



**Commonwealth Edison**

One First National Plaza, Chicago, Illinois

Address Reply to: Post Office Box 767  
Chicago, Illinois 60690

March 2, 1983

Ms. Reba M. Diggs  
Facilities Program Coordinator  
License Fee Management Branch  
Office of Administrator  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Subject: LaSalle County Station Unit 1  
Amendment 12, NPF-11  
NRC Docket No. 50-374

- References (a): Ms. R. M. Diggs to L. O. DelGeorge  
dated January 28, 1983.
- (b): C. W. Schroeder letter to A. Schwencer  
dated November 18, 1982.
- (c): C. W. Schroeder letter to A. Schwencer  
dated December 7, 1982.

Dear Ms. Diggs:

The purpose of this letter is to discuss Commonwealth Edison Company's position regarding the \$1,200.00 fee imposed by Reference (a) (enclosed).

Commonwealth Edison Company does not believe that a \$1,200.00 fee is appropriate in this case. At 46 FR 58486, December 2, 1981, 10 CFR 50.44(c) was revised, effective January 4, 1982. The NRC issued license NPF-11 on April 17, 1982, or over three months later than the effective date of the revised rule. The license NPF-11, Condition 2.C.(2) clearly states:

"The Technical Specifications contained in Appendix A...and the Environmental Protection contained in Appendix B are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications..."

Technical Specification 3.10.5 provided the NRC's official authorization to suspend the inerting requirements as follows:

"The provisions of Specification 3.6.6.2 may be suspended during the performance of the startup test program until either the required 100% of RATED THERMAL POWER trip test have been completed or the reactor has operated for 120 Effective Full Power Days."

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March 2, 1983

Reference (b), enclosed, stated:

"The purpose of this letter is to assure that, in licensing LaSalle County Station, it was and continues to be the NRC position that the LaSalle County Station Technical Specifications regarding inerting are governing and were issued as specific exceptions and exemptions to the requirements..."

During a telecon on November 20, 1982 between C. W. Schroeder of Commonwealth Edison and Dr. A. Bournia, et al, of the NRC, the NRC stated their position that it was necessary for Commonwealth Edison Company to specifically request an exemption from the requirements of 10 CFR 50.44. Reference (c), enclosed, was then submitted to: "specifically request an exemption from the requirements of 10 CFR 50.44 to allow LaSalle County Station Unit 1 to operate within the provisions of its Technical Specification..." This was done to remove any doubt in the future that when the NRC issued the Technical Specifications with a provision to suspend inerting during the startup test program until the 100% trip test or 120 effective full power days, it was clearly what they meant to do.

Commonwealth Edison Company did not request an amendment to our license to provide this clarification of intent by the NRC. The NRC, on their own initiative, modified license NPF-11 with Amendment 12.

Based upon the above information, Commonwealth Edison Company does not believe that a \$1,200.00 fee is appropriate in this case. It is respectfully requested that the NRC review the circumstances under which Amendment 12 to License NPF-11 was issued.

If there are any further questions in this matter, please contact this office.

Very truly yours,

*CW Schroeder* 3/2/83

C. W. Schroeder  
Nuclear Licensing Administrator

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Enclosures

cc: Dr. A. Bournia  
NRC Resident Inspector - LSCS

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

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January 28, 1983

Docket No. 50-373

Commonwealth Edison Company  
ATTN: Mr. Louis O. DelGeorge  
Director of Nuclear Licensing  
Post Office Box 767  
Chicago, Illinois 60690

Gentlemen:

On December 20, 1982, the staff of the Division of Licensing (DL) issued Amendment No. 12 to Facility Operating License No. NPF-11 for your La Salle County Station Unit No. 1. This amendment authorized an exemption from the primary containment inerting requirements of 10 CFR 50.44 which was requested by letters dated November 18 and December 7, 1982. Fees pursuant to 10 CFR 170.22 were not remitted with your request.

