

REQUEST FOR ADDITIONAL INFORMATION 575-4422 REVISION 2

4/20/2010

US-APWR Design Certification

Mitsubishi Heavy Industries

Docket No. 52-021

SRP Section: 05.02.01.02 - Applicable Code Cases

Application Section: 05.02.01.02

QUESTIONS for Engineering Mechanics Branch 1 (AP1000/EPR Projects) (EMB1)

05.02.01.02-7

10 CFR 50.55a requires that the Code edition and addenda to be applied to ASME Class 1, 2 and 3 piping and components must be determined by the rules of the ASME Section III paragraph NCA-1140(2), which disallows use of Code Edition and Addenda in the Design Specifications that is (a) earlier than three years prior to the date the construction permit application is docketed or (b) earlier than the latest Edition and Addenda endorsed by the regulatory authority at the time the construction permit application is docketed. This requirement is not satisfied by the code of record for U.S. APWR. For instance, the code used for U.S. APWR DC is the 2001 Edition through the 2003 Addenda while COL application date for Comanche Peak 3 and 4 is September 19, 2008. This implies a violation of NCA-1140(2)(a).

To resolve the issue, ASME approved a Code Case N-782 in January 2009 which allows that the Code Edition and Addenda endorsed in a design certified or licensed by the regulatory authority may be used for systems and components as an alternative rule to NCA-1140(2)(a) and (2)(b). Also, section 10 CFR 50.55a (b)(4) conditionally allows the application of ASME Code cases listed in the NRC Regulatory Guide (RG) 1.84, Revision 34, without prior NRC approval. However, Code Case N-782 is not listed for acceptance in Revision 34 of RG 1.84.

In order to apply the alternative rule to requirements of NCA-1140, the applicant is requested to provide justification for inclusion of Code Case N-782 in U.S. APWR DCD in accordance with 10 CFR 50.55a(3)(i) and (ii).