The NRC staff has reviewed the basis and supporting information provided by the licensee in the exemption request. The NRC staff has noted that the licensee's record of ensuring a leak-tight containment has improved markedly since 1985. All ''as-found'' Type A tests since 1985 have passed and the results of the Type A testing have been confirmatory of the Type B and C tests which will continue to be performed. The licensee will perform the general containment inspection although it is only required by Appendix J (Section V.A.) to be performed in conjunction with Type A tests. The NRC staff considers that these inspections, though limited in scope, provide an important added level of confidence in the continued integrity of the containment boundary.

The Surry Unit 2 containment is of the subatmospheric design. During operation, the containment is maintained at a subatmospheric pressure (approximately 10 psia) which provides for constant monitoring of the containment integrity and further obviates the need for Type A testing at this time. If the containment air partial pressure exceeds the established Technical Specification limit, the unit must be shut down.

The NRC staff has also made use of a draft staff report, NUREG–1493, which provides the technical justification for the present Appendix J rulemaking effort which also includes a 10-year test interval for Type A tests. The integrated leakage rate test, or Type A test, measures overall containment leakage. However, operating experience with all types of containments used in this country demonstrates that essentially all containment leakage can be detected by local leakage rate tests (Type B and C). According to results given in NUREG–1493, out of 180 ILRT reports covering 110 individual reactors and approximately 770 years of operating history, only 5 ILRT failures were found which local leakage rate testing could not detect. This is 3% of all failures. This study agrees well with previous NRC staff studies which show that Type B and C testing can detect a very large percentage of containment leaks.

The Nuclear Management and Resources Council (NUMARC), now the Nuclear Energy Institute (NEI), collected and provided the NRC staff with summaries of data to assist in the Appendix J rulemaking effort. NUMARC collected results of 144 ILRTs from 33 units; 23 ILRTs exceeded $1.0L_a$. Of these, only nine were not due to Type B or C leakage penalties. The NEI data also added another perspective. The NEI data show that in about one-third of the cases exceeding allowable leakage, the as-found leakage was less than $2L_a$; in one case the leakage was found to be approximately $2L_a$; in one case the as-found leakage was less than $3L_a$; one case approached $10L_a$; and in one case the leakage was found to be approximately $21L_a$. For about half of the failed ILRTs the as-found leakage was not quantified. These data show that, for those ILRTs for which the leakage was quantified, the leakage values are small in comparison to the leakage value at which the risk to the public starts to increase over the value of risk corresponding to L_a (approximately $200L_a$, as discussed in NUREG–1493). Therefore, based on those considerations, it is unlikely that an extension of one cycle for the performance of the Appendix J, Type A test at Surry, Unit 2, would result in significant degradation of the overall containment integrity. As a result, the application of the regulation in these particular circumstances is not needed to achieve the underlying purpose of the rule.

Based on generic and plant specific data, the NRC staff finds the basis for the licensee's proposed exemption to allow a one-time exemption to permit a schedular extension of one cycle for the performance of the Appendix Type A test, provided that the general containment inspection is performed, to be acceptable.

Pursuant to 10 CFR 51.32, the Commission has determined that granting this Exemption will not have a significant impact on the environment (60 FR 11997).

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

Dated at Rockville, Maryland this 3rd day of March 1995.

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. 50–373 and 50–374]

Commonwealth Edison Co., LaSalle County Station, Units 1 and 2; Environmental Assessment and Finding of no Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an exemption from Facility Operating License Nos. NPF–11 and NPF–18, issued to Commonwealth Edison Company (the licensee), for operation of the LaSalle County Station, Units 1 and 2, located in LaSalle County, Illinois.

Environmental Assessment

Identification of Proposed Action

Section III.D.1(a) of Appendix J to 10 CFR part 50 requires the performance of three Type A tests (overall integrated leakage rate tests) (ILRT), at approximately equal intervals during each 10-year service period, with the third test of each set being conducted when the plant is shut down for the 10-year plant inservice inspections. Section III.A6(b) of Appendix J to 10 CFR part 50 specifies additional requirements if two consecutive periodic Type A tests fail to meet the applicable acceptance criteria. The additional requirements entail performing Type A tests at each plant shut down for refueling or eighteen month interval, whichever occurs first, until two consecutive Type A tests meet the acceptance criteria, after which, the testing schedule of Section III.D can be resumed. LaSalle County Station, Unit 2, experienced Type A test failures for the ''as-found'' condition at the first, third and fourth refueling outages as a result of penalties from local leak rate test (LLRT) (Type B and C) failures. Pursuant to the requirements of Section III.A6(b), a Type A test was performed during the fifth refueling outage for Unit 2 and the results satisfied the applicable acceptance criteria. Without the requested exemption, another Type A test will need to be performed during the sixth refueling outage for Unit 2 (scheduled for early 1995) due to the requirements of both, Section III.A6(b) which requires two consecutive successful tests prior to resuming the normal testing interval and Section III.D.1(a) because the sixth refueling outage is the last refueling outage of the first 10-year plant inservice inspections period. The licensee proposes to resume the testing interval of Section III.D, based upon the successful test during the fifth refueling outage and the creation of a corrective action plan for Type C test failures, and decouple the Type A test schedule from the inservice inspection period. The result of this proposal would be that the next scheduled Type A test would be performed during the seventh refueling outage for Unit 2 (currently scheduled for late 1996) in accordance with a test interval of between thirty and fifty months.

An example is provided in 10 CFR 50.12(a)(2)(ii) of a special circumstances for which the NRC will consider granting exemptions that involve cases for which the application of the