initiative, grant exemptions from the requirements of the regulations of this part....'

The exemption process requires showing that the granting of the exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security. Also, special circumstances are required to be present for the granting of an exemption. One of the special circumstances that would apply in this instance is 10 CFR part 50.12(a)(2)(ii) which states:

"Application of the regulation in the particular circumstances would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule".

This requires that it be shown that unacceptable containment leakage will be identified and corrected, by alternative methods. The alternative method is specifically Type B and C tests, which will identify any local penetration leakage. This is acceptable, because Type C test failures have been the cause for failures of as-found Type A tests in the LaSalle Unit 2 first, third, and fourth refueling outages.

Exceeding the allowable leakage rate during the performance of the Type A test is indicative of either a passive or a structural component that is leaking or that there is an inadequacy in the Local Leak Rate Test (Type B and C tests) program. When the failure of a Type A test is due to a passive or structural component, the only test for adequate repair would be the Type A test. For a Local Leak Rate Test program inadequacy, the Type A test would serve as a means of verification of the results of the test program. The Type A tests have not found new significant Type B or C tested local penetration leakage that has not been identified by Type B or C testing alone. Therefore, the LaSalle Local Leak Rate Test program is adequate to find and correct Type B and C containment penetration leakage.

When it is determined that Type A tests failed as a direct result of as-found Type B and C minimum path leakage penalty additions and not due to a non Type B or C tested components or structures, then performance of the Type A test more frequently as required by 10 CFR Part 50, Appendix J, due only to Type B and C test failures is redundant to the performance of Type B and C tests. Therefore, Type B or C tested penetration leakage that can be determined by Type B or C tests is evaluated and corrected, as applicable, to maintain overall containment leakage within limits, without an additional Type A test.

Primary Containment leakage which includes the minimum path Primary Containment Isolation Valve leakage is an assumption in any analyzed accident which could involve an offsite radioactive release. Because performance of Type B and C tests will find and allow correction/repair of leaking valves/penetrations, verification of as-found and as-left local leakage assures that Primary Containment leakage will be within the analyzed limit assumed for accident analysis.

Therefore, for this one-time exemption for LaSalle Unit 2, there is little or no increase in the consequences of an accident previously evaluated involving the dose previously calculated either onsite or offsite at the site boundary due to any analyzed accident. In addition to this, containment leakage is not an accident initiator, so there is no effect on the probability of accident initiators. Thus there is no significant increase in the probability of an accident previously analyzed.

e. The request for a partial exemption from paragraph III.D of Appendix J to 10 CFR 50 involves a deletion of the requirement to perform the third Type A test for each 10year service period during the shutdown for the 10-year plant inservice inspections. There is no significant benefit in coupling these two surveillances (i.e., the Type A test and the 10-year ISI program). Each of the two surveillances is independent of the other and provides assurance of different plant characteristics. The Type A test assures the required leak-tightness for the reactor containment building be less than Appendix J acceptance criteria. This demonstrates compliance with the guidelines of 10 CFR Part 100 based on the assumptions used in the UFSAR which conform to NRC Safety Guide 4. The 10-year ISI program provides assurance of the integrity of the plant structures, systems, and components in compliance with 10 CFR 50.55(a). There is no safety-related concern necessitating their coupling to the same refueling outage. As a result, this change cannot increase the consequences (i.e., offsite dose) of any accident previously evaluated. Furthermore, since the decoupling of the test schedules has no affect on the test's effectiveness, decoupling their schedules will not increase the probability of an accident.

2) Create the possibility of a new or different kind of accident from any accident previously evaluated because:

a. Technical Specification 3/4.6.1.2, Primary Containment Leakage, and Surveillance Requirements 4.6.1.1.a, 4.6.4.3, and 4.6.6.1.d are being relocated to specification 3.4.6.1.1, Primary Containment Integrity, as Surveillance Requirement 4.6.1.1.b. The proposed Surveillance Requirement 4.6.1.1.b assures that Primary Containment leakage is maintained within the analyzed limit assumed for accident analysis by testing in accordance with 10 CFR part 50, Appendix J as modified by approved exemptions. Primary containment leakage is an assumption in accident analyses, and is maintained by both the current specifications and the proposed specification. The leakage does not cause an accident and no new failure modes are created. Therefore this request for exemption does not create the possibility of a new or different kind of accident from any accident previously evaluated.

b. This is an administrative change to control the list of Primary Containment Isolation Valves outside the LaSalle Unit 1 and Unit 2 Technical Specifications. The administrative controls provided to control this component list assure that the design and operation of the plant will continue to be in accordance with the UFSAR, Facility License and the associated Technical Specifications. Therefore, the possibility of a new or different kind of accident from any previously evaluated is not created.

c. The change in the functional test interval for the Drywell and Suppression Chamber Hydrogen Recombiner systems from "once per 6 months" to "once per 18 months" is based on good equipment performance on a 6 month frequency. The expected outcome of the 18 month surveillances, based on the low failure rate at a six month frequency, is to show the hydrogen recombiner subsystems Operable. This system is for mitigating the consequences of an accident that causes generation of hydrogen and oxygen in the primary containment. No new failure modes are created by this change in surveillance frequency. Therefore, the possibility of a new or different kind of accident from any previously evaluated is not created.

d. The first exemption is from the requirements of paragraph III.A.6(b) of Appendix J to allow LaSalle County Station Unit Two to return to or resume a Type A test schedule of three times in ten years (40 plus or minus 10 months). Containment leakage testing, including both Type B and C testing and Type A testing as specified in the LaSalle County Station Safety Analysis Report were evaluated in Section 6.2.6 of Safety Evaluation Report, NUREG-0519, and found to be acceptable. Since Type B and C testing will find and verify correction of penetration leakage when Type B and C test as-found penalties are specifically what caused the failure of the as-found Type A tests, then Type B and C testing will provide adequate assurance of the continued integrity of the Primary Containment without increasing the frequency of Type A tests. As a result, the Primary Containment will continue [to] be maintained as designed and previously evaluated.

Based on this, the requirement of two acceptable as-found Type A tests prior to returning to the Appendix J paragraph III.D frequency of three times in ten years (40 plus or minus 10 months) is not necessary to assure that the primary containment remains within the analyzed leakage limits. Containment leakage is an assumption for the dose consequences of accident analyses, and not an accident initiator. Also, no new failure modes are created by this exemption. Therefore this Amendment does not create the possibility of a new or different kind of accident.

e. The request for a partial exemption from paragraph III.D of Appendix J to 10 CFR 50 involves a deletion of the requirement to perform the third Type A test for each 10year service period during the shutdown for the 10-year plant inservice inspections. The proposed exemption does not involve any change to the plant design or operation. As discussed above, this change cannot increase the consequences of any accident previously evaluated. As a result, no new failure modes are created. Therefore, this proposed change cannot create the possibility of any new or different kind of accident from any accident previously evaluated.

3) Involve a significant reduction in the margin of safety because:

a. Technical Specification 3/4.6.1.2, Primary Containment Leakage, and Surveillance Requirements 4.6.1.1.a, 4.6.4.3,