

From: [Wilhelm, Martha](#)
To: [Padovan, Mark](#)
Subject: ASME code document for Concurrence
Date: Monday, January 31, 2011 12:08:27 PM

Pat Hiland has concurred on this document.

Thank you.

Martha Kolstad Wilhelm
Administrative Assistant, 9E3
Division of Engineering
301-415-3288

From: [Hiser, Allen](#)
To: [Helton, Shana](#); [Markley, Anthony](#); [Quay, Theodore](#)
Cc: [Padovan, Mark](#); [Holian, Brian](#)
Subject: Fw: DLR concurs on Part 55
Date: Monday, March 14, 2011 5:23:02 PM
Attachments: [FRN for Final Rule RIN 3150-AI35 concurrence r2 - DLR 3-14.docx](#)

FYI - This is actually DLR concurrence on the 50.55a. package.

Allen
Sent from NRC BlackBerry

From: Hiser, Allen
To: Padovan, Mark; McGinty, Tim
Cc: Galloway, Melanie; Holian, Brian; Mizuno, Geary; Medoff, James; Dias, Antonio
Sent: Mon Mar 14 16:32:02 2011
Subject: RE: DLR concurs on Part 55

The revised file is attached – see Section “V. Generic Aging Lessons Learned Report,” on pages 108-112.

The revisions to this section have been coordinated with Geary Mizuno.

Allen

From: Holian, Brian
Sent: Monday, March 14, 2011 4:23 PM
To: Padovan, Mark; McGinty, Tim
Cc: Hiser, Allen; Galloway, Melanie
Subject: DLR concurs on Part 55

We heard back from OGC that they were OK with our revised writeup. We had to update the package which was written referencing GALL rev. 1....and we issued Rev. 2 Gall back in December.

Allen will forward our revised writeup...
- Brian

From: [Padovan, Mark](#)
To: [Hilton, Nick](#)
Subject: RE: ACTION: 50.55a ASME Code Final Rulemaking - concurrence
Date: Tuesday, March 22, 2011 11:46:00 AM

Thanks Nick.

Mark

From: Hilton, Nick
Sent: Tuesday, March 22, 2011 11:39 AM
To: Padovan, Mark
Cc: Riddick, Nicole
Subject: ACTION: 50.55a ASME Code Final Rulemaking - concurrence

Mark, you can put me down as concurring on the subject for OE.

Nick Hilton, Chief
Enforcement Branch

From: [Bergman, Thomas](#)
To: [Padovan, Mark](#); [Markley, Anthony](#)
Cc: [Terao, David](#); [Norato, Michael](#); [Dudes, Laura](#); [Holahan, Gary](#); [Johnson, Michael](#); [Tappert, John](#); [Shuaibi, Mohammed](#); [Matthews, David](#); [Akstulewicz, Frank](#); [Madden, Patrick](#); [Evans, Michele](#); [Quay, Theodore](#)
Subject: NRO Concurrence on 10 CFR 50.55a Final Rule
Date: Wednesday, February 09, 2011 4:54:15 PM

First, congratulations in getting this to the finish line! I know it has taken a great deal of effort on your part.

This email provides the concurrence of the Office of New Reactors on the subject rulemaking, with the following comments.

1. On page 92, the discussion of the change to 50.55a(a)(3) needs to be modified. The 2nd sentence currently reads, “For applicants, authorization of an alternative must be obtained before construction begins (rather than during the design process.” The problem with this sentence is twofold: 1) under Part 52, construction will be conducted by licensees, not applicants; and 2) use of the term “before construction begins” is confusing as the intent appears to be ‘construction of that SSC for which the alternative is to be applied’ but it could be interpreted as ‘start of any construction.’ The following three alternatives are offered, with the first option preferred and the 3rd option least preferred:
 - a. Delete the 2nd sentence in its entirety, as the modification to the rule is sufficiently clear.
 - b. Delete the 2nd sentence, except for the parenthetical phrase, and insert that phrase at the end of the first sentence.
 - c. Modify the 2nd sentence to read, “For applicants **and licensees**, ...” With this change, the 2nd sentence essentially restates the 1st sentence and may not clarify the issue.
2. A number of errors were identified, such as incorrect references, during NRO’s review. These have been shared and corrected. The document should be carefully reviewed to ensure all such

errors have been captured and corrected.

