

HANDOUT FOR PUBLIC MEETING ON ASME 2009-2013 PUBLIC COMMENTS ON PROPOSED RULE

NOTE: This handout was developed to support the public meeting to be held by the U.S. Nuclear Regulatory Commission (NRC) on March 2, 2016.

The purpose of the meeting is to discuss public comments on the proposed rule in order to enhance the NRC's understanding of the associated comments. The NRC staff's anticipated resolution of public feedback on the NRC's proposed rule published in the *Federal Register* on September 18, 2015 (80 FR 56820) is described in the table below: <http://www.gpo.gov/fdsys/pkg/FR-2015-09-18/pdf/2015-23193.pdf>. This handout represents preliminary staff positions concerning public comments on the proposed rule.

The NRC will consider the information developed at the meeting in developing the final rule. The final rulemaking will not include formal comment responses to any oral comments made at this meeting. In addition, the NRC is not providing an additional opportunity to submit written public comments in connection with this meeting.

Issue#	Topic and Background	Public Feedback	Anticipated Resolution
1	<p>(a) <i>Documents approved for Incorporation by Reference</i></p> <p>The proposed rule would incorporate by reference several editions and addenda of ASME <i>Boiler and Pressure Vessel Code</i> (BPV Code), Section XI. (Cumblidge)</p>	<p>Public comments indicated that the implementation of ASME BPV Code, Section XI, Appendix VIII will be overly complex if several editions and addenda are incorporated by reference. The need to maintain several Appendix VIII programs would potentially create issues for licensees and inspectors.</p>	<p>In response to public comments, the NRC staff is considering allowing licensees to use the latest approved Edition and Addenda of Appendix VIII without the use of a relief request.</p>
2	<p>(a)(1)(ii), <i>ASME Boiler and Pressure Vessel Code, Section XI</i>.</p> <p>ASME BPV Code, Section XI, Appendix U was excluded from incorporation by reference into 10 CFR 50.55a in the proposed rule because the NRC staff is developing a regulatory framework for operational leakage. (Hoffman)</p>	<p>Public comments requested that Appendix U be incorporated by reference into 10 CFR 50.55a, because it is based on ASME Code Cases N-513-3 and N-705, which were approved by NRC.</p>	<p>In response to public comments, the NRC staff is considering incorporation by reference of ASME BPV Code, Section XI, Appendix U into 10 CFR 50.55a with two conditions:</p> <ol style="list-style-type: none"> 1. Repairs must be completed at the next shutdown. 2. Leaks must not exceed 5 gallons per minute (gpm). Also would require use of

			Appendix from N-513-3 because it was omitted from Appendix U.
3	(b)(2)(xii) Underwater welding (Jenkins)	Public comments indicated that the ASME BPV Code has been revised to address this condition. Public comments requested that the condition be revised such that it is only applicable to editions/addenda earlier than 2010.	In response to public comments, the NRC staff is considering the following approach for (b)(2)(xii): Specifying "Section XI conditions for welding on irradiated material." Adding: 1) Licensees must obtain NRC approval in accordance with 10 CFR 50.55a(z) regarding the welding technique to be used prior to performing welding on ferritic material exposed to fast neutron fluence greater than 1×10^{17} n/cm ² (E > 1 MeV). 2) Licensees must obtain NRC approval in accordance with 10 CFR 50.55a(z) regarding the welding technique to be used prior to performing welding on austenitic material other than P-No. 8 material exposed to thermal neutron fluence greater than 1×10^{17} n/cm ² (E < 0.5 eV). Licensees must obtain NRC approval in accordance with 10 CFR 50.55a(z) regarding the welding technique to be used prior to performing welding on P-No. 8 austenitic material exposed to thermal neutron fluence greater than 1×10^{17} n/cm ² (E < 0.5 eV) and measured or calculated helium concentration of the material greater than 0.1 atomic parts per million.
4	(b)(2)(xxx), <i>Section XI condition: Steam generator preservice examinations.</i> (Hoffman)	Public comments requested that the condition be revised to specify exam criteria and acceptance criteria for 100% full length	In response to public comments, the NRC staff is considering an approach for (b)(2)(xxx) that reflects a change to specify the type of examination, the timing of the examination, the objective of the

