Bob:

I very much appreciate that the NRC is willing to provide an opportunity to provide equal time to discuss comments from the public. I will be participating in the next scheduled teleconference on September 1, 2010 at 10:30 AM.

I consider all of my previously submitted comments to be important however I am providing additional highlights of the comments I consider the most vital to assure buried and partially buried tanks have an Aging Management Program to assure there function is maintained throughout the licensed period of 60 years.

I note that the NRC has issued Revision 2 to NUREG 1801and I am curious as to the applicability of this document to plants presently under review for license renewal and those plants that have received their extended license.

During the August 24, 2009 meeting discussing the proposed revision to AMP M41 it was very troubling to hear the NRC state that it was not reasonable to require nuclear plants to excavate buried pipes (and tanks) due to possible damage to the pipes due to "backhoe" digging. This statement was made at least three times during the meeting. Please keep in mind that the primary mission of the NRC is to provide adequate protection to the public. Unless the NRC has documented the fact that the risk to the general public is greater due to potential pipe damage from excavation, it is totally inappropriate for the NRC to put forward these apparently unsupported statements. If these statements are supported, please provide a reference.

In the Program Description of the proposed revision to XI.M41 the intent and the objectives of the program should be clearly stated. Words such as the follow should be considered in the program description.

" The purpose of this program is to provide reasonable assurance that all piping and portions of tanks that are not normally accessible (buried, partially buried, or otherwise inaccessible) within the scope of 10 CFR 54.4 or contain radioactive material in excess of EPA drinking water limits, maintain the ability to perform their designated functions and to preclude the release of radioactive material to the surrounding soil and the environment."

Also the Program Description clearly states that this program is to manage the aging of <u>external</u> surfaces augmented by other AMPs such as AMP such as XI.M.20 and XI.M.38. These AMPs do not apply to buried pipes and XI.M20 applies to lined pipes. (See Seabrook LRA). At least two plants in responses to GL 89-13 specifically exclude buried pipes and the NRC has not questioned this total lack of internal inspections.

The NRC words "opportunistic" and "encouraged" are totally inappropriate for a document intended as a regulatory basis for the protection of the public. As a professional engineer with more than 40 years experience maintaining and designing nuclear power plants the word "opportunistic" means run the system until it fails such as the pipe rupture event at Indian Point in February 2009. Opportunistic maintenance programs have totally failed to prevent failures such as the Davis Besse degradation, collapsing piping systems, bridges, elevators, levies and I would never use such a program to assure the safety and/of reliability of my car. (I am sure Dave Pelton wouldn't either)

The proposed AMP has a very strong inference that buried pipes and tanks are protected by active cathodic protection (NACE SP0169-2007 or NACE RP0285-2002) systems and that "backfill" is in accordance with SP0169-2007. Will the NRC require licensees to verify compliance with these standards and verify that cathodic protections systems are installed on all systems within the scope of this AMP?

The AMP seems to endorse 49 CFR 195 Subpart E but it appears portions of Subpart F and H could add additional assurance to protect the health and safety of the public.

Page 8 of the proposed AMP states:

x. Inspection as indicated in (A), and (B) below ***may*** *be performed in lieu of the inspections contained in Table 4a for either code class/safety significant or hazmat piping or both:*

A. At least 25% of the code class/safety related or hazmat piping or both constructed from the material under consideration is hydrostatically tested in accordance with 49 CFR 195 subpart E on an interval not to exceed 5 years.

B. At least 25% of the code class/safety related or hazmat piping or both constructed from the material under consideration is internally inspected by a method capable of precisely determining pipe wall thickness. The inspection method must be capable of detecting both general and pitting corrosion and must be qualified by the applicant and approved by the staff. As of the effective date of this document, guided wave ultrasonic examinations do not meet this paragraph. Internal inspections are to be conducted at an interval not to exceed 5 years. Consideration should be given to SP0169-2007 sections 6.1.2 and 6.3.3

The word "may" is not a appropriate for a document used for regulatory basis and should (must) be changed to either "shall" or "will." What is the justification for 25% inspection?

I would appreciate a copy of the ASME codes, or excerpts from these codes that require inspections of either B 31.1 of ASME III and XI regulations that are required by 10 CFR 50.55(a)

Finally, a large percentage of buried pipe and tank failures are the result of internal failure due to corrosion, erosion or other mechanical failures and must be addressed by this AMP without the use of words such as "opportunistic, encouraged, may, etc."

I appreciate your consideration of my thoughts stated above along with the specific comments previously provided.

Paul