

March 12, 2003

Mr. Michael R. Kansler
Senior Vice President and
Chief Operating Officer
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

SUBJECT: INSERVICE TESTING PROGRAM RELIEF REQUEST NOS. 45 AND VR-5
REGARDING RELIEF VALVE TESTING REQUIREMENTS, INDIAN POINT
NUCLEAR GENERATING UNIT NOS. 2 AND 3 (TAC NOS. MB7222 AND
MB7223)

Dear Mr. Kansler:

In a letter dated January 9, 2003, Entergy Nuclear Operations, Inc. (the licensee) submitted Relief Request Nos. 45 and VR-5 for Indian Point Nuclear Generating Unit Nos. 2 and 3 (IP2 and IP3), respectively. Relief was requested from the requirements of Section XI, "Rules for Inservice Inspection of Nuclear Power Plant Components," of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code) for the third 10-year inservice inspection (ISI) interval. Specifically, the licensee requested approval to use a portion of a more recent edition and addenda of the ASME OM Code, "Code for Operation and Maintenance of Nuclear Power Plants" (OM Code), for testing pressure relief devices in the IP2 and IP3 inservice testing (IST) programs. The current Code of record for IST programs at IP2 and IP3 is the 1989 Edition of the ASME Code, Section XI. The 1989 ASME Code, Section XI references ASME OM Standards Part 1, Part 6, and Part 10 (OM-1, 6, and 10) for its IST requirements. The licensee requested approval to use the portions of the ASME OM Code, 1997 Addenda to the 1995 Edition, related to the hold time between valve openings of pressure relief devices as provided in Appendix I, "Inservice Testing of Pressure Relief Devices in Light-Water Reactor Nuclear Power Plants," paragraphs 8.1.1(h), 8.1.2(h), and 8.1.3(g). The licensee requested to use these portions of the 1997 Addenda for the remainder of its third 10-year IST interval.

Section 50.55a of Title 10 of the *Code of Federal Regulations* (10 CFR 50.55a) requires that IST of ASME Code Class 1, 2, and 3 pumps and valves be performed in accordance with Section XI of the ASME Code and applicable addenda. The regulation in 10 CFR 50.55a(f)(4)(iv) states that IST of pumps and valves may meet the requirements set forth in subsequent editions and addenda that are incorporated by reference in 10 CFR 50.55a(b), subject to U.S. Nuclear Regulatory Commission (NRC) approval. Portions of editions or addenda may be used provided that all related requirements of the respective editions and addenda are met. The 1997 Addenda to the ASME OM Code was incorporated by reference into 10 CFR 50.55a(b) on September 26, 2002 (67 FR 60520), with no modifications or limitations placed on Mandatory Appendix I requirements. The NRC staff finds that all related requirements in Appendix I of the ASME OM Code, 1997 Addenda, have been met in the licensee's submittal. Therefore, the licensee's request to use as an alternative the portions of a later Code and addenda associated with the IST of pressure relief devices at IP2 and IP3 is

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approved pursuant to 10 CFR 50.55a(f)(4)(iv) for the remainder of the third 10-year IST intervals for IP2 and IP3.

This completes the actions under TAC Nos. MB7222 and MB7223. If you should have any questions, please contact Patrick Milano, Sr. Project Manager, at 301-415-1457.

Sincerely,

/RA/

Richard J. Laufer, Chief, Section 1
Project Directorate 1
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-247 and 50-286

cc: See next page

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Indian Point Nuclear Generating Unit Nos. 2 & 3

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