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SUBJECT: Requests relief from requirements of ASME Boiler & Pressure Vessel Code, Section XI, Subsection IWE, 1992 Edition with 1992 addenda for Indian Point 3 & JA FitzPatrick. Similar relief request was approved by NRC staff for Duke Energy Corp.

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James Knobel
Senior Vice President and
Chief Nuclear Officer

April 26, 1999
IPN-99-043
JPN-99-013

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555

Subject: Indian Point 3 Nuclear Power Plant
Docket 50-286
James A. FitzPatrick Nuclear Power Plant (Relief Request #16)
Docket 50-333
**Request for Relief From ASME Section XI Code Regarding
Inspection of Containment Seals and Gaskets**

Reference: NRC letter, H. Berkow to M. Tuckman, "Relief Request From the ASME Section XI Requirements As Endorsed By 10 CFR 50.55a For Containment Inspection – Catawba Nuclear Station, Units 1 and 2; Oconee Nuclear Station, Units 1, 2, and 3; and McGuire Nuclear Station Units 1 and 2 (TAC Nos. MA1502, MA1503, MA1510, MA1511, MA1512, MA1521, and MA1522) (Serial No. 98-GO-001)," dated September 3, 1998.

Dear Sir:

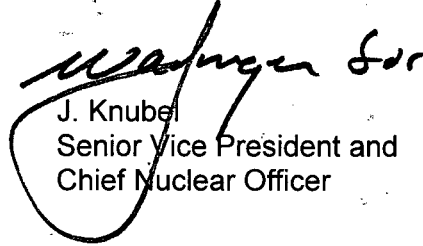
Pursuant to the provisions specified in 10 CFR 50.55a(g)(5)(iii) and in accordance with 10 CFR 50.55a(a)(3)(ii), this submittal requests relief from the requirements of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code, Section XI, Subsection IWE, 1992 Edition with 1992 Addenda, for Indian Point 3 and James A. FitzPatrick. Specifically, relief is requested from the VT-3 visual examination requirements for seals and gaskets of Class MC pressure retaining components and metallic liners of Class CC components, as specified in ASME Code, Section XI, 1992 Edition with the 1992 Addenda, IWE-2500, Table IWE-2500-1, for Examination Category E-D, Item Numbers E5.10 and E5.20. A similar relief request was approved by the NRC staff for Duke Energy Corporation's Catawba, Oconee and McGuire plants (Reference).

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Attachment I contains the basis for this relief request. The Authority would like to use this relief in the upcoming refueling outage (RO 10) at Indian Point 3, and therefore requests review and approval of this relief request prior to September 10, 1999.

This letter contains no new commitments. If you have any questions, please contact Ms. C. D. Faison.

Very truly yours,



J. Knubel
Senior Vice President and
Chief Nuclear Officer

Attachments: As stated
cc: See next page

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Attachment I to IPN-99-043/JPN-99-013

**Relief Request from ASME Section XI Code Regarding
Inspection of Containment Seals and Gaskets**

NEW YORK POWER AUTHORITY

INDIAN POINT 3 NUCLEAR POWER PLANT

DOCKET NO. 50-286

DPR-64

JAMES A. FITZPATRICK NUCLEAR POWER PLANT

DOCKET NO. 50-333

DPR-59

**Relief Request from ASME Section XI Code Regarding
Inspection of Containment Seals and Gaskets**

Component Identification:

The components for which relief is requested are the seals and gaskets of Class MC pressure retaining components and metallic liners of Class CC components, Examination Category E-D, Item Numbers E5.10 and E5.20 of IWE-2500, Table IWE-2500-1, ASME Section XI, 1992 Edition, 1992 Addenda.

Examination Requirements:

IWE-2500, Table IWE-2500-1, Examination Category E-D requires seals (Item E5.10) and gaskets (Item E5.20) on airlocks, hatches, and other devices to be visually examined (VT-3) once each interval to assure containment leak-tight integrity.

Relief Requested:

Relief is requested from performing the code required visual examination (VT-3) on the above mentioned containment seals and gaskets at Indian Point 3 (IP3) and James A. FitzPatrick (JAF).

