

February 8, 2006

Mr. John T. Conway
Site Vice President
Monticello Nuclear Generating Plant
Nuclear Management Company, LLC
2807 West County Road 75
Monticello, MN 55362-9637

SUBJECT: MONTICELLO NUCLEAR GENERATING PLANT - DENIAL OF ALTERNATIVE
FOR VISUAL EXAMINATION ILLUMINATION LEVELS FOR THE FOURTH
10-YEAR INSERVICE INSPECTION INTERVAL (TAC NO. MC8102)

Dear Mr. Conway:

By letter dated August 11, 2005, you requested authorization for a proposed alternative regarding visual examination illumination levels in accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.55a(a)(3)(i) for the fourth 10-year inservice inspection interval at Monticello Nuclear Generating Plant.

The Nuclear Regulatory Commission (NRC) staff completed its review of your request, and concluded that, even though there is no safety concern, the proposed alternative cannot be approved because 10 CFR 50.55a(a)(3) does not provide for retroactively approving an alternative. The enclosed safety evaluation documents the NRC staff's evaluation of the regulatory and safety aspects of your proposed alternative concluding that, even though there is no safety concern, it cannot be approved.

If you have any questions, please call the Project Manager, Mr. Peter Tam at 301-415-1451.

Sincerely,

\RA\

Timothy J. Kobetz, Acting Chief
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-263

Enclosure:
As stated

cc w/encl: See next page

February 8, 2006

Mr. John T. Conway
Site Vice President
Monticello Nuclear Generating Plant
Nuclear Management Company, LLC
2807 West County Road 75
Monticello, MN 55362-9637

SUBJECT: MONTICELLO NUCLEAR GENERATING PLANT - DENIAL OF ALTERNATIVE FOR VISUAL EXAMINATION ILLUMINATION LEVELS FOR THE FOURTH 10-YEAR INSERVICE INSPECTION INTERVAL (TAC NO. MC8102)

Dear Mr. Conway:

By letter dated August 11, 2005, you requested authorization for a proposed alternative regarding visual examination illumination levels in accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.55a(a)(3)(i) for the fourth 10-year inservice inspection interval at Monticello Nuclear Generating Plant.

The Nuclear Regulatory Commission (NRC) staff completed its review of your request, and concluded that, even though there is no safety concern, the proposed alternative cannot be approved because 10 CFR 50.55a(a)(3) does not provide for retroactively approving an alternative. The enclosed safety evaluation documents the NRC staff's evaluation of the regulatory and safety aspects of your proposed alternative concluding that, even though there is no safety concern, it cannot be approved.

If you have any questions, please call the Project Manager, Mr. Peter Tam at 301-415-1451.

Sincerely,

\RA\

Timothy J. Kobetz, Acting Chief
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-263

Enclosure:
As stated

cc w/encl: See next page

DISTRIBUTION:

PUBLIC LPLIII-1 R/F RidsNrrPMPTam RidsNrrLATHarris
RidsNrrDorlLple RidsNrrDorlDpr RidsOgcRp RidsAcrcAcnwMailCenter
RidsNrrDciCpnb TSteingass PHabighorst

ADAMS ACCESSION NUMBER: **ML060090504**

*Concurrence on modification of 10/4/06 SE.

OFFICE	NRR/LPL3-1/PM	NRR/LPL3-1/LA	EMCB/SC	OGC	NRR/LPL3-1/BC(A)
NAME	PTam	THarris	TChan*	MSpencer	TKobetz
DATE	02/07/06	02/07/06	02/01/06	2/2/06	02/08/06

OFFICIAL RECORD COPY

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

DENIAL OF INSERVICE INSPECTION PROGRAM RELIEF REQUEST NO. 12

MONTICELLO NUCLEAR GENERATING PLANT (MNGP)

