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James Knubel
Senior Vice President and
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September 12, 2000
JPN-00-034

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555

Subject: James A. FitzPatrick Nuclear Power Plant
Docket 50-333
Revised Request for Relief From Selected Portions of 10 CFR 50.55a

- References:
1. NYPA Letter, J. Knubel to the NRC, "Third Ten Year Inservice Inspection Relief Request to Allow Use of ASME Code Case N-546 (RR# 21), " (JPN-00-008), dated March 27, 2000.
 2. NRC Letter to J.Knubel, NYPA, "James A. FitzPatrick Nuclear Power Plant Request for Additional Information of Relief Request No. 21," dated August 30, 2000.
 3. NYPA Letter J. Knubel to the NRC. "Request for Relief From Selected Portions of 10 CFR 50.55a," (JPN-00-017), dated June 1, 2000.
 4. EPRI "Guideline for the Implementation of Appendix VIII and 10 CFR 50.55a, " dated July 11, 2000.
 5. NYPA Letter, J. Knubel to the NRC, "Revised Request for Relief From Selected Portions of 10 CFR 50.55a, "(JPN-00-026), dated August 2, 2000.

Dear Sir:

Pursuant to the provisions specified in 10 CFR 50.55a(g)(5)(iii) and in accordance with 10 CFR 50.55a(a)(3)(i), Reference 1 requested relief from certain requirements of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code for the James A. FitzPatrick Nuclear Power Plant. Specifically, relief was requested to allow the use of ASME Code Case N-546 (RR#21) instead of the qualification and certification requirements for VT-2 visual examination personnel found in IWA-2300. The enclosure to Reference 2, provided questions and other information needed by the NRC staff.

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In addition, in accordance with the provisions of 10 CFR 50.55a (g)(5)(iii) and 10 CFR 50.55a(a)(3)(l), Reference 3 requested relief from selected requirements of 10 CFR 50 and Section XI of the ASME Code for the James A. FitzPatrick Nuclear Power Plant. Reference 3 contained four separate relief requests: RR-22, RR-23, RR-24, RR-25.

Relief requests 22, 23, and 25 were made necessary by the changes adopted in 1999 to 10 CFR 50.55a "Codes and Standards." The requests were consistent with the draft EPRI (Electric Power Research Institute) guidance on the implementation of these new requirements. RR-24 was not a direct result of the recently adopted changes.

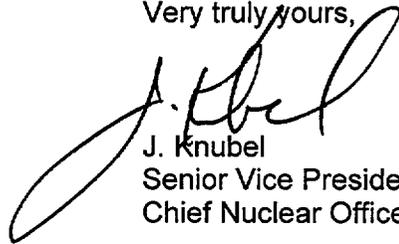
Subsequent to the June 1, 2000 request, the EPRI Guideline was finalized to include the incorporation of NRC comments. On July 19, 2000, during a discussion Authority personnel and NRC staff, the Authority was requested to resubmit the aforementioned relief request to reflect the changes that were made to the final EPRI report (Reference 4). Reference 5 resubmitted relief requests RR-23 and RR-25 and withdrew RR-22 and RR-24. Additional information for relief request, RR-23 and RR-25 is being provided, herein, as discussed with NRC staff via teleconference.

In summary, RR-21, RR-23 and RR-25 are being resubmitted in Attachment 1 to this letter in response to Reference 2 and discussions with NRC staff.

As discussed in the referenced NYPA letters, the aforementioned reliefs are needed to properly support the FitzPatrick refueling outage (RO14) scheduled to begin in October 2000.

This letter contains no new commitments, it revises three relief requests previously submitted to the NRC. If you have any questions, please contact Ms. C. D. Faison.

Very truly yours,



J. Knubel
Senior Vice President and
Chief Nuclear Officer

STATE OF NEW YORK
COUNTY OF WESTCHESTER

Subscribed and sworn before to me
This 12th day of Sept. 2000.



