance with the normal Type B test program.

III

The original Exemption allowed ComEd to apply special testing techniques in lieu of performing a test which meets Type B requirements for these bellows which, at that time, were unable to be tested in strict conformance to the appendix J criteria. The special testing techniques included a sequence of air and helium based local leak rate tests (LLRT) for each affected penetration and performance of a Type A leak rate test upon completion of the bellows testing during each refuel outage.

Commonwealth Edison Company now believes that the requirement to perform a Type A test every outage is not necessary to ensure that the bellows assemblies are adequately tested and leakage from any leaking bellows assembly is adequately quantified. Through testing of two-ply bellows at Dresden Station and Quad Cities Station, the licensee has developed the following insights:

1. There is minimal probability for the occurrence of a large leak in a two-ply bellows;
2. the special testing program is effective for identifying small leaks in two-ply bellows;
3. the Type A test is ineffective for identifying small leaks in two-ply bellows; and
4. more cost effective alternative methods have been developed for quantifying leakage.

At the time of the original request for an exemption, a Type A test was required every outage in accordance with the Technical Specifications (TS) and appendix J criteria for determination of ILRT test frequency. Based on appendix J and the TS, ComEd need not do a Type A test every refuel outage if they have completed two consecutive successful Type A tests. Quad Cities has completed two consecutive successful Type A tests. However, as previously stated the original exemption requires a Type A test every outage to support the two-ply bellows leakage testing.

The licensee has discovered very small leaks using the special testing techniques in some bellows and they have subsequently been modified, removed from the list described in the original exemption and are not on a Type B testing schedule.

The licensee has identified several methods for conducting a valid Type B test on bellows since the original Exemption was issued. The first method involves the addition of a bellows test enclosure equipped with leaktight seals. The second involves installation of a rubber boot inside the drywell to form a seal between the drywell atmosphere and the bellows. The third is to weld a cover plate inside the drywell to provide a seal between the process pipe and the drywell atmosphere. The licensee also has the option to implement a complete replacement of the existing two-ply bellows assemblies with a new testable two-ply bellows.

The licensee has proposed the following revision to the approved exemption for non-Type B testable bellows. This proposal eliminates the need but keeps the option to perform a Type A test every refuel outage. The licensee proposed to include the following alternatives to the current requirement in place of the existing Section III.6 and .7 in the original Exemption:

Upon completion of the two-ply bellows special testing program, the following actions shall be taken to address any two-ply bellows which have been identified as leaking through both plies:

(A) All bellows which leak through both plies shall be tested in accordance with Type B requirements to ensure license limits are met prior to return to service, or

(B) A Type A ILRT test shall be performed to verify primary containment integrity. All two-ply bellows assemblies which demonstrate leakage through both plies shall be replaced or subjected to a valid Type B test to demonstrate license limits are met prior to return to service from the subsequent refuel outage, unless ComEd provides justification for continued operation greater than one operating cycle.

The licensee states that the estimated cost of a Type A test, as described in NUREG-1493, "Performance-Based Containment Leak-Test Program," Draft Revision 2, dated March 31, 1994, is \$1.89 million. Based on the number of historical leaking bellows found at Dresden and Quad Cities during the refuel outages, the cost of the Type A test per bellows ranges from \$378k to \$1.89M. The licensee also states that the Type A tests performed every outage since approval of the current exemption have never found a bellows leak which was undetected by the special testing program. The techniques of the special