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February 16, 2001

LCV-1016-R

Docket Nos.: 50-424
50-425

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

Ladies and Gentlemen:

**VOGTLE ELECTRIC GENERATING PLANT
CLARIFICATION TO REQUESTS FOR RELIEF - SECOND
TEN-YEAR INSERVICE INSPECTION PROGRAM**

By letter LCV-1016-Q dated October 18, 2000, Southern Nuclear Operating Company (SNC) submitted several new and/or revised requests for relief to the NRC for the Vogtle Electric Generating Plant, Unit 1 and Unit 2, Second Ten-Year (STY) Inservice Inspection (ISI) Program. That program was originally submitted to the NRC by SNC letter LCV-1016 dated May 29, 1997. Relief from the requirements of the 1989 Edition of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code, Section XI, was requested by our October 18, 2000, submittal.

Discussions with the NRC staff on January 11 and 25, 2001, have indicated that they wish to be provided a clarification on Requests for Relief RR-38 and RR-39 that were submitted by our letter LCV-1016-Q. RR-38 provided an alternative to the requirements of ASME Section XI Code, IWA-6000, by maintaining the ISI Summary Report on-site for NRC review in lieu of submittal of the subject report to the NRC. RR-39 provided an alternative to the requirements of ASME Section XI Code, Appendix VII, Article-4000, Paragraph VII-4240, regarding annual supplemental training for Level I, II, and III nondestructive examination personnel.

Provided herein as Enclosures 1 and 2 are the revised versions of RR-38 and RR-39, respectively. The enclosed versions of Requests for Relief RR-38 and RR-39 supersede those similarly numbered requests for relief submitted to the NRC by our October 18, 2000, letter.

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Should you require any additional information concerning these requests for relief, please contact this office.

Sincerely,



J. B. Beasley, Jr.

JBB/JAE/

Enclosures: 1. VEGP-1 & 2 STY ISI Program, Request for Relief RR-38
2. VEGP-1 & 2 STY ISI Program, Request for Relief RR-39

xc: Southern Nuclear Operating Company
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ENCLOSURE 1
TO
SOUTHERN NUCLEAR OPERATING COMPANY
LETTER LCV-1016-R

VOGTLE ELECTRIC GENERATING PLANT, UNIT 1 AND UNIT 2
SECOND TEN-YEAR INSERVICE INSPECTION PROGRAM
REQUEST FOR RELIEF RR-38

SOUTHERN NUCLEAR OPERATING COMPANY
VOGTLE ELECTRIC GENERATING PLANT, UNITS 1 AND 2
SECOND TEN-YEAR INTERVAL
REQUEST FOR RELIEF NO. RR-38

I. System/Component(s) for Which Relief is Requested:

Class 1 and 2 pressure-retaining components and their supports.

II. Code Requirement:

Paragraph IWA-6230, Summary Report Submittal, of the 1989 Edition of the ASME Section XI Code requires that within 90 days of the completion of the inservice inspection conducted during each refueling outage, the Owner shall file inservice inspection summary reports with the enforcement and regulatory authorities having jurisdiction at the plant site.

III. Code Requirement from Which Relief is Requested:

Relief is requested from filing the inservice inspection summary reports with the enforcement and regulatory authorities. In the case of Vogtle, inservice inspection summary reports are filed *only* with the regulatory authority, i.e., the NRC. No regional or local governing body exists that is empowered to enact and enforce Boiler and Pressure Vessel Code legislation pertaining to Vogtle.

IV. Basis for Relief:

Southern Nuclear Operating Company (SNC) would like to continue with the present trend of reducing unnecessary paperwork in the industry. SNC would like to forego submittal of the summary report to the NRC, yet maintain the document on site for NRC review upon request.

V. Alternate Examination:

No alternate examinations are proposed.

VI. Justification for Granting Relief:

The implementation of ASME Section XI Code Case N-532 is consistent with the NRC's philosophy found in NRC letter SECY-94-093 dated April 1, 1994. Per SECY-94-093, the NRC is to take a proactive role through its representatives in the ASME Code to modify reporting requirements and to eliminate the need to submit inservice inspection reports following each refueling outage. And with implementation of Code Cases N-560, N-577, and N-578 involving Risk-Informed Requirements, vendor Topical Reports, and the utility summary/template, a more streamlined approach is being undertaken to reduce unnecessary staff reviews.