EILEEN E. O'CONNOR
Notary Public, State of New York
No. 4991062
Qualified in Westchester County
Commission Expires January 21, 2002

Attachment: As stated

cc: Regional Administrator
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Attachment I to JPN-00-034

**THIRD TEN YEAR INSERVICE INSPECTION INTERVAL
Revised Relief Requests: RR-21, RR-23, and RR-25**

NEW YORK POWER AUTHORITY
JAMES A. FITZPATRICK NUCLEAR POWER PLANT
DOCKET NO. 50-333
DPR-59

**JAMES A. FITZPATRICK
THIRD INSERVICE INSPECTION INTERVAL
RELIEF REQUEST NO. 21**

Relief Request to Allow Use of ASME Code Case N-546

Component Identification:

Components subject to VT-2 visual examinations.

Examination Requirements:

ASME Section XI, 1989 Edition, Subsection IWA-2300 requirements for the qualification and certification of VT-2 visual examination personnel.

Relief Requested:

Relief is requested from the certification and qualification requirements, found in ASME Section XI, Subsection IWA-2300, for personnel performing VT-2 visual examinations.

Basis for Relief:

ASME Section XI, 1989 Edition, Subsection IWA-2300 requires that VT-2 visual examination personnel be qualified to and certified in accordance with ASNT SNT-TC-1A. The Code also requires that the examination personnel be qualified for near and far distance vision acuity. This relief request proposes to use ASME Code Case N-546 which contains alternate requirements for the certification and qualification of VT-2 visual examination personnel. The Authority believes that this alternative is acceptable pursuant to 10 CFR 50.55a(a)(3)(i) as it will provide an acceptable level of quality and safety.

As stated in Code Case N-546, plant personnel (e.g., licensed and non-licensed operators, system engineers, and testing technicians) with the specified training and plant walkdown experience need not be qualified nor certified to ASNT SNT-TC-1A or ASNT CP-189 requirements. Experience in identifying equipment problems and knowledge of operating conditions will enhance the ability of plant personnel to locate leakage during VT-2 examinations. With the specified four hours of training on Section XI requirements and plant specific procedures for VT-2 examinations, the designated plant personnel will understand how leaks should be identified and documented and be fully capable of performing VT-2 examinations. This 4 hours of training will be conducted every 3 years to maintain personnel qualification.

Qualifying personnel for VT-2 examinations under Code Case N-546 is less burdensome than qualifying and maintaining the present VT-2 certification. Adopting this Code Case makes it feasible to train more people to perform these tasks. Furthermore, using personnel who are already required to perform functions in the plant will reduce the number of people required to enter into those areas that have radiological restrictions, resulting in fewer plant workers being exposed to potential radiation dose and keeping radiation exposure as low as reasonably achievable.

Additionally, use of on-shift personnel will improve the process of returning systems to service. Prompt return of safety systems to service will improve the safety of the plant and the public.

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RELIEF REQUEST NO. 21**

Alternative Examination(s):

The Authority proposes the following alternative qualification requirements for VT-2 visual examination personnel:

- (a) At least 40 hours of plant walk down experience, such as that gained by licensed and non-licensed operators, local leak rate personnel, system engineers and inspection and nondestructive examination personnel;
- (b) At least four hours of training on Section XI requirements and plant specific procedures for VT-2 visual examination, which shall be conducted every 3 years; and
- (c) Vision test requirements of IWA-2321, 1989 Edition, which is the Code of Record for the JAF ISI Program.
- (d) Qualify VT-2 examination personnel by examination to demonstrate knowledge of Section XI and plant specific procedures for VT-2 visual examination.
- (e) Re-qualify examination personnel in accordance with the frequency in IWA-2314 of the ASME Code, Section XI, up to and including the 1995 Edition, 1996 Addenda.

Note: Documentation of the walk down experience is a one time effort and will be maintained in the personnel qualification records.