NUCLEAR MANAGEMENT COMPANY, LLC

DOCKET NO. 50-263

1.0 INTRODUCTION

By letter dated August 11, 2005 (Agencywide Document Access and Management System (ADAMS) Accession No. ML052280277), Nuclear Management Company, LLC, (the licensee) submitted a request for relief from certain inservice inspection (ISI) requirements specified in the American Society of Mechanical Engineers (ASME), Boiler and Pressure Vessel Code (Code); specifically, the relief request is regarding post-visual examination verification of adequate illumination when using a battery-powered portable light required by ASME Code Section XI, IWA-2210(f). The relief request is a one-time submittal for the fourth 10-year ISI interval, which began March 9, 2003, and ends May 31, 2012, at MNGP. Furthermore, the relief request does not pertain to any prospective action the licensee plans to take, but only to five particular examinations performed in the 2003 and 2004 time frame.

2.0 REGULATORY EVALUATION

The Commission's regulation at Title 10 of the *Code of Federal Regulations* (10 CFR), Section 50.55a(g), specifies that ISI of nuclear power plant components shall be performed in accordance with the requirements of the ASME Code, Section XI, except where specific written relief has been granted by the Nuclear Regulatory Commission (NRC) pursuant to 10 CFR 50.55a(g)(6)(i). In addition, 10 CFR 50.55a(a)(3) states that alternatives to the requirements of paragraph (g) may be used, when authorized by the NRC, if (i) the proposed alternatives would provide an acceptable level of quality and safety, or (ii) compliance with the specified requirements would result in hardship or unusual difficulty without a compensating increase in the level of quality and safety.

Pursuant to 10 CFR 50.55a(g)(4), ASME Code Class 1, 2, and 3 components (including supports) will meet the requirements, except the design and access provisions and the preservice examination requirements, set forth in the ASME Code, Section XI, "Rules for Inservice Inspection of Nuclear Power Plant Components," to the extent practical within the limitations of design, geometry, and materials of construction of the components. The regulations require that inservice examination of components and system pressure tests conducted during the first 10-year interval and subsequent intervals comply with the requirements in the latest edition and addenda of Section XI of the ASME Code incorporated by reference in 10 CFR 50.55a(b) 12 months prior to the start of the 120-month interval, subject to the limitations and modifications listed therein. The components (including supports) may meet

ENCLOSURE

the requirements set forth in subsequent editions and addenda of the ASME Code incorporated by reference in 10 CFR 50.55a(b) subject to the limitations and modifications listed therein and subject to Commission approval. Accordingly, the ISI Code of record and the applicable Code for repair and replacement activities for Monticello, for the fourth 10-year ISI interval, is the 2001 Edition of Section XI of the ASME Code with no Addenda as approved by the NRC staff on October 3, 2003 (ADAMS Accession No. ML032040157).

3.0 DISCUSSION

3.1 System/Components for which Relief is Requested

The components affected by this relief request are listed below:

Component and System	ASME Code Class
Control Rod Drive (CRD) System Hydraulic Control Unit (HCU) 26-27	2
Residual Heat Removal - Service Water (RHRSW) System Pump 12	3
RHRSW System Pump 14	3
Emergency Diesel Generator - Emergency Service Water (EDG-ESW) System Pump 11	3
EDG-ESW System Pump 12	3

3.2 Code Requirements from which Relief is Requested

The licensee is requesting relief from the 2001 Edition with no Addenda, ASME Code, Section XI, IWA-2210(e) and IWA-2210(f) requirements for verification of the adequacy of illumination levels from battery powered portable lights before each examination or series of examinations for the five components listed above. This relief request will be analyzed under 10 CFR 50.55a(a)(3)(i).

3.3 Proposed Alternative and Basis for Relief

The licensee proposed that the five components' post-repair activity VT-2 examinations remain as acceptable examinations even though the portable lighting used to assist the examiners was not verified both before and after the series of examinations due to a procedural inadequacy. According to the licensee, these examinations cannot be re-performed because they were associated with pre-service testing required by IWA-4540 and the relevant components and systems have since been restored to service. The licensee also stated that the procedural inadequacy is being tracked and will be corrected under the Monticello Corrective Action Program. The licensee stated three factors justifying that the existing VT-2 examinations provide an acceptable level of quality and safety:

- (1) The use of qualified VT-2 examiners, who stated that there was sufficient lighting to perform the examinations,
- (2) The examiners used battery powered portable lights which provided additional illumination beyond ambient, and,
- (3) The site Nondestructive Examination (NDE) Level III performed a walkdown of the components and determined that the areas containing the components had sufficient ambient lighting to meet the lighting requirements under IWA-2210(e).

