



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

March 14, 2014

Mr. Christopher Costanzo  
Vice President Nine Mile Point  
Nine Mile Point Nuclear Station, LLC  
P.O. Box 63  
Lycoming, NY 13093

SUBJECT: NINE MILE POINT NUCLEAR STATION, UNIT NOS. 1 AND 2 - RE: REQUEST FOR APPROVAL TO USE A LATER ASME CODE SECTION XI EDITION AND ADDENDA FOR EXAMINATION CATEGORIES B-L-1, B-M-1, AND C-G (TAC NOS. MF1316 AND MF1317)

Dear Mr. Costanzo:

By letter dated March 26, 2013, Nine Mile Point Nuclear Station, LLC (the licensee) submitted a request to the Nuclear Regulatory Commission (NRC) for the use of alternatives to certain American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code (B&PV Code), Section XI requirements at Nine Mile Point Nuclear Station, Unit Nos. 1 and 2 (NMP1 and NMP2).

Specifically, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.55a(g)(4)(iv), the licensee requested to use ASME Section XI, 2007 Edition through the 2008 Addenda, for Examination Categories B-L-1, B-M-1, and C-G, for in-service inspection items subject to the limitations and modifications listed in 10 CFR 50.55a(b).

The NRC staff has reviewed the subject request and concludes, as set forth in the enclosed safety evaluation, that the licensee has adequately addressed all of the regulatory requirements set forth in 10 CFR 50.55a(g)(4)(iv). Therefore, the NRC staff approves the licensee's request to use the 2007 Edition through the 2008 Addenda of the ASME Code, Section XI for Examination Categories B-L-1, B-M-1 and C-G at NMP1 for the remainder of the Fourth ISI Interval (scheduled to be completed August 22, 2019) and at NMP2 for the remainder of the Third ISI Interval (scheduled to be completed April 4, 2018).

C. Constanzo

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All other ASME Code, Section XI requirements for which relief was not specifically requested and approved, remain applicable, including third-party review by the Authorized Nuclear Inservice Inspector.

If you have any questions, please contact the Nine Mile Point Nuclear Station Project Manager, Bhalchandra Vaidya, at (301) 415-3308.

Sincerely,

A handwritten signature in black ink, reading "Benjamin G. Beasley". The signature is written in a cursive style with a large, sweeping "B" and "S".

Benjamin G. Beasley, Chief  
Plant Licensing Branch I-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-220 and 50-410

Enclosure:  
Safety Evaluation

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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION  
REQUEST FOR APPROVAL TO USE A LATER ASME CODE SECTION XI EDITION  
AND ADDENDA FOR EXAMINATION CATEGORIES B-L-1, B-M-1, AND C-G  
NINE MILE POINT NUCLEAR STATION, LCC  
NINE MILE POINT NUCLEAR STATION, UNIT NOS. 1 AND 2  
DOCKET NOS. 50-220 AND 50-410

1.0 INTRODUCTION

By letter dated March 26, 2013 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML13088A045), Nine Mile Point Nuclear Station, LLC (the licensee), submitted a request to the Nuclear Regulatory Commission (NRC) for the use of a subsequent edition and addenda of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel (B&PV) Code, Section XI for inservice examinations of certain components, for Nine Mile Point Nuclear Station, Units Nos. 1 and 2 (NMP1 and NMP2), for the NMP1 fourth ten-year inservice inspection (ISI) interval and for the NMP2 third ten-year ISI interval.

Specifically, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) 50.55a(g)(4)(iv), the licensee requested to use the 2007 Edition through the 2008 Addenda of the ASME Code, Section XI, subject to the conditions listed in 10 CFR 50.55a(b), for examinations of Examination Category B-L-1, B-M-1 and C-G components at NMP1 and NMP2 for the remainder of the current 10-year inservice inspection intervals.

2.0 REGULATORY REQUIREMENTS

The NRC staff notes that in its request the licensee proposes an alternative to the requirements of the ASME Code, i.e., the use of a later edition of the Code in accordance with 10 CFR 50.55a(g)(4)(iv). The NRC staff also notes that 10 CFR 50.55a(g)(4)(iv) states, in part that:

Inservice examination of components and system pressure tests may meet the requirements set forth in subsequent editions and addenda of the ASME Code provided that they are incorporated by reference in 10 CFR 50.55a(b), subject to the conditions listed in 10 CFR 50.55a(b), and subject to Commission approval. Portions of editions or addenda may be used provided that all related requirements of the respective editions or addenda are met.

Given that the licensee has proposed the use of a later edition of the ASME Code pursuant to 10 CFR 50.55a(g)(4)(iv) and that 10 CFR 50.55a(g)(4)(iv) specifically permits the use of later

Enclosure

editions of the ASME Code subject to technical criteria which will be considered below, the NRC staff finds that regulatory authority exists to authorize the use of a subsequent edition of the ASME Code, as requested by the licensee.