Implementation Schedule:

The Authority would like to use this relief in the upcoming refueling outage (RO 14) at FitzPatrick, and therefore requests disposition of this relief request prior to September 25, 2000.

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RELIEF REQUEST NO. 23**

A. SYSTEM / COMPONENT(s) FOR WHICH RELIEF IS REQUESTED

All components subject to ultrasonic examination with Appendix VIII to the 1995 Edition with 1996 Addenda of ASME Section XI.

B. CODE REQUIREMENTS

10CFR 50.55a(g)(6)(ii)(C) requires implementation of the ASME Code, Section XI, 1995 Edition, 1996 Addenda, with an expedited implementation for Appendix VIII ultrasonic examinations. The Supplements to Appendix VIII of Section XI, Division 1, 1995 Edition with the 1996 Addenda of the ASME Boiler and Pressure Vessel Code must be implemented in accordance with the following schedule: Supplements 1,2,3, and 8--May 22, 2000; Supplements 4 and 6--November 22, 2000; Supplements 11--November 22, 2001; and Supplements 5, 7, 10, 12, and 13--November 22, 2002. Related Subarticle IWA-2300, of the 1995 Edition, 1996 Addenda of the ASME Section XI requires qualification of examiners to CP-189 as amended by Division 1.

The 1989 Edition of the ASME Section XI, Subarticle IWA-2300, defines the qualification requirements for the NDE personnel as ASNT SNT-TC-1A, 1984, and the additional requirements of Division 1 including Appendix I.

C. CODE REQUIREMENTS FROM WHICH RELIEF IS REQUESTED

Pursuant to 10CFR 50.55a(a)(3)(i), relief is requested to continue basing all requirements for initial certification and recertification of ultrasonic examination personnel on the 1989 Edition of Section XI. This includes use of ASNT SNT-TC-1A, 1984 as amended by IWA-2300 and Appendix VII of Section XI, 1989 Edition. This relief is requested from September 15, 2000 through June 30, 2001.

D. BASIS FOR RELIEF

The 1989 Edition of ASME Section XI, Subarticle IWA-2300, requires qualification of NDE personnel using a written practice prepared in accordance with ASNT SNT-TC-1A, 1984, and the additional requirements of Division 1, including Appendix I.

10 CFR 50.55a was amended in the Federal Register (Volume 64, No. 183 dated September 22, 1999) to require the use of the 1995 Edition, with the 1996 Addenda for Appendix VIII qualification requirements. This also imposes the requirements of IWA and Appendix VII of the 1995 Edition, with 1996 Addenda of Section XI. This includes Sub-article IWA-2300, which requires a written practice prepared in accordance with CP-189, 1991 Edition, as amended by the requirements of Division 1. Current certifications are not affected, paragraph IWA-2310 in the 1995 Edition with 1996 Addenda states that certifications based on SNT-TC-1A are valid until recertification is required.

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This requires development, implementation, and to the extent possible consolidation of a multifaceted written practice, specific to ultrasonic examination personnel, that addresses various requirements contained in SNT-TC-1A and CP-189, as amended by different Editions and Addenda of Section XI, including IWA-2300 and Appendix VII. The requirements are phased in with implementation dates for certification and recertification requirements of May 22, 2000, for personnel examining piping and bolting, Nov. 22, 2000 for personnel examining RPV welds and clad/basemetal interface, Nov. 22, 2001 for weld overlays, and Nov. 22, 2002 for nozzle and dissimilar metal welds.

Regardless of whether CP-189 or ASNT SNT-TC-1A is the base document used to prepare the written practice, all personnel conducting examinations to Appendix VIII requirements must be qualified in accordance with Appendix VIII and all personnel qualified through the PDI program must be qualified in accordance with Appendix VII. Additionally, for other than Appendix VIII ultrasonic examinations, all NDE examiners, (regardless of the method except IWE/IWL) will continue to be certified in accordance with a written practice developed in accordance with ASNT SNT-TC-1A through June 30, 2001. Personnel qualified to performed IWE Visual examinations will be qualified in accordance with ASME Section XI, 1992 Edition with 1992 Addenda, ANSI/ASNT CP-189.