4.0 EVALUATION

IWA-2210(f) states:

The adequacy of the illumination levels from battery powered portable lights shall be checked before and after each examination or series of examinations, not to exceed four hours between checks. In lieu of using a light meter, these checks may be made by verifying that the illumination is adequate (i.e., no discernable degradation in the visual examination resolution of the procedure demonstration test chart characters).

IWA-2210(e) allows the deferral of the verification of illumination levels when the same portable light source or similar installed lighting equipment is demonstrated to provide the illumination specified in Table IWA-2210-1. The subject Table provides acceptance standards for minimum illumination and procedure demonstration lower-case character height.

Based on the information provided by the licensee, the site NDE Level III went back to the subject areas and measured the ambient lighting after the examinations were performed. The results were that the ambient lighting (from similarly installed lighting equipment) was sufficient for the VT-2 examinations as required under IWA-2210(e). Based on the information that the ambient lighting alone provided sufficient lighting, and the examiners used portable lighting which was over and above what was necessary to perform the examinations, the NRC staff agrees that the examinations performed would have identified any leakage during the VT-2 examinations. Therefore, the NRC staff concludes that the existing examinations without verification of portable battery-powered lighting illumination for these five components provide an acceptable level of quality and safety

5.0 CONCLUSION - DENIAL OF PROPOSED ALTERNATIVE

The NRC staff has concluded that, for the above identified components, VT-2 examination verification of lighting levels of installed lighting equipment in lieu of the 4-hour check of portable battery-powered illumination levels did provide an acceptable level of quality and safety. However, the NRC staff determined that, even though there is no safety concern, 10 CFR 50.55a(a)(3) does not provide for retroactive approval of an alternative. Accordingly, the proposed alternative is denied.

Principal Contributor: Timothy Steingass

Date: February 8, 2006

Monticello Nuclear Generating Plant

cc:

Jonathan Rogoff, Esquire
Vice President, Counsel & Secretary
Nuclear Management Company, LLC
700 First Street
Hudson, WI 54016

U.S. Nuclear Regulatory Commission
Resident Inspector's Office
2807 W. County Road 75
Monticello, MN 55362

Manager, Regulatory Affairs
Monticello Nuclear Generating Plant
Nuclear Management Company, LLC
2807 West County Road 75
Monticello, MN 55362-9637

Robert Nelson, President
Minnesota Environmental Control
Citizens Association (MECCA)
1051 South McKnight Road
St. Paul, MN 55119

Commissioner
Minnesota Pollution Control Agency
520 Lafayette Road
St. Paul, MN 55155-4194

Regional Administrator, Region III
U.S. Nuclear Regulatory Commission
Suite 210
2443 Warrenville Road
Lisle, IL 60532-4351

Commissioner
Minnesota Department of Health
717 Delaware Street, S. E.
Minneapolis, MN 55440

Douglas M. Gruber, Auditor/Treasurer
Wright County Government Center
10 NW Second Street
Buffalo, MN 55313

Commissioner
Minnesota Department of Commerce
85 7th Place East, Suite 500
St. Paul, MN 55101-2198

Manager - Environmental Protection Division
Minnesota Attorney General's Office
445 Minnesota St., Suite 900
St. Paul, MN 55101-2127

Michael B. Sellman
President and Chief Executive Officer
Nuclear Management Company, LLC
700 First Street
Hudson, MI 54016

Nuclear Asset Manager
Xcel Energy, Inc.
414 Nicollet Mall, R.S. 8
Minneapolis, MN 55401