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On Friday, August 3, 2001, in Vol. 66, No. 150, of the Federal Register, the U. S. Nuclear Regulatory Commission (NRC) proposed amendments to its regulations and invited comments. The following comments, referenced to paragraph numbers, are submitted for your consideration.

Proposed Change:

"Paragraph 50.55a(b)(2)(xv) specifies implementation of Appendix VIII of Section XI, the 1995 Edition through the 2001 Edition of the ASME BPV Code with regard to ultrasonic examinations of piping systems. The proposed change would reference and allow the use of the 2004 Edition of the ASME Code."

Comment:

The above proposed change to allow the use of the 2004 Edition is contrary to the existing requirement in (xxiv) which states: *"(xxiv) 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."*

Since no change is proposed for (xxiv) the Rule contains conflicting requirements.

Additionally, there are no proposed changes to the existing requirements in the (xv) subparagraphs. Since only portions of the (xv) subparagraph requirements have been incorporated into the 2004 Edition of Appendix I and Appendix VIII in modified form, conflicts will exist (e.g., Supplement 4 single side access qualifications) in the examination or qualification requirements.

Updating Appendix VIII to the 2004 Code without a commensurate change to the (xv) subparagraphs would require the PDI Program to perform a lengthy review of its program to assure compliance with divergent ASME and 10CFR50.55a requirements.

Proposed Resolution:

Based on the resolution of previous comments, I understand that no changes can be made to paragraph (xxiv) or the (xv) subparagraphs since none were proposed in this action. If implemented, the proposed change will result in conflicting requirements, confusion, and an unnecessary burden on PDI and its members. I have worked closely with representatives from the NRC and ASME and all remaining issues should be resolved in the 2007 Edition of ASME Section XI. I recommend that (xv) remain unchanged until the 2007 Edition of Appendix I and VIII are adopted on an expedited basis.

DOCKETED
USNRC

May 14, 2007 (2:53pm)

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SECY-02

From: Carol Gallagher
To: SECY
Date: Fri, May 11, 2007 10:28 AM
Subject: Comment letter on Industry Codes and Standards Proposed Rule

Attached for docketing is a comment letter on the above noted proposed rule from Mike Gothard that I received via the rulemaking website on 5/11/07.

Carol

Mail Envelope Properties (46447D96.8EC : 5 : 35764)

Subject: Comment letter on Industry Codes and Standards Proposed Rule
Creation Date Fri, May 11, 2007 10:28 AM
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