

UNITED STATES
NUCLEAR REGULATORY COMMISSION
OFFICE OF NUCLEAR REACTOR REGULATION
WASHINGTON, D.C. 20555-0001

May 30, 1997

NRC INFORMATION NOTICE 97-29: CONTAINMENT INSPECTION RULE

Addressees

All holders of operating licenses or construction permits for nuclear power reactors.

Purpose

The U.S. Nuclear Regulatory Commission (NRC) is issuing this information notice to clarify for addressees the containment inspection rule in accordance with 10 CFR 50.55a(a), which in part endorses Subsections IWE and IWL of Section XI of the American Society of Mechanical Engineers' Boiler and Pressure Vessel Code (ASME Code). The rule became effective on September 9, 1996. It is expected that recipients will review the information for applicability to their facilities and consider actions, as appropriate. However, suggestions contained in this information notice are not NRC requirements; therefore, no specific action or written response is required.

Description of Circumstances

In a Federal Register, dated August 8, 1996 (61 FR 41303), the NRC amended its regulations (rule) to incorporate by reference the 1992 Edition and Addenda of Subsections IWE and IWL of Section XI of the ASME Code. Subsections IWE and IWL give the requirements for inservice inspection (ISI) of Class CC (concrete containments), and Class MC (metallic containments) of light-water-cooled power plants. The amended rule became effective on September 9, 1996; it requires the licensees to incorporate the new requirements into their ISI plans and to complete the first containment inspection within five years (i.e., no later than September 9, 2001). Any repair or replacement (R/R) activity to be performed on containments after the effective date of September 9, 1996, has to be carried out in accordance with the respective requirements of Subsections IWE and IWL.

Recognizing the potential industry concern related to the immediate implementation of the rule for R/R activities, the Nuclear Energy Institute (NEI) wrote a letter to NRC (Reference 1) indicating a general industry interpretation of the rule that all containment ISI activities, including R/R activities should be effective from September 9, 2001. The NRC responded to the NEI letter (Reference 2) stating that all R/R activities within the scope of Subsections IWE and IWL of the code conducted after September 9, 1996, must be conducted in accordance with these subsections.

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Additionally, the staff stated (Reference 2) that 10 CFR 50.55a(3) permits the Director of the Office of Nuclear Reactor Regulation at his discretion to grant relief from the requirements of 10 CFR 50.55a to licensees who submit a justifiable need to use an alternative that provides an acceptable level of safety or who encounter extreme hardship or unusual difficulty without a compensating increase in the level of quality or safety. In general, the staff stated that with proper justification, relief requests from compliance with the R/R requirements of Subsections IWE and IWL for a period of about one year from September 9, 1996, would appear to be reasonable.

Although NEI sent the response from NRC to many of the addressees, the NRC staff is issuing this information notice to inform all addressees about the NRC staff position.

Discussion

As discussed above, addressees are required to implement the rule for all containment-related R/R activities to be conducted after September 9, 1996. Even though a licensee is able to demonstrate hardship or unusual difficulties in the immediate implementation of the rule, the licensee has to demonstrate that other procedures utilized for R/R activities will ensure adequate safety of the containments and that proper quality assurance requirements have been implemented.

In some of the relief requests that the staff has reviewed, licensees have reported appropriate "hardship and unusual difficulties" reasons for postponing the implementation of the rule, but did not describe the effectiveness of the procedures they plan to use during the relief period. Without such information, the staff has no way of concluding that the quality and safety of containment R/R activities are adequate.

This information notice requires no specific action or written response. If you have any questions about the information in this notice, please contact the technical contacts listed below or the appropriate Office of Nuclear Reactor Regulation (NRR) project manager.

Seymour H Weiss for

Marylee M. Slosson, Acting Director
Division of Reactor Program Management
Office of Nuclear Reactor Regulation

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301-415-2737
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Hans Ashar, NRR
301-415-2851
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References

1. Letter from Alex Marion (NEI) to Brian Sheron (NRC), "Interpretation of Amended 10 CFR 50.55a," dated 09/19/96 (Accession No. 9704180074).
2. Letter from Gus Lainas (NRC) to Alex Marion (NEI), "Implementation of Containment Inspection Rule," dated 11/06/96 (Accession No. 9611130161).

Attachment: List of Recently Issued NRC Information Notices

Attachment filed in Jacket for May.

LIST OF RECENTLY ISSUED
NRC INFORMATION NOTICES

Information Notice No.	Subject	Date of Issuance	Issued to
97-28	Elimination of Instrument Response Time Testing Under the Requirements of 10 CFR 50.59	05/30/97	All holders of OLs or CPs
97-27	Effect of Incorrect Strainer Pressure Drop on Available Net Positive Suction Head	05/16/97	All holders of OLs or CPs for light-water power reactors, except those licensees who have permanently ceased operations and have certified that fuel has been permanently removed from the reactor vessel
97-26	Degradation in Small-Radius U-Bend Regions of Steam Generator Tubes	05/19/97	All holders of OLs or CPs for pressurized-water reactors
87-10, Sup. 1	Potential for Water Hammer During Restart of Residual Heat Removal Pumps	05/15/97	All holders of OLs or CPs for boiling-water reactors
97-25	Dynamic Range Uncertainties in the Reactor Vessel Level Instrumentation	05/09/97	All holders of OLs or CPs for Westinghouse pressurized-water reactors

OL = Operating License
CP = Construction Permit

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original signed by S.H. Weiss for

Marylee M. Slosson, Acting Director
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Tech Editor has reviewed and concurred on 4/17/97

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DATE	04/22/97	05/15/97	05/23/97 <i>[Signature]</i>			

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* See previous concurrence

OFC	C/PECB:DRPM	AD/DRPM <i>SHW</i>
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2. Letter from Gus Lainas (NRC) to Alex Marion (NEI), "Implementation of Containment Inspection Rule," November 6, 1996 (Accession 9611130161).

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NAME	T. Greene*	S. Lee*	G. Bagchi*	S. TREBY
DATE	04/22/97	04/22/97	04/24/97	5/16/97

* See previous concurrence

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DATE	04/22/97	04/22/97	4/24/97	/ /97	/ /97

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DATE	4/12/97	4/12/97	1/197	1/197	1/197

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