



D. R. Woodlan, Chairman
Integrated Regulatory Affairs Group
P.O. Box 1002, Glen Rose, Texas 76043

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(11)

STRATEGIC TEAMING AND RESOURCE SHARING (STARS)
COMMENTS ON NRC'S DRAFT REGULATORY GUIDES
ON ASME CODE CASES
(66 FR 67335)

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NRC

Gentlemen:

Attached are comments from the Strategic Teaming and Resource Sharing (STARS)¹ nuclear power plants on four draft regulatory guides issued in December 2001. The draft guides all pertain to licensees' use of code cases of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code. The four draft regulatory guides are:

- DG-1089, "Operation and Maintenance Code Case Acceptability, ASME OM Code,"
- DG-1090, "Design, Fabrication, and Materials Code Case Acceptability, ASME Section III," proposed Revision 32 of combined Regulatory Guides 1.84 and 1.85,
- DG-1091, "Inservice Inspection Code Case Acceptability, ASME Section XI, Division 1," proposed Revision 13 of Regulatory Guide 1.147, and
- DG-1112, "ASME Code Cases Not Approved for Use."

The STARS plants appreciate the opportunity to comment on this draft guidance. If there are any questions regarding these comments, please contact me at 254-897-6887 or dwoodla1@txu.com.

Sincerely,

D. R. Woodlan, Chairman
Integrated Regulatory Affairs Group
STARS

Template = ADM-013

E-RIDS = ADM-03
Add = A. Beaneck (AFB)

¹ STARS consists of six plants operated by TXU Generation Company LP, AmerenUE, Wolf Creek Nuclear Operating Corporation, Pacific Gas and Electric Company, STP Nuclear Operating Company and Arizona Public Service Company.

W. NORRIS (WEN)

STARS COMMENTS
ON NRC'S DRAFT REGULATORY GUIDES ON ASME CODE CASES

1.0 DRAFT REGULATORY GUIDE DG-1089, OPERATIONS AND MAINTENANCE CODE CASE ACCEPTABILITY, ASME OM CODE

- 1.1 Part B, paragraph 3: Imposing additional limitations or conditions on a previously adopted code case during the inservice testing interval is unwarranted. The proposed requirement that an NRC limitation or condition placed on a later version (revision) of a code case must be incorporated into each licensee's program that utilizes an earlier version of that code case is an unwarranted ratcheting of regulatory requirements. A licensee's adoption of a code case is based on several factors including a commitment of resources to implement the case. This usually is based on expected savings of man-hours and/or man-rem of radiation exposure throughout the testing interval. The licensee's adoption of a generically approved code case is based on the understanding that it will provide an acceptable level of quality and safety for the entire interval for which it is adopted. In addition, NRC limitations or conditions regarding a later version of a case may result from the revisions included by ASME in the later version. These limitations or conditions may not be applicable to an earlier version of the case.

Imposing additional limitations or conditions on a previously adopted case during the testing interval is not consistent with the regulatory requirement to periodically update the ISI and IST code bases in accordance with 10CFR50.55a. When NRC updates the reference to Section XI or O&M codes in 10CFR50.55a, this regulation requires the later code rules be adopted at the beginning of the next inspection interval, except for expedited implementation for special circumstances. Since it is acceptable for the licensee to wait up to ten years to adopt a revised code requirement or an NRC modification or limitation on a code requirement, it should be acceptable to wait just as long to decide whether to adopt a limitation or condition imposed by NRC on a revised case.

1.2 Part C.2: Table 2, Conditionally Acceptable OM Code Cases

- 1.2.1 OMN-12: Add another condition to indicate it is acceptable to move the valve to the position required by automated test equipment for initiation of the test sequence and such movement does not constitute pre-conditioning of the valve.

