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**To:** <drpm/pdlr@nrc.gov>  
**Date:** Thu, Oct 26, 2000 4:28 PM  
**Subject:** Comments on NRC License Renewal

65 FR 53047

8/31/00

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Below is the result of your feedback form. It was submitted by Douglas F. Johnson (dfjohnson@nmcco.com) on Thursday, October 26, 2000 at 16:27:17

Comments:

October 26, 2000

Mr. David L. Meyer  
 Chief  
 Rules and Directives Branch  
 Division of Administrative Services  
 US NUCLEAR REGULATORY COMMISSION  
 Washington, DC 20555

REQUEST FOR PUBLIC COMMENTS ON THE  
 DRAFT GUIDANCE DOCUMENTS FOR LICENSE RENEWAL  
 (65FR53047, AUGUST 31, 2000)

Dear Mr. Meyer:

In the August 31, 2000, Federal Register, the NRC noticed the availability of and opportunity to comment on the following documents:

&#61607; Draft Regulatory Guide DG-1104, &#8220;Standard Format and Content for Applications to Renew Nuclear Power Plant Operating Licenses&#8221;

&#61607; Draft Standard Review Plan for License Renewal, and

&#61607; A draft Generic Aging Lessons Learned (GALL) report

Nuclear Management Company, LLC, has reviewed the comments made by the Nuclear Energy Institute (NEI) on above documents. We endorse the NEI comments and provide these additional amplifying generic comments as well as comments on the four questions posed in the Federal Register. Our comments are included in Attachment 1, &#8220;Generic Comments on the Draft Regulatory Guidance Documents for License Renewal,&#8221; and in Attachment 2, &#8220;Comments on the Questions Posed in the Federal Register Notice,&#8221; to this letter.

We agree with NEI that the Commission is to be commended for devoting the resources to capturing the lessons learned from the review of the first few license renewal applications. Industry interest in license renewal continues to grow and expectations for a stable, predictable, and efficient regulatory process are high. To this end, these lessons learned documents play an important role.

We believe that clarity is required in describing the expectations for use of these documents by the NRC and the license renewal applicants. The guidance documents have provided focus on the issues the applicants need to address and those issues the NRC will review. However, the license renewal applicants must know how to use the guidance and what the NRC will expect to see in the applications

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relative to the guidance. In addition, the supporting bases referred to in these documents should be constructed in a way that allows both plants which were licensed prior to the present GDCs and SRP and those licensed under the GDCs and SRP to benefit from the work done in the Generic Aging Lessons Learned and Standard Review Plan for License Renewal.

Please contact us if there are any questions or clarifications needed on our comments.

Sincerely,

Douglas F. Johnson  
Director,  
Regulatory Services and Strategic Issues

NUCLEAR MANAGEMENT COMPANY, LLC  
GENERIC COMMENTS ON THE  
DRAFT REGULATORY GUIDANCE DOCUMENTS  
FOR LICENSE RENEWAL

#### Use of GALL and the Standard Review Plan

Despite the interactions between NEI and the NRC, we do not fully understand how a license renewal applicant would use the GALL and the SRP; nor are we certain how the NRC would use the documents in the review of a renewal application. We have noted that there is language in the August version of the GALL and SRP, which discusses the purpose, and use of these documents. However, we believe uncertainty still exists.

The GALL, in section entitled "APPLICATION OF GALL REPORT" (Ref. GALL, Page 3), indicates that a renewal applicant may reference GALL if the applicants programs correspond to those reviewed in the GALL report. That section also has a discussion about the applicant having the responsibility to verify that the plant program contains all the elements of the referenced GALL program. It further states that, "The applicant must include a certification in the license renewal application that the verifications have been completed and are documented on-site in an auditable form." NEI commented that clarification is needed on the type of certification that is acceptable to the NRC as well as what the NRC staff will look for as they examine the on-site verification documents. Nuclear Management Company, LLC, agrees with this comment however, we additionally believe that the applicant must independently identify the aging affects and the programs used to manage!

them. After this analysis is performed by the applicant, the GALL would be used to verify if this analysis would be accepted by the NRC. The application would need only to state that the program either meets the GALL program description or the intent of the GALL program. The "oath or affirmation" of the application itself provides the certification. The applicant's analysis along with the supporting documentation would provide the basis for the certification.

