August 30, 2000

Mr. Ronald DeGregorio
Vice President Oyster Creek
AmerGen Energy Company, LLC
P.O. Box 388
Forked River, NJ 08731

SUBJECT: SAFETY EVALUATION OF THE REQUEST FOR RELIEF FROM THE AMERICAN SOCIETY OF MECHANICAL ENGINEERS BOILER AND PRESSURE VESSEL CODE (ASME CODE) SECTION XI REQUIREMENTS FOR THE CONTAINMENT INSERVICE INSPECTION PROGRAM, OYSTER CREEK NUCLEAR GENERATING STATION (TAC NO. MA7857)

Dear Mr. DeGregorio:

By letter dated December 17, 1999, you submitted Relief Request (R-22) concerning the containment examination requirements for the Oyster Creek Nuclear Generating Station Containment Inservice Inspection (ISI) Program. You requested approval for the use of alternative inspection to support the preparation for scheduled ISI activities during the 2000 refueling outage. We have reviewed your request, and, based on the information provided, we conclude that compliance with the ASME Code requirements would result in a hardship without a compensating increase in the level of quality and safety. Therefore, the proposed alternatives are authorized pursuant to 10 CFR 50.55a(a)(3)(ii) for the first interval of the IWE Containment Inservice Inspection Program.

On the date of the December 17, 1999, application, GPU Nuclear, Inc. (GPUN) was the licensed operator for Oyster Creek. On August 8, 2000, GPUN's ownership interest in Oyster Creek was transferred to AmerGen Energy Company, LLC (AmerGen). By letter dated August 10, 2000, AmerGen requested that the Nuclear Regulatory Commission continue to review and act upon all requests before the Commission which had been submitted by GPUN. Accordingly, the staff has completed its review of the requested relief request.

Our detailed evaluation and conclusions are documented in the enclosed safety evaluation.

Sincerely,

/RA/

Marsha Gamberoni, Chief, Section 1
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-219

Enclosure: Safety Evaluation

cc w/encl: See next page

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AmerGen Energy Company, LLC
Oyster Creek Nuclear Generating Station

cc:

Kevin P. Gallen, Esquire
Morgan, Lewis & Bockius LLP
1800 M Street, NW
Washington, DC 20036-5869

Manager Nuclear Safety & Licensing
Oyster Creek Nuclear Generating Station
Mail Stop OCAB2
P. O. Box 388
Forked River, NJ 08731

Regional Administrator, Region I
U.S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406-1415

Mayor
Lacey Township
818 West Lacey Road
Forked River, NJ 08731

Resident Inspector
c/o U.S. Nuclear Regulatory Commission
P.O. Box 445
Forked River, NJ 08731

Kent Tosch, Chief
New Jersey Department of
Environmental Protection
Bureau of Nuclear Engineering
CN 415
Trenton, NJ 08625

Deborah Staudinger
Hogan & Hartson
Columbia Square
555 13th St., NW
Washington, DC 20004

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO THE 10-YEAR INSERVICE INSPECTION

PROGRAM RELIEF REQUEST R-22

OYSTER CREEK NUCLEAR GENERATING STATION

DOCKET NO. 50-219

1.0 INTRODUCTION

In the Federal Register dated August 8, 1996 (61 FR 41303), the Nuclear Regulatory Commission (NRC) amended its regulations, pursuant to 10 CFR 50.55a, to incorporate by reference the 1992 Edition with 1992 Addenda of Subsections IWE and IWL of Section XI of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code). Subsections IWE and IWL provide the requirements for inservice inspection (ISI) of Class CC (concrete containment), and Class MC (metallic containment) of light-water cooled nuclear power plants. The effective date for the amended rule was September 9, 1996, and it requires the licensees to incorporate the new requirements into their ISI plans and to complete the first containment inspection by September 9, 2001. However, a licensee may propose alternatives to or submit a request for relief from the requirements of the regulation pursuant to Section 50.55a(a)(3) or (g)(5) of Title 10 of the Code of Federal Regulations (10 CFR), respectively.

By letter dated December 17, 1999, GPUN, the licensee, proposed several alternatives to the requirements of Subsections IWE and IWL of Section XI of the ASME Code for its Oyster Creek Nuclear Generating Station (Oyster Creek). The NRC's findings with respect to authorizing the alternatives or denying the proposed request is discussed in this evaluation.

On the date of the December 17, 1999, application, GPU Nuclear, Inc. (GPUN) was the licensed operator for Oyster Creek. On August 8, 2000, GPUN's ownership interest in Oyster Creek was transferred to AmerGen Energy Company, LLC (AmerGen). By letter dated August 10, 2000, AmerGen requested that the Nuclear Regulatory Commission continue to review and act upon all requests before the Commission which had been submitted by GPUN. Accordingly, the staff has completed its review of the requested relief request.

