

April 20, 2006

Mr. David A. Christian
Senior Vice President and
Chief Nuclear Officer
Innsbrook Technical Center
5000 Dominion Boulevard
Glen Allen, VA 23060-6711

SUBJECT: KEWAUNEE POWER STATION - CLARIFICATION CONCERNING RELIEF FROM THE REQUIREMENTS OF THE AMERICAN SOCIETY OF MECHANICAL ENGINEERS BOILER AND PRESSURE VESSEL CODE (REVISED RELIEF REQUEST VRR-05) FOR THE FOURTH 10-YEAR PUMP AND VALVE INSERVICE TESTING PROGRAM (TAC NO. MC9617)

Dear Mr. Christian:

By letter dated January 23, 2006, Dominion Energy Kewaunee, Inc. (the licensee), submitted a request for relief from the requirements of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code (the code). The revised Relief Request VRR-05 is for the Fourth 10-year inservice testing (IST) program interval at Kewaunee Power Station, which commenced on February 16, 2005. By letter dated March 24, 2006, the requested code relief was granted pursuant to Title 10 of the *Code of Federal Regulations*, Part 50, Section 50.55a(a)(3)(ii) based on the determination that (1) compliance with the specified Code requirements results in hardship or unusual difficulty without a compensating increase in the level of quality and safety and (2) the proposed alternative provides reasonable assurance that the components are operationally ready.

Following issuance, the Nuclear Regulatory Commission (NRC) staff was made aware of an error in the supporting Safety Evaluation (SE). In Section 3.1.5 of the SE, the NRC staff states the following:

Following the test, the enclosures need to be reassembled and leak tested in accordance with [10 CFR Part 50] Appendix J. The additional activities involved with local observation are time consuming and performed in a Radiation Area. Therefore, the licensee proposes to perform the required local verification in conjunction with preventive maintenance on the valve motor operators, which is performed on a 36-month frequency. The NRC staff finds that requiring the licensee to meet the Code required frequency for local verification of valve position indication would result in a hardship without a compensating increase in the level of quality and safety.

The error in the above text is that the licensee does not intend that the post-test leak testing of the valve enclosures be in accordance with Appendix J as documented in the licensee's January 23, 2006, application for Code Relief. In this regard, by way of clarification, the NRC staff notes that the form of leak testing was not material to the issuance of the subject Code Relief. Leak testing within a radiation area results in hardship or unusual difficulty regardless of

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whether such testing is performed in accordance with 10 CFR Part 50, Appendix J. Accordingly, the conclusions stated in the letter transmitting the Code Relief, dated March 24, 2006, and the associated SE, remain valid.

Sincerely,

/RA/

L. Raghavan, Chief
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-305

cc: See next page

D. Christian

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whether such testing is performed in accordance with 10 CFR Part 50, Appendix J. Accordingly, the conclusions stated in the letter transmitting the Code Relief, dated March 24, 2006, and the associated SE, remain valid.

Sincerely,

/RA/

L. Raghavan, Chief
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-305

cc: See next page

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*concur by Keith Poertner by telephone

Kewaunee Power Station

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