The DL staff has determined that this request involved a consideration that was administrative in nature. Therefore, a Class II fee of \$1,200 is applicable and should be remitted to our office.

Sincerely,

A handwritten signature in cursive script that reads "Reba M. Diggs".

Reba M. Diggs  
Facilities Program Coordinator  
License Fee Management Branch  
Office of Administration

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**Commonwealth Edison**

One First National Plaza, Chicago, Illinois

Address Reply to: Post Office Box 767  
Chicago, Illinois 60690

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December 7, 1982

Mr. A. Schwencer, Chief  
Licensing Branch #2  
Division of Licensing  
U. S. Nuclear Regulatory Commission  
Washington, DC 20555

Subject: LaSalle County Station Unit 1  
Request for Exemption  
from 10 CFR 50.44  
NRC Docket No. 50-373

- References (a): Generic Letter 82-17, Inconsistency  
Between Requirements of 10 CFR 50.54(t)  
and Standard Technical Specifications  
for Performing Audits of Emergency  
Preparedness Programs.
- (b): Generic Letter 82-23, Inconsistency  
Between Requirements of 10 CFR 73.40(d)  
and Standard Technical Specifications  
for Performing Audits of Safeguards  
Contingency Plans (Security Plan).
- (c): 10 CFR 50.44 Standards for Combustible  
Gas Control System in Light Water Cooled  
Power Reactors, Section 50.44.(c).(3).(i).
- (d): LaSalle County Station Technical Specification  
3.6.6.2, Drywell and Suppression Chamber  
Oxygen Concentration.
- (e): LaSalle County Station Technical Specification  
3.10.5, Special Test Exception Oxygen  
Concentration.
- (f): C. W. Schroeder letter to A. Schwencer dated  
November 18, 1982, "Requirements for Inerting  
Primary Containment."

Dear Mr. Schwencer:

The NRC has recently issued References (a) and (b) which indicate inconsistencies between the Standard Technical Specifications and specific audit requirements per 10 CFR. The NRC has indicated that, notwithstanding the Technical Specifications issued by the NRC, the 10 CFR requirements must also be met because the Technical Specifications in these two cases were not meant as exceptions or exemptions.

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Reference (c) states, in part, that "Effective May 4, 1982 or 6 months after initial criticality, whichever is later, an inerted atmosphere shall be provided for each boiling light-water nuclear power reactor with a Mark I or Mark II type containment..."

Reference (d) requires that drywell and suppression chamber atmosphere oxygen concentration shall be less than 4% by volume during the time period from within 24 hours after exceeding 15% rated thermal power to within 24 hours prior to reducing the thermal power to less than 15% rated thermal power.

Reference (e) grants a special test exception that Reference (d) requirements may be suspended during the performance of the startup test program until either the required 100% rated thermal power trip test has been completed or the reactor has operated for 120 Effective Full Power Days.

Reference (f) stated Commonwealth Edison Company's position that the LaSalle County Station Technical Specifications were governing and constituted specific exceptions and exemptions to the requirements of Reference (c). During a telecon on November 30, 1982, between C. W. Schroeder of Commonwealth Edison and Dr. A. Bournia, et al, of the NRC, the NRC stated their position that it was necessary for Commonwealth Edison Company to specifically request an exemption in writing from the NRC to the requirements of Reference (c). The purpose of this letter is to specifically request an exemption from the requirements of 10 CFR 50.44 to allow LaSalle County Station Unit 1 to operate within the provisions of its Technical Specifications (References (d) and (e)). As you are aware, LaSalle County Station Unit 1 performed its initial critical on June 21, 1982. Therefore, NRC approval of this exemption is required by December 20, 1982 to avoid potential negative impact on the startup test program.

