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PR 50
(75FR24323)



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July 16, 2010

July 19, 2010 (10:30am)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Secretary, U.S. Nuclear Regulatory Commission
Washington, DC 20055-001
ATTN: Rulemakings and Adjudications Staff

**Subject: 10 CFR 50.55a Proposed Rulemaking Comments
RIN 3150-A135 (Docket ID NRC-2008-0554)**

Dear Sir or Madam,

This letter provides comments to the subject proposed rulemaking on behalf of the Performance Demonstration Initiative Technical Advisory Committee (PDI TAC).

The way we have interpreted the proposed rule, issued in draft form on May 4th, 2010, paragraph (b)(2) incorporates by reference the 2005 Addenda through the 2008 Addenda of Section XI of the ASME B&PV Code, with conditions, into 10CFR50.55a. Further, we have interpreted paragraph (b)(2)(xi) to state that licensees using up to the 2006 Addenda of Section XI, shall use the 2001 Edition of Appendix VIII, and that licensees using the 2007 Edition or 2008 Addenda of Section XI shall use the edition or addenda of Appendix VIII that corresponds with the Code year of Section XI that they are using. If these interpretations are incorrect, then we would request clarifying information be added to the proposed rulemaking.

Correspondence to the PDI Technical Advisory Committee should be directed to:
Rich Fuller • First Energy Corp. • 10 N. Center Rd. • Perry, OH 44081

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Comments on proposed changes to 10 CFR 50.55a, paragraphs (b)(2) and (b)(2)(xi)

PDI TAC Comment No. 1 – Allowing multiple incompatible versions of Section XI, Appendix VIII to be used by licensees will create a hardship on the industry for consistent implementation of an Appendix VIII qualification program.

The proposed revision to paragraph (b)(2) incorporates by reference the 2005 Addenda through 2008 Addenda of Section XI of the ASME B&PV Code, with conditions, into 10 CFR 50.55a. When combined with the proposed revision to paragraph (b)(2)(xi), the resulting changes create a regulation which potentially will have various licensees invoking distinctly different versions of Appendix VIII. Licensees using editions and addenda up to the 2006 Addenda of Section XI would have to implement the 2001 Edition of Appendix VIII, while licensees updating to the 2007 Edition, or the 2008 Addenda of Section XI would have to implement the version of Appendix VIII corresponding to the Code year to which they were updating. Historically, 10 CFR 50.55a has mandated a particular edition or addenda of the Appendix VIII to be used by all licensees, which has greatly simplified industry efforts at maintaining a qualification program that complies with the Code. This proposed rule contains no such requirement.

The 2001 Edition of Appendix VIII is inconsistent, in certain respects, with the 2007 Edition and the 2008 Addenda. The titles and corresponding scopes of Supplements 5 and 7 have significantly changed between the 2001 and 2007 Code years. This creates difficulty with maintaining one qualification program or one set of inspection procedures that encompass all these Code years. While the revisions that these supplements have undergone have no technical impact, invoking them will require that the qualified procedures and the PDI qualification records be modified in order to accommodate the newer versions. These types of programmatic changes require significant time and staff resources.

For the reasons stated above, the PDI TAC feels that allowing multiple incompatible versions of Section XI, Appendix VIII to be used by licensees places an undue administrative burden on the industry and its Appendix VIII implementation program, without providing any improvement in safety. We further believe that it will create difficulty and confusion in trying to determine what rules are to be met, and the potential for mistakes will be increased.

Suggested Modification: The ***PDI TAC Comment No. 2*** section of this letter contains a suggested modification which addresses the above concerns.

PDI TAC Comment No. 2 – If the 2008 Addenda of Section XI, Appendix VIII is the preferred singular version to be mandated, the industry will need time to update programs and procedures to accommodate this change:

Since the industry is currently working to the 2001 Edition of Appendix VIII, there would no issues with 10 CFR 50.55a continuing to require licensees to use this version. However, the PDI TAC recognizes that much work has transpired within the Section XI NDE Code committees, between 2001 and 2008, to update Appendix VIII to eliminate the need for the additional provisions within 10CFR50.55a. While the PDI TAC is not opposed to the 2008 Addenda of Appendix VIII being the mandated version for implementation, we are aware that there would be a significant amount of effort involved for the industry to revise its Appendix VIII qualification program and procedures to comply with the 2008 Addenda. Therefore, we would request that the date for mandatory implementation of the 2008 version of Appendix VIII be delayed for a minimum of 18 months, after the publishing of the final rule, in order to allow time to make all the necessary program and procedure revisions and to communicate these changes to the industry.