A comparison of the implementation requirements for Appendix VIII examinations using the 1984 Edition of SNT-TC-1A as modified by IWA-2300 and Appendix VII of the 1989 Edition of Section XI with the 1991 Edition of CP-189 as modified by IWA-2300 and Appendix VII of the 1995 Edition and 1996 Addenda of Section XI is considered to be unwieldy and subjective because of their myriad differences. (Therefore, three less complex comparisons of technically significant items are attached). Qualifications of ultrasonic examination personnel to SNT-TC-1A and the additional requirements of the 1989 Edition of Section XI, including Appendix VII are considered equivalent to Qualification to CP-189 as amended by the 95/96 Edition of Section XI.

The additional burden this requirement would impose on the Authority's James A. FitzPatrick Plant is compounded by the short duration of time before the start of the scheduled refueling outage (RO14). The Authority has planned pre-outage ISI examinations (beginning Oct 25, 2000) along with those that will be conducted during RO14. This would require that the development and implementation of a CP-189 certification program be instituted some time prior to the pre-outage examinations. Once the program is in place an assessment of personnel and procedures affected by this change would be needed, this coupled with the actual implementation would require major commitment of resources and expense. Implementing this program would also require the resources of the certifying/qualifying personnel and those personnel required to meet the requirements of a CP-189 program. Currently, NYPA personnel required to perform these tasks are committed to various outage related activities, realigning them as a resource to support this effort to develop and implement a CP-189 program prior to the beginning of examinations would severely burden the Authority's outage related activities. In addition, there would be procedural changes required and manpower resources are associated with accomplishing these tasks, along with the review and approval processes.

(Compliance with the specified requirements would result in hardship or unusual difficulty without a compensating increase in the level of quality and safety).

In lieu of maintaining redundant, possibly conflicting programs, the proposed alternative of maintaining the current program for qualifications of UT personnel will simplify record keeping; satisfying the need to maintain personnel qualifications, eliminate redundant systems, and provide an acceptable level of quality and safety commensurate with the other NDE disciplines.

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Current certifications are not affected, paragraph IWA-2310 in the 1995 Edition with 1996 Addenda states that certifications based on SNT-TC-1A are valid until recertification is required.

E. PROPOSED ALTERNATE

Initial certification and recertification of NDE personnel shall continue to be conducted in accordance with the requirements contained in the 1989 Edition of ASME Section XI, through June 30, 2001. Personnel performing ultrasonic examinations shall also meet the requirements specified in 10 CFR50.55a as amended by 64 FR 51370, which sets forth the requirements for the qualification of personnel, by demonstration. The combination of a written practice based on SNT-TC-1A and a performance based demonstration for personnel performing ultrasonic examination of welds or components will continue to ensure the structural integrity of the systems/components.

Level III personnel performing and/or reviewing Appendix VIII ultrasonic examination data shall have satisfactorily completed a performance demonstration and the Annual training as required by (Relief Request RR-25).

F. IMPLEMENTATION SCHEDULE

September 15, 2000 through June 30, 2001

G. ATTACHMENTS TO THE RELIEF

Comparison of the Qualification and Certification Requirements of Ultrasonic Examiners Certified to CP-189, 1991, and SNT-TC-1A, 1984, as modified by IWA and Appendix VII of 1989 and 95/96 Edition of Section XI Respectively.

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Comparison Summary

1 - The first compares IWA-2300 from the 1995 Edition with the 1996 Addenda to the 1989 Edition the major difference is the specification of CP-189 as opposed to SNT-TC-1A:

While CP-189 is a "standard" while SNT-TC-1A is a "recommended practice", this has no technical impact on the implementation of SNT-TC-1A. The "recommended practices" defined by the use of the word "should" in SNT-TC-1A are treated as requirements by the licensee.

