March 17, 2004
Secretary, USNRC
Washington DC 20555

Attn: Rulemakings and Adjudication Staff, RIN 3150-AH24

(14)

Dear Sir,
On Wednesday, January 7, 2004, in Vol. 69, No. 4, of the Federal Register, the U. S. Nuclear Regulatory Commission (NRC) proposed amendments to its regulations and invited comments. Prior to this a public meeting was held at the August 2003 Section XI meeting where the USNRC staff described the proposed revisions and obtain feedback from the public. This was a very useful meeting and should be continued in the future. The following comments, referenced to10CFR 50.55a(b)(2) paragraph numbers, are submitted.

(ix)(B)
Proposed change – Delete this modification.

Technical basis – There was an error in the publication of the 2003 Addenda change to Table IWA-2210-1. In December 2003 ASME issued errata to the 2003 Addenda (issued with Volume 53 of Section XI Interpretations) to withdraw the 2003 Addenda changes to IWA-2210 through IWA-2216 and Table IWA-2210-1. These 2003 Addenda changes are cited as the reason for the proposed rule change to not apply the existing modification 50.55a(b)(2)(ix)(B) to the 2003 Addenda. Therefore, the proposed rule change to not apply the existing modification 50.55a(b)(2)(ix)(B) to the 2003 Addenda should be deleted.

(xiv) Appendix VIII Personnel Qualifications States – *"In either case, training must be completed no earlier than 6 months prior to performing ultrasonic examinations at a licensee's facility."*

Proposed change – Revise this modification by revising last sentence to read: In either case, at least 4 hours of training must be completed no earlier than 6 months prior to performing ultrasonic examinations at a licensee's facility. Ultrasonic personnel that perform examinations during one outage season need 8 hours of training prior to that season and ultrasonic personnel performing examinations during the Fall and Spring seasons need 4 hours of training prior to each season.

Technical basis – This requirement forces personnel that conduct ultrasonic examinations during the Spring and Fall outages to complete 16 hours of training. The consensus of the Code is that only 8 hours is necessary. I believe the original intent of the staff was to require 8 and not 16 hours of annual training. Ultrasonic examiners that only work one outage a year, utility personnel assigned to one unit for example, should obtain 8 hours of practice prior to their outage. Ultrasonic personnel that perform ultrasonic examinations throughout the year at nuclear sites should only be required to practice 4

hours before the Spring outages and 4 hours before the Fall outages.

(xxii) States - *Surface Examinations. The use of the provisions in IWA-2220, ``Surface Examination,'' of Section XI, 2001 Edition through the latest edition and addenda incorporated by reference in paragraph (b)(2) of this section, that allow the use of an ultrasonic examination method, is prohibited.*

Proposed change – Delete this modification.

Technical basis – Contrary to the Summary of Proposed revisions, 2.2, IWA-2220 does include ultrasonic performance demonstration requirements. IWA-2224 contains the following ultrasonic method performance demonstration requirement: "The ultrasonic examination technique shall be demonstrated capable of detecting an acceptable flaw having the greatest a/t ratio or a .5 aspect ratio at the surface being examined." This requirement is similar to the IWA-2220 demonstration requirements for magnetic particle and eddy current methods, which have not been prohibited in 10CFR50.55a. The current Code provisions definitely address the concern that there are no provisions in Section XI that address qualification requirements and performance demonstration criteria and requirements to ensure proper consideration of flaws in the outer surface of a piping weld when conducting a UT examination from the inside surface of the piping weld. The white paper that accompanied this revision and Code case N-615 included performance demonstration results meeting this requirement. Allowing the surface examinations to be conducted from the inside surface with an ultrasonic techniques would probably save 8-10 Man-REM every interval.

(xxiv) States - *Incorporation of the Performance Demonstration Initiative and Addition of Ultrasonic Examination Criteria. The use of Appendix VIII and the supplements to Appendix VIII and Article I-3000 of Section XI of the ASME BPV Code, 2002 Addenda through the latest edition and addenda incorporated by reference in paragraph (b)(2) of this section, is prohibited.*

Proposed change - delete "and Article I-3000" and revise to state: "Incorporation of the Performance Demonstration Initiative and Addition of Ultrasonic Examination Criteria. The use of Appendix VIII and the supplements to Appendix VIII of Section XI of the ASME BPV Code, 2002 Addenda through the latest edition and addenda incorporated by reference in paragraph (b)(2) of this section, is prohibited."

Technical basis - ASME Section XI, Appendix VIII provides performance demonstration requirements that, for nuclear applications, are a superior alternative to the earlier prescriptive examination requirements. However, the earlier prescriptive examination requirements did include examination coverage requirements, which Appendix VIII does not. The flaws of interest are included in the Appendix VIII specimens. This negates the need to provide prescriptive scanning requirements. The flaws can't be detected unless proper scanning techniques and adequate coverage are included in the procedure and demonstrated.

Article I-3000 of Section XI of the ASME BPV Code, 2002 Addenda was proposed by the PDI and the addition of UT examination coverage criteria into Section XI is considered to be complete. Though there are differences between Article I-3000 and 10CFR50.55a, Article I-3000 provides for technically responsive alternatives to the existing 10CFR50.55a requirements that have been accepted through the consensus process of the ASME B&PV Code and should be accepted as an alternative. Since no specific conflicts were identified in the Summary of Proposed Revisions, the public is unable to provide any additional comments for this position.

Implementation of Article I of Section XI of the ASME BPV Code, 2002 Addenda through the latest edition and addenda incorporated by reference in paragraph (b)(2) will result in other positive benefits. The examination coverage requirements are more concisely defined in Article I and will be more easily understood by licensees and their contractors. Where coverage requirements are impossible to meet due to design access conditions, licensees will be able to submit for relief from a Code requirement rather than be concerned about asking for an exemption from the Rule. It will also enable licensees to evaluate effective application of Appendix VIII qualified procedures to other components outside the scope of Appendix VIII without additional confusion over the applicable examination coverage requirements.

The background information to the proposed change states in part, "*...conflicts exist between the modifications in Sec. 50.55a(b)(2)(xv), and the provisions in Appendix VIII and its supplements and Article I-3000 in the 2002 and 2003 Addenda of Section XI of the ASME BPV Code. Therefore, Appendix VIII and its supplements can not be implemented in accordance with Sec. 50.55a(b)(2)(xv) when using the 2002 and 2003 Addenda.*" The word "conflicts" in the above statement projects unintended negative connotations because it is not representative of the cooperative framework established by PDI, the NRC, and the ASME to implement an effective qualification program. I believe that the "conflicts" should be specifically provided.

Comment-It has been a major goal of Section XI Subgroup on Nondestructive Examination to incorporate the differences in the Regulation and Section XI Appendix VIII. It is our understanding that ASME committee members have been requesting formal response from the NRC for some time regarding the issues that remain to be resolved before the NRC can endorse Section XI Appendix VIII without modification. With the addition of proposed modification 50.55a(b)(2)(xxiv) it is clear that there are still issues that must be resolved. ASME requests that NRC management assist in resolving the remaining issues and work with ASME Section XI committee members to complete the changes necessary to endorse Appendix VIII without modification.

Sincerely,

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