August 4, 2008

Mr. Richard L. Anderson
Vice President
Duane Arnold Energy Center
3277 DAEC Road
Palo, IA 52324-9785

SUBJECT: DUANE ARNOLD ENERGY CENTER – CORRECTION OF ERRORS IN SAFETY EVALUATION ASSOCIATED WITH RELIEF REGARDING SEAL WELD PROCEDURE QUALIFICATION, REQUEST NUMBER NDE-R012 (TAC NO. MD6293)

Dear Mr. Anderson:

In a letter to the Nuclear Regulatory Commission dated July 31, 2007, as supplemented by a letter dated February 19, 2008, FPL Energy Duane Arnold, LLC requested relief from certain American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code requirements at Duane Arnold Energy Center (DAEC). As an alternative to the ASME Code requirements, FPL Energy requested relief from IWA-4221 to allow welding procedure specifications (WPSs) for seal welding of the installed and spare Main Steam Relief Valves to be post-production qualified. The WPSs would meet all other provisions of ASME Code, Section IX. The relief was requested for the fourth 10-year interval of the Inservice Inspection Program for DAEC, which began on November 1, 2006. By letter dated July 2, 2008, the Nuclear Regulatory Commission staff granted the requested relief.

Subsequently, Mr. Thomas Byrne of your staff pointed out two errors in the safety evaluation (SE) associated with the relief. We agree that errors have been made in the SE. Enclosed please find one replacement page, which replaces the word “second” with “fourth” and replaces the word “was” with “is” in the last sentence of the first paragraph of Section 2.0. “Regulatory Evaluation” on the first page of the SE.

The corrections do not change the conclusion reached by the SE. We apologize for any inconvenience these errors may have caused you.

If you have any questions regarding this matter, please contact me at (301) 415-3079.

Sincerely,

/RA/

Karl D. Feintuch, Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-331

Enclosure:
As stated

cc w/encl: See next page

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Duane Arnold Energy Center

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Last revised July 2, 2008

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

INSERVICE INSPECTION PROGRAM REQUEST FOR ALTERNATIVE FOR

FPL ENERGY DUANE ARNOLD, LLC

DUANE ARNOLD ENERGY CENTER

REQUEST FOR ALTERNATIVE NDE-R012

DOCKET NO. 50-331

1.0 INTRODUCTION

By letter dated July 31, 2007 (Reference 1), as supplemented by a letter dated February 19, 2008 (Reference 2), FPL Energy Duane Arnold, LLC (the licensee), requested relief from certain American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code requirements at Duane Arnold Energy Center (DAEC). As an alternative to the ASME Code requirements, the licensee requested relief from IWA-4221 to allow weld procedure specifications (WPSs) for seal welding of the installed and spare Main Steam Relief Valves (MSRVs) to be post-production qualified. The weld procedure qualifications would meet all other provisions of ASME Code, Section IX.

2.0 REGULATORY EVALUATION

Pursuant to Title 10 of the *Code of Federal Regulations* (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 (ISI) of Nuclear Power Plant Components," to the extent practical within the limitations of design, geometry, and materials of construction of the components. The ISI Code of record for DAEC for the fourth 10-year ISI interval is the ASME Code, Section XI, 2001 Edition, including Addenda through 2003.

Pursuant to 10 CFR 50.55a(a)(3), alternatives to requirements may be authorized by the U. S. Nuclear Regulatory Commission (NRC) if the licensee demonstrates that: (i) the proposed alternatives 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. The licensee submitted the subject relief request, pursuant to 10 CFR 50.55a(a)(3)(ii), which proposed an alternative to the implementation of the ASME Code, Section XI, IWA-4221, "Construction Code and Owner's Requirements.

Corrected by letter of 8/4/2008