2.0 DRAFT REGULATORY GUIDE DG-1090, DESIGN, FABRICATION, AND MATERIALS CODE CASE ACCEPTABILITY, ASME SECTION III

- 2.1 Part B, paragraph 4: Imposing additional limitations or conditions on a previously adopted code case is unwarranted. The proposed requirement that an NRC limitation or condition placed on a later version (revision) of a code case must be incorporated into each licensee's program that utilizes an earlier version of that code case is an unwarranted ratcheting of regulatory requirements. A licensee's adoption of a code case is based on several factors including new materials, design or fabrication changes, and a commitment of resources to implement the case. This usually is based on cost savings, material availability, design improvements or expected savings of man-hours and/or man-rem of radiation. The licensee's adoption of a generically approved code case is based on the understanding that it will provide an acceptable level of quality and safety for the component for which it is adopted. In addition, NRC limitations or conditions regarding a later version of a case may result from the revisions included by ASME in the later version. These limitations or conditions may not be applicable to an earlier version of the case.

Imposing additional limitations or conditions on a previously adopted case used for construction or repair/replacement of a component is not consistent with the regulatory requirements or the currently approved regulatory positions stated in section D of Regulatory Guide 1.84. Components that are constructed or modified using a particular version of a code case may not be able to meet limitations or modifications applied later with regard to a later version of the case.

3.0 DRAFT REGULATORY GUIDE DG-1091, INSERVICE INSPECTION CODE CASE ACCEPTABILITY, ASME SECTION XI, DIVISION I

- 3.1 Part B, paragraph 3: Imposing additional limitations or conditions on a previously adopted code case during the inservice inspection interval is unwarranted. The proposed requirement that an NRC limitation or condition placed on a later version (revision) of a code case must be incorporated into each licensee's program that utilizes an earlier version of that code case is an unwarranted ratcheting of regulatory requirements. A licensee's adoption of a code case is based on several factors including a commitment of resources to implement the case. This usually is based on expected savings of man-hours and/or man-rem of radiation exposure throughout the inspection interval. The licensee's adoption of a generically approved code case is based on the understanding that it will provide an acceptable level of quality and safety for the entire interval for which it is adopted. In addition, NRC limitations or conditions regarding a later version of a case may result from the revisions included by ASME in the later version. These limitations or conditions may not be applicable to an earlier version of the case.

Imposing additional limitations or conditions on a previously adopted case during the inspection interval is not consistent with the regulatory requirement to periodically update the ISI and IST code bases in accordance with 10CFR50.55a. When NRC updates the reference to Section XI or O&M codes in 10CFR50.55a, this regulation requires the later code rules be adopted at the beginning of the next inspection interval, except for expedited implementation for special circumstances. Since it is acceptable for the licensee to wait up to ten years to adopt a revised code requirement or an NRC modification or limitation on a code requirement, it should be acceptable to wait just as long to decide whether to adopt a limitation or condition imposed by NRC on a revised case.

3.2 Part C.1: Table 1, Acceptable Section XI Code Cases

- 3.2.1 N-307-2: title is incomplete
- 3.2.2 N-408-3: title is incomplete
- 3.2.3 N-435-1: title is incomplete
- 3.2.4 N-491-2: this Case was reaffirmed in Supplement 9/98E
- 3.2.5 N-494-3: title is incomplete
- 3.2.6 N-503: this Case was reaffirmed in Supplement 10/98E
- 3.2.7 N-504-2: this Case was reaffirmed in Supplement 9/98E
- 3.2.8 N-508-1: this Case was reaffirmed in Supplement 9/98E
- 3.2.9 N-521: this Case was reaffirmed in Supplement 4/98E
- 3.2.10 N-524: this Case was reaffirmed in Supplement 4/98E
- 3.2.11 N-534: this Case was reaffirmed in Supplement 10/98E
- 3.2.12 N-538: this Case was reaffirmed in Supplement 6/98E
- 3.2.13 N-543: this Case was reaffirmed in Supplement 1/98E
- 3.2.14 N-555: this Case was reaffirmed in Supplement 4/98E
- 3.2.15 N-556: this Case was reaffirmed in Supplement 4/98E

- 3.2.16 N-563: this Case was reaffirmed in Supplement 4/98E
- 3.2.17 N-573: this Case was reaffirmed in Supplement 9/98E
- 3.2.18 N-617 title: replace "Table IWE-2500-1" with "Table IWC-2500-1"
- 3.2.19 N-629: title is incomplete