2 - The second compares Appendix VII to the 95/96 Addenda to the 1989 Edition. There is little technical difference between the 1989 and 95/96 Editions. Both modify CP-189 and SNT-TC-1A as required to comply with Section XI, for example:

SNT-TC-1A contains simultaneous experience provisions that are not allowed by Appendix VII.

3 - The last compares the 1991 Edition of CP-189 with the 1984 Edition of SNT-TC-1A as modified by Appendix VII, the major differences are mitigated by additional requirements contained in Section XI, for example:

CP-189 requires a "written practical", (procedure preparation), and a "demonstration practical" for Level III personnel performing test or evaluating test results. This has no impact on Appendix VIII personnel, though not required by SNT-TC-1A, Appendix VIII requires a "practical" examination for a qualified examiner regardless of Level.

CP-189 defines several additional terms such as Closed book examination, Documented, Education, Evaluation, Examination, Experience, General examination, Indication, Interpretation, Method, NDT Instructor, Practical examination, Procedure, and Test technique. These definitions are consistent with common usage as applied to SNT-TC-1A and Section XI. Where deemed necessary, AMSE Section XI has provided compensation. For example the term "Outside Agency" is included in the 95/96 Edition to compensate because it is included in SNT-TC-1A but not in CP-189, conversely the 1989 Edition defines an NDE instructor that is not included in SNT-TC-1A.

There are major differences between CP-189 and SNT-TC-1A. However, as illustrated in the comparisons, these are minimized by the moderating effects of the applicable IWA-2300 requirements and especially Appendix VII requirements. Qualifications of ultrasonic examination personnel to SNT-TC-1A and the additional requirements of the 1989 Edition of Section XI, including Appendix VII are considered equivalent to Qualification to CP-189 as amended by the 95/96 Edition of Section XI.

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COMPARISON OF THE QUALIFICATION AND CERTIFICATION REQUIREMENTS OF ULTRASONIC EXAMINERS CERTIFIED TO CP-189, 1991, AND SNT-TC-1A, 1984, AS MODIFIED BY IWA AND APPENDIX VII OF 989 AND 95/96 EDITION OF SECTION XI RESPECTIVELY

The following is a summary of pertinent technical aspects of the implementation requirements maintained in Subparagraph IWA-2300 to the two Editions of ASME Section XI below.

The comparison is complicated because some of the requirements may be modified or omitted, simply because they are defined in another location or by another document. Several requirements, such as those for limited certification, differ somewhat, but the differences are not considered technically relevant and they are not detailed in this technical comparison. These complications are representative of the increased burden when administering more than one program or a program based on varying requirements.

1995 Ed with 1996 Add of Section XI	1989 Edition of Section XI
IWA-2310 – Written practice is prepared using ANSI/ASNT “Standard” CP-189, 1991 Edition. Certifications based on SNT-TC-1A remain valid until recertification.	IWA-2310 – Written practice is prepared using ASNT “Recommended Practice” SNT-TC-1A, 1984 Edition. Certifications based on earlier editions remain valid until recertification.
IWA-2311 – The written practice shall specify the duties and responsibilities of the Principle Level III.	
IWA-2312 – NDE methods listed in CP-1989 – Similar to 1989 IWA-2311	IWA-2311 – NDE methods listed in SNT-TC-1A – Similar to 95/96 IWA 2312
IWA-2313 – NDE methods not listed in CP-189 – Similar to 1989 IWA-2312	IWA-2312 – NDE methods not listed in SNT-TC-1A – Similar to 1989 IWA-2313
IWA-2314 – Level I and II recertified every 3 years, Level III every 5 years by examination per CP-189. ASNT Level III not required	IWA-2313 – Level I and II recertified every 3 years, Level III every 5 years by examination per SNT-TC-1A.
IWA-2321 – Snellen 20/25 using lower case letters with a known pre-measured height (see IWA-2322). Per Administered in accordance with a procedure, and by personnel, approved by an NDE Level III designated by the employer.	IWA-2321- Jaeger number 1 or equivalent, conducted by personnel qualified to conduct the examinations
IWA-2322 – Requires use of 10x magnifier to measure height of letters.	
IWA-2323 – Level III qualifications evaluated by Basic, Method, Specific, and Practical examinations and the Demonstration examination (Level II Practical)	IWA-2322 – Level III qualifications determined by Basic, Method, and Specific examinations per SNT-TC-1A. (Demonstration examination would be required by Section XI, Appendix VIII)
CP-189 General, Specific and Practical examinations administered and graded by a Level III.	IWA-2323 – Level I and II qualifications determined by General and Specific examinations, and a Practical hands-on examination administered by a Level III.
95/96 Appendix VII is similar to 1989 Appendix VII (See detailed comparison following).	IWA-2324 – Defines requirements for administration of examinations. This is Modified by Appendix VII.