SOUTHERN NUCLEAR OPERATING COMPANY
VOGTLE ELECTRIC GENERATING PLANT, UNITS 1 AND 2
SECOND TEN-YEAR INTERVAL
REQUEST FOR RELIEF NO. RR-38

(continued)

VI. Justification for Granting Relief (continued):

The summary reports will continue to be prepared to the requirements of IWA-6220, Preparation. Maintenance of inservice inspection-related records will continue to be performed by SNC to the requirements of IWA-6310, Maintenance of Records. These records will be made available at the plant site for NRC review upon request. This Request for Relief does not apply to other items (e.g., IWA-3100, flaw evaluation disposition) in the Code requiring submittal to the regulatory and enforcement authorities. All corrective measures that are necessary to bring a component into conformance with ASME Section XI criteria shall be documented and reported.

The proposed alternative of maintaining the inservice inspection summary report on site for NRC review upon request will provide an acceptable level of quality and safety, while reducing licensee burden. Not submitting the summary report will not lessen the preparation and maintenance of the document. Therefore, it is requested that this alternative be authorized pursuant to 10 CFR 50.55a(a)(3)(i).

VII. Implementation Schedule:

This request for relief is applicable to the Second Ten-Year Interval which commenced May 31, 1997.

(Note: This is a new request for relief.)

ENCLOSURE 2
TO
SOUTHERN NUCLEAR OPERATING COMPANY
LETTER LCV-1016-R

VOGTLE ELECTRIC GENERATING PLANT, UNIT 1 AND UNIT 2
SECOND TEN-YEAR INSERVICE INSPECTION PROGRAM
REQUEST FOR RELIEF RR-39

SOUTHERN NUCLEAR OPERATING COMPANY
VOGTLE ELECTRIC GENERATING PLANT, UNITS 1 AND 2
SECOND TEN-YEAR INTERVAL
REQUEST FOR RELIEF NO. RR-39

I. System/Component(s) for Which Relief is Requested:

All components subject to ultrasonic examination.

II. Code Requirement:

Appendix VII, Article-4000, Paragraph VII-4240, "ANNUAL TRAINING," of the 1989 Edition of the ASME Section XI Code requires that a minimum of ten (10) hours per year of supplemental training be provided to Level I, II, and III nondestructive examination (NDE) personnel. The supplemental training is intended to impart knowledge of new developments, material failure modes, and any pertinent technical topics as determined by the employer.

III. Code Requirement from Which Relief is Requested:

Relief is requested from the requirement of ASME Section XI, 1989 Edition, Appendix VII, Article-4000, Paragraph VII-4240 for a minimum of 10 hours of annual supplemental training for Level I, II, and III NDE personnel.

IV. Basis for Relief:

The 1989 Edition of ASME Section XI, Appendix VII, was developed prior to the requirements for the NDE Performance Demonstration Initiative (PDI). The ASME Section XI Code Committee recognized that, with the implementation of ASME Section XI, Appendix VIII, and the PDI, the requirements of Appendix VII, paragraph VII-4240 did not adequately address the type, extent, and frequency of training required to maintain ultrasonic examination proficiency. Therefore, ASME Section XI Code Case N-583 was developed in response to an inquiry related to training requirements and was subsequently incorporated into Appendix VII of the 1998 Edition of the ASME Section XI Code with 1999 Addenda.

Paragraph 2.4.1.1.1 of Federal Register (Volume 64, No. 183 dated September 22, 1999) contained the following statement, "The NRC had determined that this requirement (*i.e., 10 hours of training on an annual basis - emphasis added for clarification*) 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 rule making (*i.e., revision of 10 CFR 50.55a to invoke the requirements of the 1995 Edition of the ASME Section XI Code with 1996 Addenda - emphasis added for clarification*), 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 of annual training is not

SOUTHERN NUCLEAR OPERATING COMPANY
VOGTLE ELECTRIC GENERATING PLANT, UNITS 1 AND 2
SECOND TEN-YEAR INTERVAL
REQUEST FOR RELIEF NO. RR-39

(continued)

IV. Basis for Relief (continued):

sufficient practice to maintain skills, and that an examiner must practice on a more frequent basis to maintain proper skill levels. 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 topics through other means. Thus, the NRC has decided to adopt in the Final Rule (*i.e., the rule making involving 10 CFR 50.55a in which NRC approval of the ASME Section XI Code is updated to the 1995 Edition with 1996 Addenda --emphasis added for clarification*) the PDI position on this matter. These changes are reflected in 10 CFR 50.55a(b)(2)(xiv)."

