October 08, 2009

MEMORANDUM TO: Michele G. Evans, Director
Division of Component Integrity
Office of Nuclear Reactor Regulation

FROM: Edmund J. Sullivan, Senior Level Advisor **/RA/**
Division of Component Integrity
Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF CATEGORY 2 PUBLIC MEETING BETWEEN THE U.S. NUCLEAR REGULATORY COMMISSION AND INDUSTRY REPRESENTATIVES TO DISCUSS REGULATORY REQUIREMENTS FOR WELD OVERLAYS IN LEAK-BEFORE-BREAK SYSTEMS

On September 30, 2009, a meeting was held between Nuclear Regulatory Commission (NRC) staff and industry representatives at the Legacy Hotel Meeting Center in Rockville, MD. The meeting was held to discuss regulatory requirements for weld overlays in piping systems approved for leak-before-break (LBB). LBB has only been approved for piping systems in pressurized water reactors (PWRs). At the beginning of the meeting, NRC staff presented an overview of a draft position paper related to the subject of the meeting. The draft paper was made available to the public prior to the meeting (ML092670398). The slides presented at the meeting (ML092740051) are enclosed with this meeting summary (ML092810075). A list of attendees is also enclosed (ML092810059).

After the presentation by the staff, the staff entertained questions and comments. NEI representatives indicated that industry participants had held a separate meeting on this topic and had prepared a handout that they wanted to share with the staff. This handout lists the issues that industry representatives view as keyed to this subject. This NEI handout is enclosed with the meeting summary (ML092810068).

Industry representatives indicated that one of the concerns with the draft position on the requirements of 10 CFR 50.59, "Changes, tests, and experiments," is the statement that application of 10 CFR 50.59 will likely lead to the conclusion that license amendments will be required when weld overlays are applied to piping systems approved for leak-before-break. Industry representatives indicated that guidance exists on implementation of 10 CFR 50.59. Specifically, NRC Draft Guide-1095, "Guidance for Implementation of 10 CFR 50.59, Changes, tests and experiments," indicates that, with certain clarifications, Revision 1 of NEI 96-07, "Guidelines for 10 CFR 50.59 Evaluations," dated February 2000, provides methods that are acceptable to the NRC staff for complying with the provisions of 10 CFR 50.59. Industry representatives indicated an interest in better defining situations in which they believe that license amendments may not be needed for weld overlays in LBB systems. The staff indicated that such feedback would be very useful and encouraged the meeting participants to provide any significant comments on this topic as soon as possible.

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An industry representative indicated that it would be beneficial for the staff to expand the position paper to address mitigation by other techniques, such as the mechanical stress improvement process and inlays/onlays. The staff indicated that it would give this comment serious consideration in the preparation of further communication on this subject.

Industry representatives asked the staff to indicate whether enforcement actions should be expected if a plant is in non-conformance with its licensing basis as a result of applying a weld overlay. Industry representatives also pointed out that the staff has been encouraging licensees to mitigate welds and that the safety significance of this issue would be low since weld overlays are applied to mitigate stress corrosion cracking and decrease the likelihood that stress corrosion cracking could lead to a safety issue. The staff indicated that it would not be appropriate to give a generic answer to this question since enforcement depends on the specifics of the situation. However, the staff indicated that the question of whether the NRC will take enforcement relates to the degree to which a licensee takes timely action to address the licensing basis non-conformance in accordance with its 10 CFR 50 Appendix B corrective action program (CAP). During the presentation, the staff laid out the steps it believes need to be taken under the CAP. The staff agreed that safety significance is taken into consideration in making decisions regarding enforcement.

The staff is interested in moving forward on this issue and will be making a decision within the next couple of weeks as to what type of communication will be used to explain the applicable regulatory requirements. The staff indicated that if a decision is made to issue a regulatory information summary (RIS), a draft RIS would be issued for public comment or another meeting would be held to discuss the RIS before it is finalized. For these reason, the staff indicated that it would interested in receiving comments on the subject but would request that comments be limited to significant issues and be provided within the next couple of weeks. The NRC staff did not object to further meetings on the subject in parallel to development of a communication.

The staff concluded the meeting by indicating that the subject of this meeting is considered to be very important since it relates to regulatory requirements that PWR licensees need to be aware of as they move forward to apply weld overlays. The staff thanked the utility representatives for attending and participating in the meeting. There were no comments made by members of the public.

Enclosures:
1. NRC Staff Slides
2. List of Attendees
3. Industry Handout

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