The flexibility to provide for acceptance of functionally equivalent programs does not appear to be written into the "APPLICATION OF GALL REPORT" section. This process flexibility is required to be able to credit a program as being the same as the GALL without meeting the GALL program elements word for word, but being functionally equivalent.

Insight is provided in the NEI comment letter concerning the certification question found in the Standard Review Plan. The "criteria" used by the reviewer, the "criteria" provided in the acceptance criteria discussion, and the "criteria" used in the review section are

different and need to be standardized.

#### Applicability of GALL to Pre-GDC/SRP Plants

Many of the underlying discussions in GALL are tied to the GDCs and SRP. The supporting bases should avoid using references to the GDCs and SRP so that plants that were licensed prior to the GDCs and SRP being established can more fully utilize the GALL.

#### GALL Format

The August 31, 2000, Federal Register notes that the format of the guidance documents may change as a result of the comment process. During the September 25, 2000 Workshop, the NRC staff informed the workshop participants that the format of GALL is likely to change from an 11 column table to a seven-column table.

The license renewal application standard format presented in NEI 95-10, Industry Guideline for Implementing the Requirements of 10 CFR Part 54 The License Renewal Rule, uses a six-column table. Modifying the GALL report to a seven-column table will align it with the table that licensees are expected to use. Therefore, we support the NRC staff's recommendation to reformat GALL.

#### GALL Chapter XI Aging Management Programs

We like the use of Chapter XI because it provides a repository for one-time evaluations of aging management programs. We have noticed that there are programs discussed in the body of the GALL report that are not listed in Chapter XI. We suggest that those programs not now listed in Chapter XI be included.

#### NUCLEAR MANAGEMENT COMPANY, LLC COMMENTS ON THE QUESTIONS POSED IN THE FEDERAL REGISTER NOTICE

Question 1: The draft GALL report evaluates many existing programs for their adequacy to manage aging for license renewal. In many cases, the draft GALL report concludes that the existing programs are adequate without change. Did the NRC staff provide sufficient credit for existing programs in the draft GALL report?

Response: Based on the lessons learned from the review of the first few renewal applications, the GALL provides sufficient credit for existing programs. As renewal applications continue to be submitted and reviewed, the NRC should consider future revisions to GALL to capture any additional lessons learned. The attributes of programs contained in GALL should be supported independently of references to the GDC or SRP to allow use by licensees that are of pre-GDC and SRP vintage.

The number of programs evaluated is sufficient. The GALL report is somewhat limited in that the existing programs must be generic. Obviously, renewal applicants will credit existing programs that are plant specific but at this time it seems that focusing GALL on the generic programs is appropriate. Flexibility must be provided to allow some differences for those plants that do not fit the generic definition.

Question 2: As a complement to Question 1, did the NRC staff provide too much credit without a sufficient technical basis in the draft GALL report?

Response: We believe the GALL report does not provide too much credit for existing programs. The programs credited in GALL are a reflection of the programs credited in the first few renewal applications. The technical detail is sufficient.

Question 3: Many existing programs are based on national codes and standards that are updated as industry and technology evolve. The Commission has a process to periodically incorporate updated versions of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code into the regulations in 10 CFR 50.55a. The draft GALL report evaluation of existing programs for their adequacy as aging management programs for license renewal is based on the specifics of the 1989 edition of Section XI of the ASME code for inservice inspection and the 1992 edition of Subsections IWE and IWL of Section XI of the ASME code for containment inspections. These specific editions were the editions incorporated into the regulations by the Commission at the time when the bulk of the draft GALL report was being prepared. Since then, the Commission has incorporated the 1995 edition of the ASME code into the regulations (64 FR 51370, September 22, 1999). Before final issuance of !