The September 22, 1999, version of 10 CFR 50.55a(b)(2) states: "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."

Code Case N-583 responded to an inquiry related to an alternative to the annual training requirements of Appendix VII-4240. The reply states "... supplemental practice may be used to maintain UT personnel examination skills. Personnel shall practice UT techniques by examining or by analyzing prerecorded data from materials or welds containing flaws similar to those that may be encountered during inservice examinations. This practice shall be at least 8 hr per year and shall be administered by an NDE Instructor or Level III; no examinations required."

V. Alternate Examination:

Southern Nuclear Operating Company (SNC) proposes to use the alternative annual NDE personnel training requirements defined in ASME Section XI Code Case N-583, in conjunction with the requirements of 10 CFR 50.55a(b)(2)(xiv), instead of the annual supplemental training requirements found in Appendix VII, paragraph VII-4240. A copy of Code Case N-583 is provided as Attachment 1 to this request for relief.

SOUTHERN NUCLEAR OPERATING COMPANY
VOGTLE ELECTRIC GENERATING PLANT, UNITS 1 AND 2
SECOND TEN-YEAR INTERVAL
REQUEST FOR RELIEF NO. RR-39

(continued)

VI. Justification for Granting Relief:

Pursuant to 10 CFR 50.55a (a)(3)(i), SNC requests approval to use the alternative annual NDE personnel training requirements defined in ASME Section XI, Code Case N-583, in conjunction with the requirements of 10 CFR 50.55a(b)(2)(xiv). Effective May 22, 2000, the requirements of ASME Section XI, 1995 Edition and 1996 Addenda, Appendix VIII are applicable for inservice inspection (ISI) at all nuclear electric generating plants within the United States. The Appendix VIII requirements will be implemented at Plant Vogtle via the industry PDI. Implementation of Appendix VIII, via the PDI, provides for more stringent requirements for qualification and demonstration of personnel, equipment, and procedures utilized for ISI.

The application of Code Case N-583, in conjunction with the requirements for ASME Section XI, Appendix VIII, and 10 CFR 50.55a(b)(2)(xiv), will provide adequate assurance that Level I, II, and III NDE personnel receive sufficient supplemental practice to maintain their ultrasonic examination skills. Therefore, use of the proposed alternative as discussed herein is warranted pursuant to 10 CFR 50.55a(a)(3)(i). The alternative use of Code Case N-583, in conjunction with the 1995 Edition, 1996 Addenda of ASME Section XI, Appendix VIII, and 10 CFR 50.55a(b)(2)(xiv), provides an acceptable level of quality and safety.

VII. Implementation Schedule:

This request for relief is applicable to the Second Ten-Year Interval which commenced May 31, 1997.

(Note: This is a new request for relief.)

SOUTHERN NUCLEAR OPERATING COMPANY
VOGTLE ELECTRIC GENERATING PLANT, UNITS 1 AND 2
SECOND TEN-YEAR INTERVAL
REQUEST FOR RELIEF NO. RR-39

(continued)

ATTACHMENT 1

CASE
N-583

CASES OF ASME BOILER AND PRESSURE VESSEL CODE

Approval Date: August 14, 1997
See Numeric Index for expiration
and any reaffirmation dates.

Case N-583
Annual Training Alternative
Section XI, Division 1

Inquiry: What alternative to the annual training requirements of Appendix VII-4240 may be used?

Reply: It is the opinion of the Committee that, as an alternative to the requirements of Appendix VII-4240, supplemental practice may be used to maintain UT personnel examination skills. Personnel shall practice UT techniques by examining or by analyzing prerecorded data from material or welds containing flaws similar to those that may be encountered during inservice examinations. This practice shall be at least 8 hr per year and shall be administered by an NDE Instructor or Level III; no examination is required.