		examination of steam generator tubing.	examination, the acceptance criteria, and personnel qualifications. In addition, the staff would describe in the <i>Federal Register</i> notice for the final rule the basis for these requirements.
5	50.55a(b)(2)(xxxvii) Code Case N-824 The proposed rule would allow the use of ASME Code Case N-824 with conditions described in 50.55a(b)(2)(xxxvii)(A)-(E). (Cumbledge)	Public comments requested that some or all conditions on the use of ASME Code Case N-824 be either removed or modified.	In response to public comments, the NRC staff is considering dropping one condition and modifying two others to bring them into better alignment with NUREG/CR-6933 and NUREG/CR-7122 for the final rule.
6	(b)(3)(ii), <i>OM condition: Motor-Operated Valve (MOV) testing.</i>		
6.1	(A) <i>MOV diagnostic test interval.</i> This condition in the proposed rule states that licensees shall evaluate the adequacy of the diagnostic test interval for each MOV and adjust the interval as necessary, but not later than 5 years or three refueling outages (whichever is longer) from initial implementation of OM Code, Appendix III. (Scarborough)	Public commenters were concerned that the wording of the condition might limit the MOV periodic verification test intervals to 5 years or three refueling outages at the time of initial implementation of OM Code, Appendix III.	In response to public comments, the NRC staff is considering the following approach for this condition: Licensees shall evaluate the adequacy of the diagnostic test intervals established for MOVs within the scope of OM Code, Appendix III, not later than 5 years or three refueling outages (whichever is longer) from initial implementation of OM Code, Appendix III.
6.2	(C) <i>MOV risk categorization.</i> This condition in the proposed rule would require licensees, when applying Mandatory Appendix III, to use a risk categorization process that has been approved by NRC staff. (Farnan)	Public comments were concerned that Appendix III is a two-category risk process although many licensees follow the Joint Owners Group (JOG) MOV test program, which uses a three-category risk process for determining periodic test intervals for MOVs. The concern was that the two-category risk process is more restrictive	The intent of this condition is to indicate that when applying Appendix III to the OM Code, licensees may use either a two-category risk approach or three-category risk approach provided the risk ranking method has been accepted by the NRC staff. Periodic verification test intervals are set by the Owner per the requirements of Appendix III, Section III-6440. This section of the OM Code permits but does not

		when determining MOV test intervals. The public commenters requested clarification of the condition.	require the use of a method to assess risk in establishing test intervals. The subject condition is provided to require that any method that is used to assess risk in meeting Section III-6440 must be accepted by the NRC. The JOG's three-category risk method for assessing periodic test intervals has been accepted by the NRC. The JOG MOV Test program meets the general requirements of Section III-6440.
6.3	<p>(D) <i>MOV stroke time.</i></p> <p>This condition in the proposed rule would require licensees, when applying Mandatory Appendix III, to verify that the stroke time of MOVs satisfies the assumptions in the plant safety analyses. This verification is to be completed during periodic valve exercising. (Farnan)</p>	Public comments requested clarification whether this requirement was applicable to all MOVs in the MOV test program.	The NRC staff agrees that only MOVs that have an isolation time limit to meet Technical Specifications (TS) design basis event assumptions will be required to have their stroke times verified during the valve exercise test in Appendix III. This will be clarified in the <i>Federal Register</i> notice for the final rulemaking. Also, the NRC staff will clarify that the condition requires that the licensees verify that the MOV stroke time limits referenced in the plant TS are not exceeded when exercising the applicable MOVs, but does not require evaluation and tracking of the stroke-time data as part of this condition.
7	<p>(b)(3)(iv), <i>OM condition: Check valves (Appendix II).</i></p> <p>This condition in the proposed rule clarifies the maximum test interval allowed by Appendix II for individual check valves in a group of two or more. (Farnan)</p>	Public comments raised concerns regarding the intent of the clarifications for the implementation of Appendix II. Some public comments considered that the OM Code already addressed this issue.	In response to the public comments, the NRC staff agrees that the ASME OM Code committees are addressing this issue via an ongoing update to the OM Code. However, this update has not yet been placed into the OM Code, but is expected to be part of the 2016 Edition. Review and incorporation by reference of the 2016 Edition of the OM Code might not be completed until 2019. The purpose of the condition is to bridge that gap of time so

