

**From:** [Latiolais, Carl](#)  
**To:** [RulemakingComments Resource](#)  
**Cc:** [Latiolais, Carl](#); [Swilley, Steven](#); [Orihuela, Mike](#); [Abbott, John](#); [Weeks, Paul](#); [Nove, Carol](#); [Cumblidge, Stephen](#); [Cinson, Anthony](#); [Spanner, Jack](#); [Dennis, Mark](#); [Swain, Ronald](#)  
**Subject:** [External\_Sender] Comments to 10 CFR Part 50 Incorporation by Reference of American Society of Mechanical Engineers [Docket ID NRC-2011-0088]  
**Date:** Monday, January 25, 2016 3:03:32 PM  
**Attachments:** [NDE 20160125-002 U.S. Nuclear Regulatory Commission 10CFR50.55a Proposed....pdf](#)

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Dear Sir or Madam,

The attached letter provides a comment to the subject 10CFR50.55a Proposed Rulemaking on behalf of the Nuclear Nondestructive Examination (NDE) Program at the Electric Power Research Institute.

If you have any questions or need clarification on any part of the attached letter, please feel free to contact me (contact information provided below).

Best Regards,

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**Nondestructive Evaluation (NDE) \_\_\_\_\_ 20160125-002**

January 25, 2016

Via Email

Secretary, U.S. Nuclear Regulatory Commission  
Washington, DC 20055-001  
ATTN: Rulemakings and Adjudications Staff

**Subject: 10CFR50.55a Proposed Rulemaking Comments  
RIN 3150-AI97 (Docket ID NRC-2011-0088)**

Dear Sir or Madam,

This letter provides an additional comment to the subject proposed rulemaking on behalf of the Nuclear Nondestructive Examination (NDE) Program at the Electric Power Research Institute.

**EPRI NDE Comment**– Allowing multiple incompatible versions of Section XI, Appendix VIII to be used by licensees continues to create a hardship on the industry for consistent implementation of an Appendix VIII qualification program.

The proposed revision to §50.55a(a)(1)(ii)(C)(50) through (53) - incorporates by reference the 2009 Addenda through the 2013 Edition of Section XI of the ASME B&PV Code, with conditions. When combined with paragraph (b)(2)(xv), the resulting regulation will have various licensees invoking distinctly different versions of Appendix VIII. Licensees using the 1995 Edition with 1996 Addenda through the 2001 Edition of Section XI would implement the edition and addenda of Appendix VIII that corresponds to the Code year of Section XI that they are using. Licensees using the 2002 through 2006 Addenda of Section XI would still implement the 2001 Edition of Appendix VIII. Licensees updating to the 2007 Edition, with 2008 Addenda, through the 2013 Editions of Section XI would be expected to implement the version of Appendix VIII corresponding to the Code year to which they were updating.

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Appendix VIII in the 1995 through 2001 Editions of Section XI are inconsistent, in certain respects, with Appendix VIII in the 2008 Addenda through the 2013 Edition. For instance, the titles and corresponding scopes of Supplements 5 and 7 have significantly changed, over those years. Additionally, there have been a significant number of Code actions to clarify the rules in Appendix VIII supplements, since the publishing of the 1995 Edition with 1996 Addenda. All of this creates difficulty with maintaining an industry qualification program or one set of generic industry inspection procedures that effectively encompasses all these Code years. While the incremental revisions to Appendix VIII have not introduced insurmountable technical impacts, meeting the requirements of all of them, simultaneously, will require that the industry qualification program, procedures, and qualification records be reviewed, at a minimum, and potentially modified in order to accommodate all possible versions that may be implemented in the nuclear fleet. These types of programmatic challenges require significant time and industry resources to resolve, and lend themselves to increased human performance errors in implementation.

A relatively simple solution to this issue would be if all licensees, subject to 10CFR50.55a, were required to automatically adopt the version of Appendix VIII that resides in the latest NRC approved edition and addenda of Section XI. This would enable an industry qualification program, such as the EPRI Performance Demonstration Program, to review and update to one version of Appendix VIII each time 10CFR50.55a was revised. And each licensee would simply have to reference the EPRI Performance Demonstration Program compliance document in their ISI program.

*Request for provision to require licensees to use the latest edition and addenda of Appendix VIII:* Based on the discussion above, The EPRI NDE staff requests that 10CFR50.55a be modified to contain a provision that requires licensees to use Appendix VIII from the latest edition and addenda of the ASME Boiler and Pressure Vessel Code that is incorporated by reference in 10CFR50.55a.

*Suggested Modification:* To accommodate the request above, we suggest the addition of the following sentence to the end of §50.55a(b)(2)(xv) – “Licensees shall use Appendix VIII in the latest edition and addenda of the ASME Boiler and Pressure Vessel Code that is incorporated by reference in paragraph (a) of this section, subject to any applicable provisions listed in paragraph (b) of this section.

We recognize that licensees may request approval to use all or portions of later editions and addenda of the ASME Code, Section XI that are incorporated by

reference in §50.55a using the guidance in NRC Regulatory Issue Summary 2004-12. However, requiring licensees to use the latest approved as recommended above, would eliminate the administrative burden associated with the development, submittal, and approval of these requests.

Sincerely,



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