Basis for Relief:

10 CFR 50.55a was amended to require the use of the 1992 Edition, 1992 Addenda of Section XI of the ASME Code when performing containment examinations. A portion of the code, (Category E-D, Item numbers E5.10 and E5.20 of IWE-2500, Table IWE-2500-1) requires the seals and gaskets on airlocks, hatches, and other devices that are required to assure containment leak-tight integrity to undergo a VT-3 examination once each interval. The purpose of these VT-3 examinations is to examine the seals and gaskets for wear, damage, erosion, tear, surface cracks, or other defects that may violate the leak-tight integrity. Indian Point 3 has determined that the electrical and mechanical penetrations, personnel and equipment hatches, and fuel transfer canal contain seals and gaskets which are subject to the requirements of Table IWE-2500-1, Examination Category E-D. Similarly, at James A. FitzPatrick, some electrical and mechanical penetrations and personnel and equipment hatches in both the Drywell and Torus contain seals and/or gaskets which are subject to the requirements of Table IWE-2500-1, Examination Category E-D. Relief is requested for these components.

Visual examination of the seals and gaskets require the joints, which are proven adequate through Appendix J testing, to be disassembled. For electrical penetrations, this would involve a pre-maintenance Appendix J test, de-termination of cables at electrical penetrations if enough cable slack is not available, disassembly of the joint, removal and examination of the seals and gaskets, re-assembly of the joint, re-termination of the cables if necessary, post maintenance testing of the cables and a post maintenance Appendix J test of the penetration. The work required for the containment hatches would be similar with the exception of the de-termination, re-termination, and testing of cables. This work imposes the risk that equipment could be damaged, thus increasing the potential for leakage. In addition, work on some penetrations,

such as the fuel transfer canal at Indian Point 3, would increase personnel radiological exposure with no compensating increase in the level of quality or safety.

The 1993 Addenda of Section XI recognizes that disassembly of joints to perform these examinations is not warranted and Examination Category E-D was modified to state that sealed and gasketed connections need not be disassembled solely for the performance of examinations. However, without disassembly, most of the surface of the seals and gaskets would be inaccessible for visual examination. A visual examination of the seal or gasket does not ensure that the material is acceptable or that it will effectively seal the joint. This can only be determined by pressure testing which is already required by 10 CFR 50, Appendix J. Both the Indian Point 3 and James A. FitzPatrick Technical Specifications require Appendix J testing to verify the leak tightness of these seals and gaskets.

Further, recently approved revisions to ASME Section XI, Subsection IWE, have eliminated the VT-3 visual examination of seals and gaskets for the reasons discussed above. These changes were published in the 1998 Edition of the Code.

In conclusion, a 10 CFR 50, Appendix J, Type B test is required upon final assembly and prior to startup for penetrations which are routinely disassembled. Since this Type B test will assure the leak tight integrity of primary containment, the performance of a VT-3 examination will not increase the level of safety or quality. Therefore, the visual examination of seals and gaskets in accordance with IWE-2500, Table IWE-2500-1 is a burden without a compensating increase in the level of safety or quality and relief is requested in accordance with 10 CFR 50.55a(a)(3)(ii). The testing of the seals and gaskets, in accordance with 10 CFR 50, Appendix J, will provide adequate assurance of the leak-tight integrity of containment pressure retaining seals and gaskets.

Alternative Examination(s):

The leak tightness of the seals and gaskets will be tested in accordance with 10 CFR 50, Appendix J, as required by the IP3 and JAF Technical Specifications. No additional alternatives to the visual, VT-3 examination required by Table IWE-2500-1, Examination Category E-D, for items E5.10 and E5.20, will be performed.

Implementation Schedule:

This relief request, if approved, will be implemented during the current Inservice Inspection (ISI) interval for both IP3 and JAF. The Authority would like to use this relief in the upcoming refueling outage (RO 10) at Indian Point 3, and therefore requests review and approval of this relief request prior to September 10, 1999.