From: Randy Hall
Sent: Thursday, February 12, 2009 3:48 PM
To: Russell.Stroud@aps.com
Cc: Michael Markley; Janet Burkhardt; Susan Lent
Subject: Acceptance Review for Palo Verde Unit 3, Relief Request 42, TAC No. ME0416

Russell A. (Rusty) Stroud
Licensing Section Leader
Regulatory Affairs
Palo Verde Nuclear Generating Station
Arizona Public Service Company

Rusty:

By letter dated January 20, 2009, Arizona Public Service Company (APS) submitted a request for relief from the requirements of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code, Section XI, for the Palo Verde Nuclear Generating Station (PVNGS), Unit 3.

The proposed relief request, RR 42, would provide an alternative to the ASME Code requirements in Code Case N-729-1, as conditioned by 10 CFR50.55a(g)(6)(ii)(D)(3), for "demonstrated volumetric or surface leak path assessment through all J-groove welds," for reactor vessel closure head nozzle examinations.

The purpose of this e-mail is to provide the results of the U.S. Nuclear Regulatory Commission (NRC) staff's acceptance review of this amendment request. The acceptance review was performed to determine if there is sufficient technical information in scope and depth to allow the NRC staff to complete its detailed technical review. The acceptance review is also intended to identify whether the application has any readily apparent information insufficiencies in its characterization of the regulatory requirements or the licensing basis of the plant.

Consistent with Section 50.55a of Title 10 of the *Code of Federal Regulations* (10 CFR), an alternative to the requirements of that section or portion thereof may be used when authorized by the NRC. The applicant shall demonstrate that: 1) the proposed alternatives would provide an acceptable level of quality and safety, or 2) compliance with the specified requirements of this section would result in hardship or unusual difficulty without a compensating increase in the level of quality and safety.

The NRC staff has reviewed your application and concluded that it does provide technical information in sufficient detail to enable the staff to proceed with its detailed technical review and to make an independent assessment regarding the acceptability of the proposed relief request in terms of regulatory requirements and the protection of public health and safety and the environment. If additional information is needed for the staff to complete its technical review, you will be advised by separate correspondence.

If you have any questions, please contact me at (301) 415-4032.

James R. (Randy) Hall, Senior Project Manager
Plant Licensing Branch IV

Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation
USNRC
(301) 415-4032
Randy.Hall@nrc.gov

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Created By: Randy.Hall@nrc.gov

Recipients:
Russell.Stroud@aps.com (Russell.Stroud@aps.com)
Tracking Status: None
Michael.Markley@nrc.gov (Michael Markley)
Tracking Status: None
Janet.Burkhardt@nrc.gov (Janet Burkhardt)
Tracking Status: None
Susan.Lent@nrc.gov (Susan Lent)
Tracking Status: None

Post Office:
HQCLSTR01.nrc.gov

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