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Caponiti, Kathleen

From: OHara, Timothy
Sent: Monday, May 24, 2010 5:06 PM
To: Tsao, John
Cc: Lupold, Timothy; Gray, Harold
Subject: Discuss Salem and IWA-4160

John,

If you're going to be in the office tomorrow, Harold Gray and I would like to call and discuss this with you and Tim Lupold. Do you know if Tim is in tomorrow and what time would be convenient for us to call? Thanks.

Tim OHara

From: Tsao, John
Sent: Monday, May 24, 2010 2:54 PM
To: OHara, Timothy
Cc: Lupold, Timothy; Conte, Richard; Gray, Harold
Subject: RE: Follow Up On Salem Question From the Materials Call

Tim,

I do not think Salem Unit 2 is in compliance with IWA-4160 without the pressure test (I would accept a stress analysis in lieu of pressure test).

Thanks.

John

From: OHara, Timothy
Sent: Monday, May 24, 2010 2:36 PM
To: Tsao, John
Cc: Lupold, Timothy; Conte, Richard; Gray, Harold
Subject: RE: Follow Up On Salem Question From the Materials Call

Hey John,

Thanks for your interpretation. I came out where you are after reading the section also.

I think you would agree then that they are not in compliance with the Code at present. Correct?

Tim OHara

From: Tsao, John
Sent: Monday, May 24, 2010 2:29 PM
To: OHara, Timothy
Cc: Lupold, Timothy; Conte, Richard
Subject: RE: Follow Up On Salem Question From the Materials Call

Tim O.,

I do not know the code of record for Salem Unit 2 for this inspection interval but I am using the 1998 edition to discuss IWA-4160 which states that

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"(1) If an item does not satisfy the requirements of this Division, the Owner shall determine the cause of unacceptability. (2) Prior to returning the item to service the Owner shall evaluate the suitability of the item subjected to the repair/replacement activities. (3) If the requirements for the original item are determined to be deficient, appropriate corrective provisions shall be included in the owner's Requirements and Design Specification, as applicable. (4) Any such corrective provisions shall be consistent with the Construction Code or Section III, in effect at the time..." I placed numbers in front of each sentence for the ease of discussion.

The first sentence applies to Salem unit 2 because it has not yet performed a pressure test on the AFW pipe; therefore, Section XI requirement for pressure test is not met.

The second sentence probably does not apply to Salem unit 2 because the licensee did not do any repair on unit 2 AFW piping.

The third sentence applies to unit 2 because Unit 2 did not perform the pressure test; therefore, it is deficient.

The fourth sentence applies to unit 2 because it is the consequence (i.e., performing an evaluation) of sentence #3.

The licensee stated that IWB-4160 does not apply to unit 2 based on sentence #2. However, The NRC can use the requirements in sentences # 3 and # 1 as the technical basis to state that the AFW pipe is deficient because unit 2 did not satisfy sentence # 1 (Unit 2 did not perform the pressure test). One may say that I am taking the requirements in IWB-4160 out of context because IWA-4160 is a part of IWA-4000 which is a section related to repair/replacement activities.

I would defer the final decision to Region I as far as interpretation of IWA-4160.

If the licensee performs a pressure test during the next refueling outage I would think that they would have satisfied sentences # 1 and #3 in IWA-4160 because the deficiency at Unit 2 is that the AFW piping did not have a pressure test performed. Therefore, after a pressure test is performed, the deficiency becomes moot.

Thanks.

John

From: OHara, Timothy
Sent: Monday, May 24, 2010 12:25 PM
To: Tsao, John
Cc: Lupold, Timothy; Conte, Richard
Subject: Follow Up On Salem Question From the Materials Call

John,

I informed PSEG on, 5/3, that their missed in service inspection for the AFW pressure tests (under IWA-5244) would need to be addressed via an evaluation. It was my understanding that IWA-4160 required an "evaluation of acceptability" to resolve the issue. It was my understanding that this had been your interpretation.

Last week PSEG provided us with an Operability Determination which said that IWA-4160 did not apply because thay had not performed a repair.

Before I accept this, I wanted to check and make sure you agree with their interpretation. Also, I'd like to check to see if you think they need do anything else to restore code compliance besides doing the test at the next opportunity, and report the missed tests in their next OAR?

Please let me know what you think. Thanks.

Tim OHara