! the GALL report, the staff plans to review changes to the ASME code between the 1989 and 1995 editions to determine if the conclusions in the draft GALL report remain valid. Should the changes affect any conclusions in the draft GALL report, the affected conclusions will be re-evaluated and modified, as appropriate. By an April 13, 2000, staff requirements memorandum (SRM), the Commission directed the staff to maintain the current requirements that licensees update their inservice inspection and inservice testing programs every 10 years to the latest edition of the ASME Code that is incorporated by reference in NRC regulations. Therefore, the requirements of 10 CFR 50.55a will result in future changes to those aging management programs that rely on the ASME Code. To ensure that the GALL report conclusions will remain valid when future editions of the ASME code are incorporated into the NRC regulations by the 10 CFR 50.55a rulemaking, the staff will perform an evaluation of !

! f these later editions for their adequacy for license renewal using the 10-element program evaluation described in the GALL report as part of the 10 CFR 50.55a rulemaking. There are other national codes and standards that are referenced in the draft GALL report, such as those published by the American Concrete Institute (ACI), that are not subject to the Commission's approval process in 10 CFR 50.55a. How should the GALL report reference editions of such national codes and standards? Should specific code editions be cited, and then, an applicant using a different edition would have to verify that the applicant's edition is equivalent to the specific edition cited in the GALL report before the applicant can reference the GALL report evaluation?

Response: We agree with the NEI response that, if a specific revision of a code &#8211; say those published by the American Concrete Institute (ACI), is referenced and evaluated in GALL, a renewal applicant can indicate that they use the same program at their facility and rely on the GALL evaluation for NRC acceptance of the code. If the ACI standard used by an applicant is different from that in the GALL, then the applicant must demonstrate that its program is adequate in the areas which differ between the standard revision contained in GALL and the revision of the standard which the applicant uses.

Additionally we believe that the applicant should be able to use the edition of the ASME code that is applicable to the licensee in its current licensing basis or a more recent edition of the code. A more recent edition of the code would be applicable if the licensee plans to use it in the future.

Question 4: The draft GALL report identifies specific aging effects, based on operating experience or technical expertise, that should be managed for particular structures and components. The NRC staff expects an applicant to discuss, in its application, any aging effects identified in the draft GALL report for a particular structure or component that the applicant has determined to be not applicable to its plant. However, NEI suggests that an applicant need not address aging effects that were determined not to be applicable. NEI suggests instead that the NRC staff should review the applicant's process for identifying aging effects that should be managed for license renewal. However, the NRC staff believes that such a process is too general and operating experience has shown that aging effects are often system, structure, or component-specific. Although the NRC staff does not expect all aging effects identified in the draft GALL report would be applicable to a particular!

! plant, the draft GALL report does not identify unlikely aging effects and evaluate the associated aging management programs. Thus, the NRC staff believes that any such exception taken by an applicant for

its plant should be justified as part of the application. Should an applicant be required to justify, in its application, the omission of any aging effects identified in the GALL report, that the applicant has determined not to be applicable?

Response: This question addresses the staff's desire for an applicant to discuss, in its application, any aging effects identified in the draft GALL report for a particular structure or component that the applicant has determined to be not applicable to its plant. Nuclear Management Company, LLC, agrees with the NEI suggestion as discussed in the question. Given a robust process for identification of aging effects, the justification of any aging effect not requiring management would be part of the process documentation and is not required to be separately documented in the application.

It appears that the GALL identified aging effects are to be used by the staff as a checklist of those that require management. This implies that it would be possible for an applicant to use the GALL to determine which aging effects require management. We do not believe it should be acceptable for an applicant to use the GALL to determine which aging effects require management. The applicant must make use of the licensee's engineering analyses to determine which aging effects do and do not require management. The licensee will need to document in the application the applicable aging effects requiring management. Those that do not require management will be documented in the supporting documentation kept on site.

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