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FENOC Comments on Proposed Rule for 10 CFR Part 50, Incorporation by Reference of American Society of Mechanical Engineers Codes and Code Cases

On September 18, 2015, a Proposed Rule was published in Federal Register Notice 80 FR 56820 (Docket ID NRC-2011-0088), to revise the Nuclear Regulatory Commission's regulations in 10 CFR Part 50, incorporating by reference seven recent editions and addenda to the American Society of Mechanical Engineers (ASME) codes for nuclear power plants and a standard for quality assurance. The NRC is also proposing to incorporate by reference four ASME code cases. Comments were requested by December 2, 2015.

FirstEnergy Nuclear Operating Company (FENOC) has reviewed the proposed rule, and appreciates the opportunity to provide comments.

Proposed §50.55a(b)(3)(ii)(D) - MOV stroke time. When applying Paragraph III–3600, “MOV Exercising Requirements,” of Appendix III to the OM Code, licensees shall verify that the stroke time of the MOV satisfies the assumptions in the plant safety analyses.

§50.55a(b)(3)(ii)(D) Comments:

1. Clarification is needed with regard to scope as to which MOVs need stroke timing. Some MOVs don't have a safety analysis provided stroke time such as from: Technical Specifications, Safety Features Actuation System, Containment Isolation, FSAR/UFSAR limits, etc. Will these valves that don't have safety analysis need to be timed?
2. Clarification is needed with regard to the “lessons learned from implementation of OMN-1” that is described in 50.55a. What are they and how have these been communicated to the licensees?
3. Discussions within ASME occurred in the early 1990's regarding the adequacy of stroke time testing for MOVs as a means to detect degradation. A concurrent opinion was reached that the typical diagnostic (margin verification) testing being performed per the guidelines of Generic Letter 89-10 was more suitable for detecting component degradation than was stroke time testing. The NRC had previously agreed with ASME to eliminate stroke time testing as a benefit and incentive to adopt Optional Code Case OMN-1. This change is unexpected and will introduce additional implementation burden for those plants which have

proactively adopted Code Case OMN-1. The new requirement adds unnecessary burden to the utilities in two ways.

1. Stroke time testing adds administrative burden (recording, reviewing, M&TE) that does not result in a corresponding increase in level of safety as it does not monitor for degradation, only for failure.
2. For all of the OMN-1 plants, all of the affected IST procedures will need to be revised to reestablish stroke timing requirements.

Proposed §50.55a(b)(3)(xi) OM condition: Valve Position Indication. When implementing ASME OM Code, Subsection ISTC-3700, "Position Verification Testing," licensees shall develop and implement a method to verify that valve operation is accurately indicated by supplementing valve position indicating lights with other indications, such as flow meters or other suitable instrumentation, to provide assurance of proper obturator position.

§50.55a(b)(3)(xi) Comments:

1. Paragraph ISTC-3700 has always stated, "where practicable, this local observation should be supplemented by other indications (i.e., flow, no leakage, etc) to verify obturator (valve disc) position." By eliminating the words, "where practicable" and making it a "shall" perform, this will result in a significant number of relief requests based on testability and frequency. Examples include:
 - Type-C testing will verify valve closure indication but often times is not performed on a 2-year frequency. This will require relief.
 - Valves that don't experience flow (e.g., Containment Spray) will require some extraordinary method for verification or may require relief due to impracticability.
2. The proposed changes will create undo administrative burden on the utilities because this testing would likely require special system operational testing that increases operator burden and risk to plants. Procedure changes or new procedures will be needed for tracking purposes. For example, test procedures will need to be revised to incorporate verification of flow/no flow when the valve is stroked. This could be complicated by having to put this position verification into test procedures that include pump operation as opposed to normal valve exercise that is performed without flow. We do not believe that this testing would provide any measureable benefit to improving on-demand reliability of power operated valves (POVs including AOVs, MOVs, etc.), nor do we believe that it significantly improves our ability to predict stem/disc separations before actual failure.

Proposed §50.55a(f)(4) Inservice testing standards requirement for operating plants. Throughout the service life of a boiling or pressurized water-cooled nuclear power facility, pumps and valves that are within the scope of the ASME OM Code must meet the inservice test requirements (except design and access provisions) set forth in the ASME OM Code and addenda that become effective subsequent to editions

and addenda specified in paragraphs (f)(2) and (3) of this section and that are incorporated by reference in paragraph (a)(1)(iv) of this section, to the extent practical within the limitations of design, geometry, and materials of construction of the components.

§50.55a(f)(4) Comments:

The Federal Register document for 50.55a(f) states "No expansion of IST program scope is intended by this clarification." Removal of "Class 1, 2, and 3" from the above paragraph may cause unintended scope expansion despite the statement of intent from the Federal Register document. The scoping criteria listed in the OM code could be interpreted differently depending on the definition of "accident" (which is not defined in the ASME OM code). The definition of an accident may be broader than what was previously understood with the removal of the restriction to Class 1, 2, and 3. For example, FLEX equipment is not currently subject to OM code testing requirements because it is not Class 1, 2, or 3. The equipment is required for Beyond Design Basis Accident scenarios (i.e., accidents) which could be later interpreted as falling within the scope of OM code testing requirements. Therefore, the removal of "Class 1, 2, and 3" obscures rather than clarifies. This contradicts the stated intent of the change.

Additionally, it presents unintended consequences for RG 1.26 plants because the IST boundary may be expanded whereas the ISI boundary is not. They have always been aligned; IST verifies the active functions and ISI verifies the passive functions within the same safety related system boundaries. This will result in additional testing with no measureable increase in safety.

Overall, we recommend making no changes to 10 CFR 50.55a(f).

If there are any questions, or if additional information is required, please contact:

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