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IWA-2330 – Level I responsibilities. Identical to 1989 IWA-2330	IWA-2330 – Level I responsibilities. Identical to 95/96 IWA-2330
IWA-2340 – Level III education. Similar to 1989 IWA-2340	IWA-2340 – Level III education. Similar to 95/96 IWA-2340
IWA-2350 – Defines limited certification. Provides more definition than 1989.	IWA-2350 – Defines limited certification requirements.
IWA-2360 – Allows certification directly to Level II. Defines additional Level III responsibilities.	Appendix VII allows certification directly to Level II. Defines similar Level III responsibilities.
IWA-2370 – Contains experience requirements for Level II candidates.	1989 Appendix VII contains requirements that are more stringent.

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COMPARISON OF THE QUALIFICATION AND CERTIFICATION REQUIREMENTS OF ULTRASONIC EXAMINERS CERTIFIED TO APPENDIX VII OF 95/96 AND 1989 EDITION OF SECTION XI RESPECTIVELY

The following is a summary of pertinent technical aspects of the implementation requirements contained in Subparagraph IWA-2300 to the two Editions of ASME Section XI identified below.

The comparison is again complicated because some of the requirements may be modified or omitted, simply because they are defined in another location or by another document. These complications are again representative of the increased burden when administering more than one program or a program based on varying requirements.

95/96 APPENDIX VII	1989 APPENDIX VII
VII-1000 – Scope – Modifies the requirements of IWA-2300 for Ultrasonic examiners	VII-1000 - identical to 95/96
VII-2000 – Qualification Levels – Identifies 5 qualification Levels as defined in CP-189	VII-2000 – essentially the same. Defines NDE Instructor qualification since it is not included in SNT-TC-1A.
VII-3000 – Written Practice – Defines the written practice, including the definition of an "outside agency", since it is not defined in CP-189	VII-3000 Identical to 95/96 Code except "outside agency" is not defined, since it is included in SNT-TC-1A
VIII-4000 –	Qualification Requirements
CP-189 contains no simultaneous experience provisions.	Table VII-4110-1 states the simultaneous experience provision of SNT-TC-1A is not applicable.
Paragraph VII-4223 requires previously qualified individuals to meet the requirements for training	Both Appendices in paragraph VII-4300 state that to be considered for examination the Level I, II, and III candidates shall have successfully completed the training required in VII-4200.
Paragraph VII-4240 states that no examination is required for the annual retraining.	
Paragraph VII-4310 (a) states that a random selection process must be controlled by the written practice so no individual takes the same examination more than once.	
Paragraph VII-4310 (b) allows the use of "grading units" to produce a specimen bank for the practical examination.	
Paragraph VII-4330 (a) Level III examinations per IWA-2300, Basic, Method, Specific, Practical, Demonstration, contains rules for Level II practical examination. An Appendix VIII practical is acceptable	While the 1989 Appendix VIII contains no requirements for a practical examination, it would be required for the mandatory Appendix VIII
Paragraph VII-4330 (b) allows recertification of Level III personnel using only the Method and Specific examinations	IWA-2313 requires recertification using Basic, Method, and Specific written examinations