Suggested Modifications: The PDI TAC suggests that this revision of 10CFR50.55a mandate the use of the 2007 Edition with the 2008 Addenda of Appendix VIII, regardless of the edition and addenda of Section XI being used by the licensee, with an industry-wide implementation date no earlier than December 1, 2012.

As such, paragraph (b)(2)(xi) might be changed to, “*Appendix VIII specimen set and qualification requirements prior to September 1, 2012.* Licensees using Appendix VIII in the 1995 Edition through 2001 Edition of the ASME Boiler and Pressure Vessel Code may elect to comply with all of the provisions in paragraphs (b)(2)(xi)(A) through (b)(2)(xi)(M) of this section, except for those in (b)(2)(xi)(F) of this section, which may be used at the licensees option. Licensees using editions and addenda after the 2001 Edition shall use the 2001 Edition of Appendix VIII, and may elect to comply with all of the provisions in paragraphs (b)(2)(xi)(A) through (b)(2)(xi)(M) of this section, except for those in (b)(2)(xi)(F) of this section, which may be used at the licensees option.”

An additional paragraph should also be added that states, “The Supplements to Appendix VIII of Section XI, Division 1, 2007 Edition with the 2008 Addenda of the ASME Boiler and Pressure Vessel Code must be implemented by December 1, 2012.”

Comment on proposed changes to 10 CFR 50.55a, paragraph (b)(2)(xi)(A)(2)

PDI TAC Comment No. 3 – The provision in paragraph (b)(2)(xi)(A)(2) contains a requirement for qualification of dissimilar metal welds from the austenitic side of the weld. This requirement is not always possible to meet. The provision needs to be revised to accommodate certain exceptions.

The 3rd sentence of paragraph (b)(2)(xi)(A)(2) currently states, "Dissimilar metal weld qualifications must be demonstrated from the austenitic side of the weld and may be used to perform examinations from either side of the weld." The proposed rule reflects that this paragraph has not been changed.

Industry surveys have revealed that there are dissimilar metal weld configurations where a ferritic component has been attached to another ferritic component using an inconel weld (no austenitic base material involved). An example of this configuration is the Core Spray/Feedwater safe end-to-pipe welds of many Boiling Water Reactor plants. Additionally, there are cases where only the ferritic side of a dissimilar metal welded component is accessible for scanning, due to component geometry. This is common in Babcock and Wilcox and Combustion Engineering designed Pressure Water Reactors, which have ferritic steel main loop piping. Often, there is either insufficient room on the austenitic safe end side of these welds to perform an examination or the safe end material itself is cast stainless steel, prohibiting a meaningful examination to be performed from that side.

Suggested Modification: The PDI TAC suggestion is to replace the 3rd sentence in paragraph (b)(2)(xi)(A)(2) with the following two sentences: "Dissimilar metal weld qualifications must be demonstrated from the austenitic side of the weld, where practical, and may be used to perform examinations from either side of the weld. For dissimilar metal weld configurations that do not contain an austenitic base material, or for which the geometric or metallurgical conditions of the component preclude sufficient scan coverage to be obtained from the austenitic side of the weld, the qualification may be performed from the ferritic side of the weld only."

On behalf of the PDI TAC, we appreciate the opportunity to provide comments to this proposed rulemaking. Should you have any questions pertaining to the comments provided in this letter, please contact Ronnie Swain or Dave Anthony (contact information provided below).

Sincerely,



Signed on behalf of David Anthony

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Rulemaking Comments

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Sent: Friday, July 16, 2010 5:07 PM
To: Rulemaking Comments
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Subject: [WARNING: MESSAGE ENCRYPTED]Comments to Proposed Rule Dated May 4, 2010 - Docket ID NRC-2008-0554
Attachments: PDI TAC Comments to Proposed Rulemaking_Final 7-16-2010.pdf

Dear Sir or Madam,

Please see the attached letter from the Performance Demonstration Initiative Technical Advisory Committee containing comments to the 10 CFR 50.55a proposed rulemaking (Docket ID NRC-2008-0554).

Ronald V. Swain

EPRI Senior Project Manager

Performance Demonstration Program

704-595-2514

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Thread-Topic: Comments to Proposed Rule Dated May 4, 2010 - Docket ID NRC-2008-0554

Thread-Index: AcsIKsxDS1gV4NRZRT+SJqnrQNNbuw==

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