3. This rulemaking endorses NQA-1, 1994. I request that the 50.55a steering committee be provided a briefing by the appropriate staff regarding the reasons that preclude endorsement of a more current, which I understand is the 2008 version. While we should proceed with the current rulemaking, it isn't obvious why we can only endorse a 17 year old version at this time. We should commit to endorse the 2008 version in the next 50.55a rulemaking if possible. If this issue has already been presented to the steering committee, please let me know and I will arrange a separate briefing.

Thanks – and again, great job.

Thomas A. Bergman
Director, Division of Engineering
Office of New Reactors
(O) 301-415-7192
(C) 240-688-6527

From: [Case, Michael](#)
To: [Padovan, Mark](#)
Cc: [Markley, Anthony](#); [Richards, Stuart](#); [Helton, Shana](#); [McGinty, Tim](#); [Blount, Tom](#); [Sheron, Brian](#); [Rini, Brett](#); [Norris, Wallace](#); [Moyer, Carol](#); [Csontos, Aladar](#)
Subject: FW: 50.55a ASME Code Final Rulemaking - concurrence
Date: Monday, March 28, 2011 7:45:56 AM

On behalf of Brian Sheron, the Office of Research concurs in the 50.55a rulemaking package subject to resolution of the comment noted below.

From: Norris, Wallace
Sent: Friday, March 25, 2011 1:54 PM
To: Case, Michael
Cc: Csontos, Aladar; Boyce, Tom (RES); Moyer, Carol
Subject: RE: 50.55a ASME Code Final Rulemaking - concurrence

Mike, I have reviewed the draft final rule to incorporate the 2005 through 2008 Addenda of the ASME Code and recommend that you approve the draft final rule with comment. The comment being that the discussion in the draft final rule regarding the National Technology Transfer and Advancement Act (NTTAA) of 1995, Pub. L. 104–113, needs to be revised consistent with the guidance given by OGC, i.e., “the NTTAA does not require a federal agency to adopt a voluntary consensus standard simply because such a standard exists. Rather, the NTTAA requires that the federal agency use the voluntary consensus standard instead of developing a government-unique standard, unless contrary to law or impractical. Thus, if a federal agency does not intend to develop a government unique standard, the NTTAA requires no action.”

OGC will be providing revised language for NRR so we do not have to suggest corrections.

Thanks, Wally

From: Padovan, Mark
Sent: Saturday, March 19, 2011 2:08 PM
To: Nichols, Russell; Zimmerman, Roy; Sheron, Brian
Cc: Benney, Kristen; Case, Michael; Norris, Wallace; Helton, Shana; Quay, Theodore
Subject: 50.55a ASME Code Final Rulemaking - concurrence

Messrs. Nichols, Zimmerman, and Sheron,

Please concur on the attached final rule to incorporate by reference the 2005 Addenda thru 2008 Addenda of ASME Boiler and Pressure Vessel Code, and the 2005 Addenda and 2006 Addenda of the Operation and Maintenance Code, into 10 CFR 50.55a by Friday, March 25, 2011. You can send me your concurrence via email.

The following are attached for your review:

- Dir of NRR Memo
- Federal Register Notice

- Notice of Final Rule:
- Regulatory and Backfit Analysis
- Approval for Publication
- EDO Daily / Weekly notes
- Congressional Letters

In addition, we prepared an Analysis of Public Comments document that is available in ADAMS (ML110280240).

Wally - On the bottom of page 88 of the FRN, please add the date of Regulatory Guide 1.84, "Design, Fabrication, and Materials Code Case Acceptability, ASME Section III, Proposed Revision 34." Thanks.

Mark