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VII-5000 QUALIFICATION RECORDS	Essentially the same
Not addressed	VII-6000 – Defines duties of the ANII
VII SUPPLEMENTS	Essentially the same

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COMPARISON OF THE QUALIFICATION AND CERTIFICATION REQUIREMENTS OF ULTRASONIC EXAMINERS CERTIFIED TO CP-189, 1991 AND SNT-TC-1A AS MODIFIED BY APPENDIX VII, 1989 EDITION

The following is a summary of pertinent technical aspects of the implementation requirements contained in CP-189, 1991; and SNT-TC-1A, 1984.

Comparisons are not detailed in those areas where CP-189 is modified by the requirements of Appendix VII. Please note that the word "should" typically identifies what is considered a requirement in SNT-TC-1A, while CP-189 typically uses the word "shall". Industry practice is to treat SNT-TC-1A recommendations as requirements. Several paragraphs are identified as similar. For example, while SNT-TC-1A does not specifically require suspension of an examiners certification for a lapsed vision examination, it is considered to be implied, and it is industry practice to do so.

CP-189	SNT-TC-1A
1.0 – Scope – CP-189 is a standard that establishes the minimum requirements.	1.0 – Scope – SNT-TC-1A is a recommended practice establishing guidelines.
2.0 – Definitions – More inclusive (19 terms) and more concise. Some Modified by Appendix VII.	2.0 – Definitions – Less inclusive (7 terms)
3.0 – Levels	Of Qualification
3.1 – Classification	Modified by Appendix VII
3.2 – Level III	4.3 (3) – Similar to CP-189
3.3 – Level II	4.3 (2) – Similar to CP-189
3.4 – Level I	Modified by Appendix VII
3.5 – Trainee	4.2 – Similar to CP-189
3.6 – NDE Instructor	Modified by Appendix VII
4.0 Qualification	Requirements
4.1 – Training	Modified by Appendix VII
4.2 – Experience	Modified by Appendix VII
4.3 – Previous Training and Experience	Modified by Appendix VII
4.4 – NDT Instructor	Modified by Appendix VII
4.5 – Outside services	Modified by Appendix VII
5.0 – Qualification	And Certification
5.1 – Procedure	Modified by Appendix VII
5.2 – Procedure requirements	Modified by Appendix VII
5.3 – Approval – "written practice" approved by Level III	Modified by Appendix VII – Requires that "written practice" specify responsibilities.
6.0 Examinations	
6.1 – Vision	Modified by IWA-2300
6.2 – Level III Examination	Modified by Appendix VII
6.3 – Level I and II Examination	Modified by Appendix VII
6.4 – Administration and grading	Modified by Appendix VII
6.5 – Reexamination	Modified by Appendix VII
6.6 – Administration of Examinations – prohibits one's self or one's subordinate from preparing or administering an examination.	Not specifically addressed

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7.0 Expiration, Suspension, Reinstatement of Employer	Revocation, and Certification
7.1 – Expiration	Similar to CP-189
7.2 – Suspension	Similar to CP-189
7.3 – Revocation	Similar to CP-189
7.4 – Reinstatement	Similar to CP-189
8.0 Employer	Recertification
8.1 – NDT Level I and II	Modified by Appendix VII
8.2 – NDT Level III	Modified by Appendix VII
9.0	Records
9.1 – Responsibility for Documentation	Modified by Appendix VII
9.2 – Contents of Certification Record	Modified by Appendix VII

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THIRD INSERVICE INSPECTION INTERVAL
RELIEF REQUEST NO. 25**

A. SYSTEM / COMPONENT(s) FOR WHICH RELIEF IS REQUESTED

All components subject to ultrasonic examination in accordance with the 1995 Editions and 1996 Addenda of ASME Section XI, Appendix VIII.