3.3 Part C.2: Table 2, Conditionally Acceptable Section XI Code Cases

- 3.3.1 N-416-2: title is incomplete
- 3.3.2 N-513: this Case was reaffirmed in Supplement 10/98E
- 3.3.3 N-522: title is incomplete
- 3.3.4 N-532: this Case was reaffirmed in Supplement 10/98E
- 3.3.5 N-532: revise last sentence of Condition to read: "Thus, the OAR-1 must be submitted within 90 days of the end of the inspection period."
- 3.3.6 N-533-1: title is incomplete
- 3.3.7 N-554-2: title is incomplete
- 3.3.8 N-557-1: this Case was reaffirmed in Supplement 6/98E
- 3.3.9 N-593: this Case was reaffirmed in Supplement 11/98E
- 3.3.10 N-546: Comments on NRC's basis for conditional approval: VT-2 visual examination personnel qualified under this case are sufficiently qualified by training and experience to perform these examinations to detect leakage. Requiring VT-2 examination personnel qualified under this case to also pass an initial qualification examination and a requalification examination every 3 years is unnecessary and wasteful. Imposing examination and periodic reexamination requirements constitutes a hardship without a corresponding increase in the level of quality or safety. Imposing examination and periodic reexamination requirements appears to be based on a desire for administrative consistency with the qualification requirements of other NDE methods. This is unnecessary and undesirable for the VT-2 examination technique.

3.4 Part C.3: Table 3, Annulled Section XI Code Cases

- 3.4.1 Add Case N-418-1
- 3.4.2 N-427 title: replace "to" with "in"
- 3.4.3 N-437: revise annulment date to 7/27/95
- 3.4.4 Add Case N-465 (annulled in Supplement 10/92E)

3.5 Part C.4: Table 4, Section XI Code Cases That Have Been Superseded

- 3.5.1 N-307-1: revise Reaffirmed Supplement to 4/98E
- 3.5.2 N-408-2: title is incomplete
- 3.5.3 N-416-1: revise Reaffirmed Supplement to 8/95E
- 3.5.4 Add Case N-458
- 3.5.5 Add Case N-461
- 3.5.6 Delete Case N-465 (see Table 3)
- 3.5.7 N-491-1: title is incomplete

- 3.5.8 N-491-1: revise Reaffirmed Supplement to 5/95E
- 3.5.9 N-494-2: replace "Reaffirmed" with "Published"
- 3.5.10 N-494-2: replace "9/9/96" with "8/9/96"
- 3.5.11 N-496: revise Reaffirmed Supplement to 7/95E
- 3.5.12 N-504-1: revise "Reaffirmed" to "Published"
- 3.5.13 Add Case N-512 (Published in 4/92E; N-512-1 Published on 8/24/95)
- 3.5.14 N-516: revise Reaffirmed Supplement to 6/95E
- 3.5.15 N-517: revise Reaffirmed Supplement to 8/95E
- 3.5.16 Add Case N-523-1 under N-523
- 3.5.17 Add Case N-528 (Reaffirmed in 10/95E; N-528-1 Published on 5/7/99)
- 3.5.18 N-533: revise "Published" to "Reaffirmed"
- 3.5.19 N-554: revise "Published" to "Reaffirmed"
- 3.5.20 N-560 and N-560-1: title is incomplete
- 3.5.21 N-561: replace "12/31/96" with "7/30/98"
- 3.5.22 N-562: replace "N-561-1" with "N-562-1"
- 3.5.23 N-562: replace "12/31/96" with "7/30/98"
- 3.5.24 N-606 title: delete "for BWR CRD Housing/Stub Tube Repairs"

3.6 Appendix B

- 3.6.1 Add Case N-355
- 3.6.2 Add Case N-418-1
- 3.6.3 Add Case N-458
- 3.6.4 Add Case N-461
- 3.6.5 Case N-465: delete asterisk
- 3.6.6 Case N-473: delete asterisk
- 3.6.7 Case N-560-1: delete asterisk
- 3.6.8 Case N-561: delete asterisk
- 3.6.9 Case N-562: delete asterisk
- 3.6.10 Case N-577: delete asterisk
- 3.6.11 Case N-578: delete asterisk
- 3.6.12 Case N-627: delete asterisk