			that licensees that use Appendix II in their check valve programs are properly applying test intervals for valves in a group. When the new improved Appendix II is incorporated by reference in 10 CFR 50.55a, this condition will be removed. The NRC staff will consider modifying the condition in the final rule to match clarifications planned for the upcoming 2016 Edition of the OM Code. This should provide a smooth transition to the new Appendix II.
8	<p>(b)(3)(xi), <i>OM condition: Valve Position Indication.</i></p> <p>This condition in the proposed rule specifies that when implementing ASME OM Code, Subsection ISTC-3700, Position Verification Testing, licensees shall supplement the ASME OM Code provisions as necessary to verify that valve operation is accurately indicated. (Billerbeck)</p>	<p>Public comments can be grouped into the following general areas of concern:</p> <ol style="list-style-type: none"> 1. Licensees may need time to implement the proposed condition. 2. Passive valves should be excluded from this proposed condition. 3. The proposed condition is not a clarification but rather is a new requirement. 4. Valve disc/stem separation events are rare and it will be a burden to test for them. 5. Normal plant processes may provide some means of verifying disc/stem integrity, but using these processes in the IST program is a new requirement. 	<p>The NRC staff is considering the following response to the public comments:</p> <ol style="list-style-type: none"> 1. The NRC staff is considering modifying the condition to allow additional implementation time (such as applying the condition to the 2012 Edition of the ASME OM Code). 2. Passive valves require periodic verification of position indication. Therefore, the condition should apply to both active and passive valves. 3. Most valves have no provision for verifying the obturator position by direct observation when implementing ISTC-3700. Therefore, supplemental methods must be used as indicated by the Code. 4. The long standing ASME OM Code requirements of ISTC-3530 and ISTC-3700 for obturator movement verification are deterministic and

			<p>general in nature. The Code recognizes that valve stem-to-disc failures can occur and that assurances through testing are required to ensure that they are detected.</p> <p>5. ISTC-3550 recognizes that valves that operate in the course of plant operation at a frequency that would satisfy the Code exercising requirements need not be additionally exercised. Therefore, the use of normal plant processes is not a new IST program requirement.</p>
9	<p>(f)(4), <i>Inservice testing standards requirement for operating plants.</i></p> <p>The proposed revision to 10 CFR 50.55a(f)(4) aligns the scope of the inservice testing (IST) program described in 10 CFR 50.55a with the scope of the ASME OM Code for pumps and valves that are required to perform a specific function in shutting down a reactor to the safe shutdown condition, in maintaining the safe shutdown condition, or in mitigating the consequences of an accident. (Scarborough)</p>	<p>Public comments indicated that ASME OM Code pumps and valves not classified as Code Class 1, 2, or 3 are addressed through augmented IST programs designed to meet the ASME OM Code where practicable. Public comments raised concerns regarding the potential paperwork burden of the alignment of the scope of the IST provisions for pumps and valves in 10 CFR 50.55a(f)(4) with the scope of the OM Code.</p>	<p>In response to public comments, the NRC staff is considering incorporating the following approach in 10 CFR 50.55a(f)(4):</p> <p>The IST requirements for pumps and valves that are within the scope of the ASME OM Code but are not classified as ASME Code Class 1, Class 2, or Class 3 may be satisfied as an augmented IST program in accordance with paragraph (f)(6)(ii) without requesting relief under paragraph (f)(6)(i) or alternatives under paragraph (z) of 10 CFR 50.55a.</p>