

March 29, 2001

MEMORANDUM TO: Eugene Imbro, Chief
Mechanical and Civil Engineering Branch
Division of Engineering

FROM: David Terao, Chief */RA/*
Component & Containment Reliability Section
Mechanical and Civil Engineering Branch
Division of Engineering

SUBJECT: MINUTES OF PUBLIC MEETING WITH AMERICAN SOCIETY OF
MECHANICAL ENGINEERS ON ASME CODE AND CODE CASES

On February 21, 2001, the NRC staff held a public meeting with representatives of the American Society of Mechanical Engineers (ASME) to discuss and obtain stakeholder input on the NRC processes for endorsement of the ASME Code and Code Cases, and potential improvements to those processes. Attachment 1 to this memorandum contains the agenda for the meeting. NRC staff participants included representatives from the Office of Nuclear Reactor Regulation, the Office of Nuclear Regulatory Research, the Office of the General Counsel, and the Office of Nuclear Materials Safety and Safeguards. Representatives of the Nuclear Energy Institute (NEI) also participated at the meeting. Attachment 2 contains a list of the meeting participants.

At the meeting, the NRC staff described the rulemaking process and its specific application to ASME Code and Code Cases. In particular, the staff stated that it is developing a process to minimize the time necessary to update the regulatory guides addressing ASME Code Cases, and to revise the NRC regulation to incorporate by reference the latest revision of those regulatory guides. The staff summarized the results of a recent meeting with the Office of the Federal Register where the staff obtained preliminary approval to incorporate by reference into the regulations the specific NRC regulatory guides addressing ASME Code Cases. The staff discussed the current status of the effort to update those regulatory guides. For example, the staff issued the most recent regulatory guides in May 1999 to address ASME Code Cases published through September 1995. The staff has completed its review of ASME Code Cases published through June 1999, and will complete its review of Code Cases published through January 2001 by spring 2001. The staff is working to issue for public comment a proposed revision to the regulatory guides by late summer 2001. The staff's handout material at the meeting is contained in Attachment 3.

The ASME representatives described the purpose for the preparation of ASME Code Cases and the advantages of their use rather than preparing a direct Code revision. For example, ASME Code Cases can provide an acceptable alternative to specific provisions of the Code in

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an expeditious manner that responds to the needs of Code users. ASME Code Cases also can allow application of new technologies on a limited scale prior to incorporation into the Code. The ASME representatives discussed the process for the issuance of Code Cases and their maintenance. The ASME representatives indicated that Code Cases undergo a committee review process prior to publication and expire after 3 years unless reaffirmed, revised, or annulled. The ASME handout material is provided in Attachment 4.

The NEI representatives presented suggestions for streamlining the NRC endorsement processes for the ASME Code and Code Cases. For example, NEI suggested the preparation of a template for use by licensees in requesting approval to apply specific Code Cases similar to the Consolidated Line Item Improvement Process (CLIIP) for Technical Specification amendments. NEI also believed that the inclusion of limitations and modifications regarding the use of the ASME Code and Code Cases in rulemaking and regulatory guides was the principal source of delay during the endorsement process. The NEI handout material is provided in Attachment 5.

The participants considered the meeting on February 21, 2001, to have been successful in providing a common understanding of the NRC's processes for endorsing the ASME Code and Code Cases through applicable regulations and regulatory guides. The NRC staff and ASME representatives agreed to several initial actions to help improve the NRC processes for endorsement of the ASME Code and Code Cases. These action items are listed in Attachment 6.

In a letter to the NRC dated January 12, 2001, the ASME had expressed concerns regarding the delay in the NRC endorsement of ASME Code Cases and possible changes in the endorsement process. The NRC Executive Director for Operations (EDO) responded to the ASME concerns on March 21, 2001. The EDO noted the NRC's reliance on the ASME Code since 1971 as one part of the framework to establish the necessary design, fabrication, construction, inspection, and testing requirements for structures, systems, and components important to safety at nuclear power plants. The EDO stated that prompt NRC endorsement of ASME Code Cases allows timely implementation of technological advances and reduces the number of relief requests that must be prepared by licensees and reviewed by the NRC staff, thus, reducing unnecessary burden on licensees and increasing the efficiency and effectiveness of the regulatory process. The EDO directed the staff to keep the ASME informed regarding the progress in developing improved processes for NRC endorsement of the ASME Code and Code Cases, and the anticipated schedules for updating the regulatory guides and revising the regulations. Further, the EDO noted that action items for improving the NRC endorsement processes for the ASME Code and Code Cases had been established at the February 21, 2001, meeting. The EDO directed the staff to work with the ASME to assure these actions are completed and to maintain a continuing dialogue with ASME.

Attachments: As stated

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