4.0 DRAFT REGULATORY GUIDE DG-1112, ASME CODE CASES NOT APPROVED FOR USE

4.1 Part C.2: Table 2, Unacceptable Section XI Code Cases

- 4.1.1 Delete Case N-465 (annulled)
- 4.1.2 Case N-465-1: replace “10/92E” with “10/98E”
- 4.1.3 Delete Case N-473 (annulled)
- 4.1.4 Case N-473-1: replace “10/95E” with “10/98E”
- 4.1.5 Case N-498-2, -3, -4 title: replace “Rules” with “Requirements”
- 4.1.6 Case N-542: replace “12/95E” with “1/95E”
- 4.1.7 Delete Case N-560 (superseded)
- 4.1.8 Delete Case N-560-1 (superseded)
- 4.1.9 Case N-560-2: title is incomplete
- 4.1.10 Delete Case N-561 (superseded)
- 4.1.11 Delete Case N-562 (superseded)
- 4.1.12 Case N-574: replace “10/95E” with “10/98E”
- 4.1.13 Case N-575: replace “10/95E” with “10/98E”
- 4.1.14 Delete Case N-577 (superseded)
- 4.1.15 Delete Case N-578 (superseded)
- 4.1.16 Case N-583: replace “10/95E” with “10/98E”
- 4.1.17 Add Case N-613
- 4.1.18 Case N-574: Comments on NRC’s basis for non-approval: Extension of the re-certification interval from three years to five years for Level I and II NDE personnel is justified and supported by industry experience with the five year re-certification interval for Level III personnel. The proficiency of NDE personnel increases as experience is gained in performing examinations and evaluating indications and in participating in ongoing training programs. The programmatic controls imposed by Section XI through either SNT-TC-1A or CP-189 require that all NDE personnel be evaluated annually to verify they have gained sufficient examination experience and demonstrated their qualifications during the prior year in order to be allowed to continue their certification. Otherwise, NDE personnel are required to be re-certified by examination.
- 4.1.19 Case N-583: Comments on NRC’s basis for non-approval: (1) Contrary to the objection that “Training using manual techniques is not provided for...,” N-583 does allow for manual UT scanning of materials or welds containing flaws as well as for analyzing prerecorded UT data from these materials or welds. Both are very beneficial practice techniques for UT examiners because it focuses on UT signature recognition skills, one of the most important attributes for flaw detection. (2) The reference to “VII-4220” should be “VII-4240”. (3) N-583 provides better UT training and practice requirements than VII-4240 because it focuses on the skills needed for flaw detection and sizing based on realistic specimens and flaws. This practice is much more valuable to the examiner than the training on “...new developments, material failure modes,...”, etc. as

required by VII-4240. (4) Stating that N-583 is deficient because it does not address the training requirements of NRC regulation 10CFR50.55a(b)(2)(xiv) is inappropriate.

- 4.1.20 N-586: Comments on NRC's basis for non-approval: This case provides a better basis for NDE sample expansion than the code rules for which it is an alternative. By performing this evaluation and selecting items for additional examination based on the root cause conditions and degradation mechanisms, the likelihood of finding other degraded items is greatly enhanced. N-586 is an alternative for only the first stage (e.g., IWB-2430(a)) of code sample expansion requirements. If additional degradation is found by the first stage of sample expansion, the second stage requires the examination of the remaining items of similar material and service subject to the same type of flaws or relevant conditions (e.g., IWB-2430(b)).
- 4.1.21 N-619: Comments on NRC's basis for non-approval: These types of NRC concerns need to be aired and (hopefully) resolved during code committee deliberations. The NRC staff participants on the code committees should obtain review and comments on draft code cases from other staff members in the review chain for Regulatory Guide approval. This feedback from the NRC staff to the code committee will allow for these comments to be considered and increase the chances of obtaining regulatory approval.
- 4.1.22 N-648: Comments on NRC's basis for non-approval: See N-619 comments above