B. CODE REQUIREMENTS

The 1995 Edition and 1996 Addenda of ASME Section XI, Subsubarticle VII-4240 requires a minimum of 10 hours of annual training.

10 CFR 50.55a(b)(2)(xiv) requires that all personnel qualified for performing ultrasonic examinations in accordance with Appendix VIII shall receive 8 hours of annual hands-on training on specimens that contain cracks. This training must be completed no earlier than 6 months prior to performing ultrasonic examinations at a licensee's facility.

C. CODE REQUIREMENTS FROM WHICH RELIEF IS REQUESTED

Relief is requested in accordance with 10 CFR 50.55a(a)(3)(i) from the provisions of Subsubarticle VII-4240, Annual Training. These examinations will be performed during the third inspection interval.

D. BASIS FOR RELIEF

10 CFR 50.55a was amended in the Federal Register (Volume 64, No. 183 dated September 22, 1999) to require the 1995 Edition, with the 1996 Addenda of Section XI for Appendix VIII qualification requirements. This also imposes the requirements of Appendix VII of the 1995 Edition, with 1996 Addenda of Section XI. This includes Subarticle VII-4240, which requires a minimum of 10 hours of annual training.

10 CFR 50.55a(b)(2)(xiv) requires that all personnel qualified for performing ultrasonic examinations in accordance with Appendix VIII shall receive 8 hours of annual hands-on training on specimens that contain cracks. This training must be completed no earlier than 6 months prior to performing ultrasonic examinations at a licensee's facility.

Paragraph 2.4.1.1.1 in the Federal register contained the following statement,

"The NRC had determined that this requirement (*10 hours of training on an annual basis*) was inadequate for two reasons. The first reason was that the training does not require laboratory work and examination of flawed specimens. Signals can be difficult to interpret and, as detailed in the regulatory analysis for this rulemaking, experience and studies indicate that the examiner must practice on a frequent basis to maintain the capability for proper interpretation. The second reason is related to the length of training and its frequency. Studies have shown that an examiner's capability begins to diminish within approximately 6 months if skills are not maintained. Thus, the NRC had determined that 10 hours

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of annual training is not sufficient practice to maintain skills, and that an examiner must practice on a more frequent basis to maintain proper skill level. The PDI program has adopted a requirement for 8 hours of training, but it is required to be hands-on practice. In addition, the training must be taken no earlier than 6 months prior to performing examinations at a licensee's facility. PDI believes that 8 hours will be acceptable relative to an examiner's abilities in this highly specialized skill area because personnel can gain knowledge of new developments, material failure modes, and other pertinent technical topics through other means. Thus, the NRC has decided to adopt in the final rule the PDI position on this matter. These changes are reflected in § 50.55a(b)(2)(xiv)".

Implementation of the requirements contained in the ASME Section XI and the Final Rule will result in redundant systems. The use of the Final Rule requirements in lieu of additional requirements will simplify record keeping, satisfy needs for maintaining skills, and provide an acceptable level of safety.

This paragraph of the final rule states: "(xiv) Appendix VIII personnel qualification. All personnel qualified for performing ultrasonic examinations in accordance with Appendix VIII shall receive 8 hours of annual hands-on training on specimens that contain cracks. This training must be completed no earlier than 6 months prior to performing ultrasonic examinations at a licensee's facility".

E. ALTERNATIVE EXAMINATIONS

Annual training, as required by VII-4240, shall be conducted in accordance with the Final Rule 10CFR50.55a(b)(2)(xiv), as referenced in Section D.

F. IMPLEMENTATION SCHEDULE

September 15, 2000 through the remainder of 3rd Ten-Year Interval

G. ATTACHMENT TO THE RELIEF:

None