### 3.0 TECHNICAL EVALUATION

#### 3.1 The Licensee's Request

The ASME Code components affected by the licensee's request are as follows:  
ASME Section XI, Examination Categories:

- B-L-1, Pressure Retaining Welds in Pump Casings
- B-M-1, Pressure Retaining Welds in Valve Bodies
- C-G, Pressure Retaining Welds in Pumps and Valves

The Code of Record for the current NMP1 and NMP2 ISI intervals for Code Class 1, 2 and 3 components is the ASME Section XI, 2004 Edition. The examinations would not be required to be performed under the Code of Record until the last period of the current inspection interval. The current NMP1 and NMP2 ISI intervals began and are scheduled to end as shown below:

Unit 1 – 4<sup>th</sup> 10-year interval - August 23, 2009 to August 22, 2019  
Unit 2 – 3<sup>rd</sup> 10-year interval - April 5, 2008 to April 4, 2018

In lieu of the current Code of Record, ASME Section XI, 2004 Edition, the licensee proposes using the ASME Section XI, 2007 Edition through the 2008 Addenda for Category B-L-1, B-M-1 and C-G components. The licensee noted that examination categories B-L-1, B-M-1, and C-G are not included in the 2007 Edition through the 2008 Addenda of the Code.

#### 3.2 NRC Staff Evaluation

Paragraph 10 CFR 50.55a(g)(4)(iv) contains 4 criteria which must be met prior to use of a subsequent edition of the ASME Code. These criteria are:

1. The proposed edition/addendum of the ASME Code is incorporated by reference in 10 CFR 50.55a(b).
2. The proposed edition/addendum of the ASME Code is subject to the conditions listed in 10 CFR 50.55a(b).
3. The licensee shall request Commission approval to use the proposed edition/addendum of the ASME Code.
4. If only portions of editions or addenda are to be used all related requirements of the respective editions or addenda must be met.

In evaluating the first criterion, i.e., that the proposed edition/addendum of the Code has been incorporated by reference in 10 CFR 50.55a(b), the NRC staff notes that 10 CFR 50.55a(b)(2) incorporates by reference the ASME Code Section XI from the 1970 Edition through the 1976

Winter Addenda, and the 1977 Edition through the 2007 Edition with the 2008 Addenda, which was proposed by the licensee. Therefore, the NRC finds that the first criterion has been satisfied.

In evaluating the second criterion, i.e., that the conditions listed in 10 CFR 50.55a(b) are satisfied for the specific proposed subsequent edition and addenda of the ASME Code, Section XI, the NRC staff notes that 10 CFR 50.55a(b) sets no conditions on Examination Categories B-L-1, B-M-1 and C-G of the 2007 Edition, 2008 Addenda of the ASME Code, Section XI. Therefore, the NRC staff finds that the second criterion has been satisfied.

In evaluating the third criterion, i.e., that the licensee shall request Commission approval to use the proposed edition/addendum of the ASME Code, the NRC staff notes that the licensee's relief request constitutes a request to the Commission for approval to use a subsequent edition/addendum of the ASME Code. Therefore, the NRC staff finds that the third criterion has been satisfied.

In evaluating the fourth criterion, i.e., that if portions of subsequent editions or addenda of the ASME Code, Section XI are used, all related requirements of the respective editions or addenda must be met. The NRC staff is satisfied that the licensee has listed all related requirements in Examination Categories B-L-1, B-M-1 and C-G of the 2007 Edition, 2008 Addenda of the ASME Code, Section XI. Therefore, the NRC staff finds that the fourth criterion has been satisfied.

Based on the above, the NRC staff finds that the criteria contained in 10 CFR 50.55a(g)(4)(iv) are satisfied and that the licensee's request to use the 2007 Edition, 2008 Addenda of the ASME Code Section XI for Examination Categories B-L-1, B-M-1 and C-G is acceptable.

#### 4.0 CONCLUSION

As set forth above, the NRC staff determines that the use of a subsequent Edition of ASME Code, Section XI requirements is acceptable. Accordingly, the NRC staff concludes that the licensee has adequately addressed all of the regulatory requirements set forth in 10 CFR 50.55a(g)(4)(iv). Therefore, the NRC staff authorizes the use of the 2007 Edition through the 2008 Addenda of the ASME Code, Section XI for Examination Categories B-L-1, B-M-1 and C-G for the remainder of the NMP1 fourth 10-year ISI interval and the remainder of the NMP2 third 10-year ISI interval which end on August 22, 2019 and April 4, 2018 respectively.

All other requirements of the ASME Code for which relief has not been specifically requested and authorized remain applicable, including a third party review by the Authorized Nuclear Inservice Inspector.

Principal Contributor: Keith M. Hoffman

Date: March 14, 2014

C. Constanzo

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All other ASME Code, Section XI requirements for which relief was not specifically requested and approved, remain applicable, including third-party review by the Authorized Nuclear Inservice Inspector.

If you have any questions, please contact the Nine Mile Point Nuclear Station Project Manager, Bhalchandra Vaidya, at (301) 415-3308.

Sincerely,

*/ra/*

Benjamin G. Beasley, Chief  
Plant Licensing Branch I-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-220 and 50-410

Enclosure:  
Safety Evaluation

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**ADAMS Accession No.: ML14064A339** (\*) No Substantial change to SE Input Memo

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