NUCLEAR ENERGY INSTITUTE

6/02/09
74FR26440

James H. Riley
DIRECTOR
ENGINEERING
NUCLEAR GENERATION DIVISION

RECEIVED
2009 AUG 20 PM 1:16
RULES AND DIRECTIVES BRANCH

August 17, 2009

(11)

Rulemaking and Directives Branch
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Comments on Draft Regulatory Guides DG-1191 through 1193 and Incorporation of RG1.84 and 1.147 into 10CFR50.55a.

Project Number: 689

On June 2, 2009, the NRC issued Federal Register Notices (74FR26303 and 74FR26440) soliciting public comments on:

- Draft Regulatory Guide DG-1191, (Proposed Revision 35 of Regulatory Guide 1.84, dated October 2007), Design, Fabrication, and Materials Code Case Acceptability, ASME Section III, April 2009, Division 1;
- Draft Regulatory Guide DG-1192, (Proposed Revision 16 of Regulatory Guide 1.147, dated October 2007), In-service Inspection Code Case Acceptability, ASME Section XI, Division 1, June 2009, Division 1;
- Draft Regulatory Guide DG-1193, (Proposed Revision 3 of Regulatory Guide 1.193), ASME Code Cases Not Approved For Use, April 2009, Division 1;
- Proposed Rule, (74 FR26303-26310), Incorporation by Reference of Regulatory Guide 1.84, Revision 35, and Regulatory Guide 1.147, Revision 16, Into 10 CFR 50.55a

The Nuclear Energy Institute (NEI) has solicited comments from the industry and those that have not been separately submitted to the NRC are attached to this letter.

If there are any questions regarding these comments, please contact me at 202.739.8137; jhr@nei.org.

Sincerely,

James H. Riley

E-RIDS=ADM-03

1776 I Street, NW | Suite 400 | Washington, DC | 20006-3708 | P: 202.739.8137 | F: 202.533.0193 | jhr@nei.org | www.nei.org

SUNSI Review Complete
Template=ADM-013

Add = M. Brysac (mmb1)
W. Maier (WEM)

ATTACHMENT 1

Industry Comments on DG 1191-1193 and Other 10CFR50.55a Changes

1. **Code Case N-597-2**

Requirements for Analytical Evaluation of Pipe Wall Thinning, Section XI, Division 1, is the result of years of discussion, research and testing supported by industry and NRC. It provides a clear, conservative methodology -- based entirely on Construction Code rules -- for the evaluation of non-planar pressure-boundary degradation. It is aimed at avoiding the plant shutdown and its inherent challenge to safety systems unless truly necessary. Yet today, some eleven years after the March 1998 ASME Code approval of Case N-597, Revision 0, the similar N-597-2 continues to be listed as "conditionally acceptable" in the proposed Revision 16 of Regulatory Guide 1.147.

While members of the ASME B&PV Code Section XI Working Group on Pipe Flaw Evaluation continue to work with NRC staff toward achieving approval of the Case, the following comment is offered for the perspective it presents:

Draft Regulatory Guide DG-1192, Table 2, Code Case N-597-2, Condition (2) will require NRC review and acceptance for any amount of local degradation beyond that calculated by the hoop stress equation. Yet DG-1192, Table 1 finds local degradation -- well beyond the hoop stress limit, up to and including through-wall leakage -- acceptable without NRC review and acceptance via Code Case N-513-2, "Evaluation Criteria for Temporary Acceptance of Flaws in Moderate Energy Class 2 or 3 Piping, Section XI, Division 1."

Granted, the application of N-513-2 is limited to moderate-energy Class 2 and 3 piping; but, the mechanics are the same and the evaluative equations are identical in both Cases. This shared similarity in concept and approach is deliberate. The disparity in NRC approval deserves further consideration.

2. **Code Case N-504-4**

The proposed conditions in draft Regulatory Guide DG-1192 (proposed Revision 16 of Regulatory Guide 1.147), for the use of Code Case N-504-4 are much more extensive than the condition in Revision 15 of Regulatory Guide 1.147. The proposed conditions state: In addition, to requiring the use of Nonmandatory Appendix Q the following conditions shall be met: "*(a) the sum of laminar flaw length in any direction shall be less than 10% of the overlay with a total reduction in area equal to or less than Table IWB-3514-3; (b) the finished overlay surface shall be 250 micro-in (6.3 micrometers) root mean square or smoother; (c) the surface flatness shall be adequate for ultrasonic examination; and (d) radiography shall not be used to detect planar flaws under or masked by laminar flaws.*"

In the Proposed Rule to adopt DG-1192 (proposed Revision 16 of Regulatory Guide 1.147), paragraph 4.6, Code Case N-504-4 on page 26306 of the June 2, 2009 Federal Register, the NRC makes the statement that, "The NRC has determined that

N-504-4 is acceptable with the same condition [as included in Revision 15 of Regulatory Guide 1.147]. Accordingly, the regulatory position has not changed." However, the additional proposed conditions in DG-1192, which were not in Rev. 15 of Regulatory Guide 1.147, are not mentioned in the Proposed Rule. Before imposing these additional conditions, the NRC needs to provide explanations for the inclusion of these additional conditions and allow public comment on the reasons the NRC is proposing the additional conditions.

There is no need to apply these proposed additional conditions. The provisions in N-504-4 and Appendix Q are sufficient without the additional condition on laminar flaws. In fact, thousands of stainless steel weld overlays have been approved by the NRC and installed in BWRs and, more recently in PWRs, without this condition. The next two additional conditions are unnecessary because they are already addressed by the previous condition that required use of Appendix Q (these requirements are included in Appendix Q, paragraph Q-4100(a)). Lastly, if radiography can be performed to detect possible planar flaws under or masked by laminar flaws, it should be acceptable to use without condition.

3. **Federal Register Notice**

In Table 1 on page 26305 of the Federal Register dated June 2, 2009, there is a minor error that should be identified and clarified by the NRC as part of the Final Rule since it may be confusing to some of the public. The error involves the reversal of the titles for Cases N-712 and N-730, as shown in Table 1, i.e., the title for N-712 is shown in the row for N-730 and the title for N-730 is shown in the row for N-712.

4. **Code Case N508**

This Code Case is now up to revision 4. The draft of RG-1.147 only accepts use of N-508 revision 3. Please include the latest revision (N-508-4) in the Regulatory Guide for unconditional use.