



PR 50
(75FR24323)

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Strategic Teaming and Resource Sharing

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STARS-10005

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USNRC

July 28, 2010

August 3, 2010 (4:40pm)

Secretary, U.S. Nuclear Regulatory Commission,
Washington, DC 20555-0001
ATTN: Rulemaking and Adjudications Staff

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

STRATEGIC TEAMING AND RESOURCE SHARING (STARS) COMMENTS
ON PROPOSED RULE CHANGE TO 10 CFR 50.55a, CODES AND
STANDARDS, DOCKET ID NRC-2008-0554

Reference: 75FR24324, Proposed Rule American Society of Mechanical Engineers (ASME)
Codes and New and Revised ASME Code Cases, May 4, 2010

Gentleman,

The Strategic Teaming and Resource Sharing (STARS)¹ alliance is submitting comments in response to the referenced Federal Register notice soliciting comments on Proposed Rule Change to 10CFR50.55a, Codes and Standards. STARS appreciates the NRC request for comments on the ASME Code updates.

STARS considers the proposed new requirement to submit Inservice Inspection Relief Requests for impractical inspections within 12 months of attempting the inspection to be unnecessary and added burden as explained in the following comment.

¹ STARS consists of thirteen plants at seven stations operated by Luminant Power, AmerenUE, Wolf Creek Nuclear Operating Corporation, Pacific Gas and Electric Company, STP Nuclear Operating Company, Arizona Public Service Company, and Southern California Edison.

Template = SECY-067

DS10

Background:

Proposed changes to 10 CFR 50.55a(g)(5)(iii) and 10 CFR 50.55a(g)(5)(iv) (from FR page 24360, middle column):

(5) * * *

(iii) If the licensee has determined that conformance with a code requirement is impractical for its facility, the licensee shall notify the Commission and submit, as specified in § 50.4, information to support the determinations. Determinations of impracticality in accordance with this section must be based on the demonstrated limitations experienced when attempting to comply with the code requirements during the inservice inspection interval for which the request is being submitted. Requests for relief made in accordance with this section must be submitted to the NRC no later than 12 months after the examination has been attempted.

(iv) Where the licensee determines that an examination required by Code edition or addenda is impractical, and is not included in the revised inservice inspection program as permitted by paragraph (g)(4) of this section, the basis for this determination must be submitted for NRC review and approval not later than 12 months after the expiration of the initial or subsequent 120-month inspection interval for which relief is sought.

Paragraph-by-Paragraph Discussion of Proposed Change (from FR page 24348, bottom 1st column):

10 CFR 50.55a(g)(5)(iii)

The NRC proposes to revise paragraph (g)(5)(iii) by adding a sentence to clarify that a request for relief must be submitted to the NRC no later than 12 months after the examination has been attempted during a given ISI interval and the ASME Code requirement determined to be impractical.

10 CFR 50.55a(g)(5)(iv)

The NRC proposes to revise paragraph (g)(5)(iv) to clarify that licensees are required to submit requests for relief based on impracticality within 12 months after the end of the ISI interval for which relief is being sought.

Comment:

The main point of discussion on FR page 24341 appears to emphasize and require an attempt to perform the examination before submitting a relief based on impracticality, so that actual exam limitations encountered for the particular interval may be documented. Percentages of coverage may improve over time with advancing NDE techniques. A licensee may desire to attempt improved coverage with a subsequent effort in the next refueling outage or later in the interval. Planning for removal of unanticipated interferences or adjustment in NDE technique may be needed. A substitute weld that can be more fully examined may also be selected upon later review of the program requirements. Specific percentages of completion

for ASME categories are not required by the ASME Code until the end of each period, and (in some cases) the required completion percentages might still be met without including the limited exam. Relief request submittal prior to exhausting these options could result in a re-submittal and added review burden for the NRC and licensee.

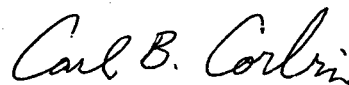
Additionally, these types of relief are often similar in nature and may be collected and grouped into one relief request letter using a tabular format as outlined in the NEI White Paper, "Standard Format for Requests from Commercial Reactor Licensees Pursuant to 10 CFR 50.55a," Rev 1, June 2004, Appendix B, Template 6. This method seems practical to minimize preparation and review time for both the utility and the Commission.

Recommendation:

The discussion on FR page 24341 does not provide any basis for requiring relief request submittal within 12 months of the exam being attempted. The discussion only describes why requests based on impracticality should not be submitted before the actual exam is attempted. Therefore, it is recommended that attempted but impractical examinations be allowed to be submitted no later than 12 months after the close of each interval and the last sentence in proposed 10 CFR 50.55a(g)(5)(iii) be deleted. This makes the requirement in 10 CFR 50.55a(g)(5)(iii) align with 10 CFR 50.55a(g)(5)(iv).

Thank you for your consideration of these comments. If there are any questions regarding these comments, please contact me at 254-897-0121, or carl.corbin@luminant.com, or Dennis Buschbaum at 254-897-5851, or dennis.buschbaum@luminant.com.

Sincerely,



Carl B. Corbin, Chairman
STARS Integrated Regulatory Affairs Group