2.0 EVALUATION

2.1 Relief Request No. 22 - Containment Inspection Successive Examination of Repairs

2.1.1 Code Requirements

ASME Section XI, 1992 Edition, 1992 Addenda, Subsection IWE, Paragraphs IWE-2420(b) and IWE-2420(c) requires that when component examination results require evaluation of flaws, evaluation of areas of degradation, or repairs in accordance with Article IWE-3000, "Acceptance Standards," and the component is found to be acceptable for continued service, the areas containing such flaws, degradation, or repairs shall be reexamined during the next inspection period listed in the schedule of the inspection program of Paragraph IWE-2411, "Inspection Program A," or Paragraph IWE-2412, "Inspection Program B," in accordance with Table IWE-2500-1, Examination Category E-C.

2.1.2 Specific Relief Requested

Relief is requested from the Code requirement of Paragraphs IWE-2420(b) and IWE-2420(c) to perform successive examination of repairs.

2.1.3 Licensee's Basis for Relief

The licensee states that:

> Pursuant to 10 CFR 50.55a(a)(3)(ii), relief is requested on the basis that compliance with the specified Code requirements would result in hardship or unusual difficulty without a compensating increase in the level of quality and safety.
>
> 10 CFR 50.55a was amended in the Federal Register to require the use of the 1992 Edition, 1992 Addenda, ASME Section XI when performing containment inspections. The purpose of a repair is to restore the component to an acceptable condition for continued service in accordance with the acceptance standards of Article IWE-3000. In addition, Paragraph IWA-4150 of Article IWA-4000 requires the owner to conduct an evaluation of the suitability of the repair including consideration of the cause of failure to preclude recurrence of the component degradation.
>
> If the repair has restored the component to an acceptable condition, successive examinations are not warranted. If the repair was not suitable, then the repair does not meet Code requirements and the component is not acceptable for continued service. Neither Paragraph IWB-2420(b), Paragraph IWC-2420(b), nor IWD-2420(b) requires a repair to be subject to successive examination requirements. Furthermore, if the repair area is subject to accelerated degradation, it would still require augmented examination in accordance with Table IWE-2500-1, Examination Category E-C. The purpose of IWE-2420(b) is to manage components found to be acceptable for continued service (i.e., no repair or replacement at this time) as an Examination Category E-C component. If the component has been repaired or replaced, than the more frequent examination would not be needed. The successive examination of repairs in accordance with Paragraphs IWE-2420(b) and IWE-2420(c) constitutes a burden without a compensating increase in quality and safety.

2.1.4 Alternative Examinations

Successive examinations in accordance with Paragraphs IWE-2420(b) and IWE-2420(c) are not required for repairs made in accordance with ASME Section XI, 1992 Edition, 1992 Addenda, Article IWA-4000. In lieu of the successive examinations required by IWE-2420, an acceptable level of quality and safety will be provided by the ASME Section XI, Article IWA-4000 repair process and subsequent examinations and evaluations. This relief is requested for the first inspection interval for containment inspections.

2.1.5 Staff Evaluation of Relief Request R-22

In lieu of meeting ASME Section XI, Subarticles IWE-2420(b) and (c) that require successive examinations of repaired areas in accordance with Table IWE-2500-1, the licensee proposes that repairs of Class MC components will be performed in accordance with IWA-4000.

The staff finds that when repairs are complete, IWA-4150 requires licensees to evaluate the suitability of the repair including consideration of the cause of failure. If the repair was not suitable, then the repair does not meet Code requirements and the component is not acceptable for continued service until appropriate corrective action is taken. The staff also finds that if the repaired area is subject to accelerated degradation, it would still require augmented examination in accordance with Table IWE-2500-1, Examination Category E-C. Furthermore, neither Paragraph IWB-2420(b), Paragraph IWC-2420(b), nor Paragraph IWD-2420(b) requires a repair to be subject to successive examination requirements for ASME Code Class 1, 2, and 3 components, respectively. Accordingly, the successive examination of repairs in accordance with Paragraphs IWE-2420(b) and IWE-2420(c) for ASME Code Class MC and CC components constitutes a burden without a compensating increase in quality or safety. Therefore, the licensee's proposed alternative is authorized pursuant to 10 CFR 50.55a(a)(3)(ii) on the basis that compliance with the specific Code requirements would result in hardship without a compensating increase in the level of quality and safety.

3.0 CONCLUSION

On this basis, the NRC staff concludes that the alternative proposed by the licensee is authorized pursuant to 10 CFR 50.55a(a)(3)(ii).

The staff concludes that for Relief Request No. R-22 compliance with the Code requirements would result in a burden without a compensating increase in the level of quality and safety; and that licensee’s proposed alternatives will provide reasonable assurance of containment pressure integrity. Therefore, these proposed alternatives are authorized pursuant to 10 CFR 50.55a(a)(3)(ii).

Principal Contributor: T. Cheng

Date: August 30, 2000