The requirements of Reference (c) were predicated on the basis that the initial startup test program for new boiling water reactors is expected to be completed within approximately six months following initial criticality. In the case of LaSalle County Station Unit 1, there have been several reasons for the extension of the initial startup test program beyond six months. These include:

1. NRC delay in granting permission to exceed 5% power due to investigation of allegations.
2. Inclusion of an extensive Safety Relief Valve test program.
3. Redirection of Commonwealth Edison resources to address allegations, as required by the NRC.
4. Current problems with the 1A recirc loop discharge valve, which may require an extensive outage for valve repair.



A. Schwencer

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December 7, 1982

It should be noted that the current wording of reference (e) addresses any potential concern that the utility may delay testing for the sole purpose of power generation. The limit of 120 effective full power days is currently deemed sufficient for startup test procedures.

If there are any questions in this matter, please contact this office.

Enclosed for your use are one (1) signed original and forty (40) copies of this letter.

Very truly yours,

*CW Schroeder* 12/7/82

C. W. Schroeder  
Nuclear Licensing Administrator

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cc: NRC Resident Inspector - LSCS  
P. P. Steptoe - IL&B

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**Commonwealth Edison**  
One First National Plaza, Chicago, Illinois  
Address Reply to: Post Office Box 767  
Chicago, Illinois 60690

CF

November 18, 1982

Mr. A. Schwencer, Chief  
Licensing Branch #2  
Division of Licensing  
U. S. Nuclear Regulatory Commission  
Washington, DC 20555

Subject: LaSalle County Station Unit 1  
Requirement for Inerting  
Primary Containment  
NRC Docket No. 50-373

- References (a): Generic Letter 82-17, Inconsistency  
Between Requirements of 10 CFR 50.54(t)  
and Standard Technical Specifications  
for Performing Audits of Emergency  
Preparedness Programs.
- (b): Generic Letter 82-23, Inconsistency  
Between Requirements of 10 CFR 53.40(d)  
and Standard Technical Specifications  
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Oxygen Concentration.
- (e): LaSalle County Station Technical Specification  
3.10.5, Special Test Exception Oxygen  
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Dear Mr. Schwencer:

The NRC has recently issued References (a) and (b) which indicate inconsistencies between the Standard Technical Specifications and specific audit requirements per 10 CFR. The NRC has indicated that, notwithstanding the Technical Specifications issued by the NRC, the 10 CFR requirements must also be met because the Technical Specifications in these two cases were not meant as exceptions or exemptions.

Reference (c) states, in part, that "Effective May 4, 1982 or 6 months after initial criticality, whichever is later, an inerted atmosphere shall be provided for each boiling light-water nuclear power reactor with a Mark I or Mark II type containment..."

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November 18, 1982

Reference (d) requires that drywell and suppression chamber atmosphere oxygen concentration shall be less than 4% by volume during the time period from within 24 hours after exceeding 15% rated thermal power to within 24 hours prior to reducing the thermal power to less than 15% rated thermal power.

Reference (e) grants a special test exception that Reference (d) requirements may be suspended during the performance of the startup test program until either the required 100% rated thermal power trip test has been completed or the reactor has operated for 120 Effective Full Power Days.

The purpose of this letter is to assure that, in licensing LaSalle County Station, it was and continues to be the NRC position that the LaSalle County Station Technical Specifications regarding Inerting are governing and were issued as specific exceptions and exemptions to the requirements of Reference (c). As you are aware, LaSalle County Station Unit 1 performed its initial critical on June 21, 1982. Unless the NRC staff notifies Commonwealth Edison to the contrary, it is Commonwealth Edison Company's intention to perform inerting in accordance with license NPF-11 and the attendant Technical Specifications.

If there are any questions in this matter, please contact this office.

Enclosed for your use are one (1) signed original and forty (40) copies of this letter.

Very truly yours,

*CW Schroeder* 11/18/82

C. W. Schroeder  
Nuclear Licensing Administrator

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cc: NRC Resident Inspector - LSCS  
P. P. Steptoe - IL&B

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