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Rules and Directives

Rules and Directives Branch
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

5348 Promontory Circle
Fort Collins, CO 80528
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12/28/01
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Re: Draft Regulatory Guides DG-1090 and DG-1112

The following are my comments on these two Draft Regulatory Guides.

Use of annulled cases. There doesn't appear to be a reasonable basis for the restriction that a licensee must previously had implemented a case for it to be permitted to use the case after it is annulled. Unless the NRC has specific reasons for not accepting a case, its use should be permitted for the same editions and addendas as permitted by the Code.

Also, the reasons given in the Discussion for annulling cases are incomplete. Cases are often annulled because the requirements are incorporated into the Code. In some instances, when provisions are incorporated, the Case is allowed to expire rather than being annulled. DG-1090 does not address expired cases.

Case N-284-1 The errors in this case were corrected by errata in supplements to the 1995 Edition of the Code Case Book. Therefore, I believe the 1998 Edition and later contain the correct equations. If there is something the ASME Subcommittee on Nuclear Power has missed, please advise specifics.

Case N-483-2/-3 Under the Code Material Organizations can be qualified by N-type certificate holders and owners surveying and auditing their processes. This Case has the same entities (N-type certificate holders and owners) checking the actual material being supplied rather than relying on documentation which I believe gives at least the equivalent level of confidence that the material meets requirements. If there are specific issues related to the sampling or other technical requirements of the case which concern the NRC, these can be brought to the attention of the Subcommittee on Nuclear Power so they can be addressed. I believe that it is important to all stakeholders to have this approach available for use as an equivalent option.

Thank you for the opportunity to make these comments. Please note that they reflect the opinions of the undersigned and are not an official ASME response.

Sincerely,

Charles J. Pieper
Past Chair, ASME Subcommittee on Nuclear Power

Template = ADM-013

E-RTDS = ADM-03
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