

Docket No. 50-286

DEC. 12 1975

Mr. William J. Cahill, Jr.
Vice President
Consolidated Edison Company
of New York, Inc.
4 Irving Place
New York, New York 10003

Dear Mr. Cahill:

Distribution

✓ Docket File
NRC PDR
Local PDR
LWR 1-1 File
BCRusche
EGCase
RSBoyd
RCDeYoung
REHeineman
DBVassallo
RDPollard
OELD
ACRS (16)
JLee
IE (3)

RWKlecker
MWilliams
RLTedesco
GLainas
LWR 10 Br. Chiefs

This letter is in regard to your request dated November 7, 1975, for exemption from certain requirements of Appendix J to 10 CFR Part 50 relating to reduced pressure leak testing of the Indian Point Unit No. 3 containment.

Specifically, Consolidated Edison Company of New York, Inc. requests an exemption pursuant to 10 CFR 50.12(a) from those portions of Appendix J which relate to performance of a reduced pressure leak test: namely paragraphs III A.4(a)(1), III A.4(b)(1), III A.5(a)(1), and III A.5(b)(1). In support of this request it is stated that the successful performance of the preoperational peak pressure test verifies the acceptability of the Indian Point Unit No. 3 containment, and that the purpose of Appendix J has been satisfied through the demonstration of the containment's leak tightness. It was also stated that Consolidated Edison Company of New York, Inc. desires to conduct future periodic leak tests at peak pressure.

We have reviewed your exemption request and determined that your request does not involve a significant hazards consideration. Appendix J to 10 CFR Part 50 requires, in part, the performance of preoperational leakage rate tests of the containment at the calculated peak containment internal pressure related to the design basis accident and at a reduced pressure. The purpose of the preoperational reduced pressure tests is to provide a correlation between the leakage rate determined by the peak pressure test and the leakage rate determined by the reduced pressure tests in order that future periodic tests of the containment at reduced pressure would provide useful information. In view of the fact that all future periodic tests of the Indian Point Unit No. 3 containment will be conducted at peak pressure, we conclude that the reduced pressure tests are not required.

8111140577 751212
PDR ADOCK 05000286
P PDR

MD m 7

OFFICE						
SURNAME						
DATE						

Consolidated Edison Company
of New York, Inc.

-2-

DEC. 12 1975

Based on our evaluation of your exemption request and the bases for the request, we have determined that exemption for Indian Point Unit No. 3 from paragraphs III A.4(a)(1), III A.4(b)(1), III A.5(a)(1), and III A.5(b)(1) of Appendix J to 10 CFR Part 50 will not endanger life or property or the common defense and security and is otherwise in the public interest. Accordingly, your request for exemption from these paragraphs is hereby granted.

Sincerely,

Original Signed by

Ben C. Rusche

Ben C. Rusche, Director

Office of Nuclear Reactor Regulation

cc: Arvin E. Upton, Esquire
Harry H. Voigt, Esquire
Eugene R. Fidell, Esquire
LeBoeuf, Lamb, Leiby,
and MacRae
1757 N Street, N. W.
Washington, D. C. 20036

Mr. J. Bruce MacDonald
Deputy Commissioner and Counsel
New York Department of Commerce
99 Washington Avenue
Albany, New York 12210

Mr. George T. Berry
Power Authority of the
State of New York
General Manager and
Chief Engineer
10 Columbus Circle
New York, New York 10019

Scott B. Lilly, General Counsel
Power Authority of the
State of New York
10 Columbus Circle
New York, New York 10019

*We do not feel that
low press. tests are
required if they do
high press test -
so OK -*

DRL
RSBoyd
12/12/75

ONRR
EGCase
12/12/75

OFFICE	RL:LWR 1-1	RL:LWR 1-1	TR:CSB	OELD	RL:AD LWR 1-1	ONRR
SURNAME	RDP;pv	DBVassallo	RLTedesco	FSGGray	RCDeYoung	BCRusche
DATE	12/12/75	12/12/75	12/12/75	12/12/75	12/12/75	12/12/75

Consolidated Edison Company
of New York, Inc.

-3-

DEC. 12 1975

cc: (Continued)

Sarah Chasis, Esquire
Natural Resources Defence
Council, Inc.
8th Floor
917 - 15th Street, N.W.
Washington, D. C. 20005

Nicholas A. Robinson, Esquire
Marshall, Bratter, Greene,
Allison & Tucker
430 Park Avenue
New York, New York 10022

Honorable Louis J. Lefkowitz
Attorney General, State of New York
ATTN: Mr. Philip Weinberg
Room 4776
Two World Trade Center
New York, New York 10047

Anthony Roisman, Esquire
Berlin, Roisman & Kessler
1712 N Street, N. W.
Washington, D. C. 20036

Dr. William E. Seymour
Staff Coordinator
New York State Atomic Energy Council
New York State Department of Commerce
99 Washington Street
Albany, New York 12210

OFFICE						
SURNAME						
DATE						