

## U.S. Nuclear Regulatory Commission Public Meeting Summary

**Title:** Public Meeting to Discuss Rulemaking to Incorporate by Reference American Society of Mechanical Engineers Codes and Code Cases

**Meeting Identifier:** 20160187

**Date of Meeting:** March 2, 2016

**Location:** One White Flint North- O9-B4

**Type of Meeting:** Category 3

**Purpose of the Meeting(s):** The purpose of this meeting was to discuss proposed amendments to the U.S. Nuclear Regulatory Commission (NRC) regulations to incorporate by reference seven recent editions and addenda to the American Society of Mechanical Engineers (ASME) codes for nuclear power plants, an ASME standard for quality assurance, and four ASME code cases in Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.55a. Additionally, the purpose of this meeting was to discuss public comments on the proposed rule in order to enhance the NRC's understanding of the comments. The NRC staff will consider the information provided at the meeting in developing the final rule. The final rule will not include formal comment responses to any oral comments made at this meeting. The NRC is not providing an additional opportunity to submit written public comments in connection with this meeting. The slides and a handout were available one week before the meeting, and links to these documents were added to the Related Documents section of the meeting notice.

**General Details:** Representatives from the licensees, Electric Power Research Institute (EPRI), and ASME participated in the public meeting on the phone and via webinar. In total, there were approximately 85 participants in this meeting. A facilitated bridgeline was used for this meeting to coordinate incoming feedback received from the phone. A list of attendees is provided as an attachment to this meeting summary.

**Summary of Presentations:** Marissa Bailey, Acting Director, Division of Engineering, Office of Nuclear Reactor Regulation, provided opening remarks to kick-off the discussions of the public comments received on the proposed rule. The NRC staff chose nine topical areas of high stakeholder interest to address in the public meeting. Slides were presented by technical subject matter experts for each topic. At the end of technical discussions, the NRC staff provided an overview of the rulemaking process emphasizing that public comments would be formally resolved in the final rule.

The first technical presentation focused on the issue of incorporating new versions of Section XI by reference. A stakeholder asked if the NRC had considered an N-729 Rev. 4 change in Part 50. The NRC staff indicated that it will evaluate the Code Case. Another stakeholder noted that the update is voluntary and asked if any communication would be required. The NRC staff responded that no communication would be required.

The second technical presentation focused on proposed changes to incorporate by reference Appendix U to Section XI of the ASME Boiler and Pressure Vessel Code. One stakeholder asked the staff about the technical basis for 5 gallons per minute (gpm). The NRC staff responded that they used information submitted within the relief request process and operating experience to justify the 5 gpm flow rate. Another stakeholder suggested that condition 1 for the incorporation by reference of Appendix U should be that repairs must be completed at the next refueling outage instead of at shutdown. The staff acknowledged the comment.

The third technical presentation concerned underwater welding. There were no comments or points of discussion on this topic.

The fourth technical presentation focused on steam generator preservice examinations. One stakeholder expressed concern that new reactors wouldn't have the same flexibility as operating reactors in the timing of the preservice examination. The tube plugging criteria are provided in an EPRI guidance document. Another stakeholder noted out that the EPRI guidance will be updated soon and provided examples of where there might be implementation issues (e.g., defects not meeting design specifications).

The fifth technical presentation concerned the incorporation by reference of N-824 and the NRC conditions being proposed. One stakeholder asked what the NRC staff's expectations were. The NRC staff responded they would review relief requests on a case-by-case basis. The purpose of including N-824 is to obtain the best method from licensees. Another stakeholder pointed out that there would be limited angles acceptable for use. The NRC staff explained that the intent is "including but not limited to" and angles outside that range would be acceptable.

The sixth technical presentation consisted of three separate, but related, topics for discussion regarding Motor-Operated Valve (MOV) testing.

The first of the sub-topics relates to the MOV diagnostic test interval. A stakeholder indicated that the planned clarification of this condition in 10 CFR 50.55a will resolve his concern. The stakeholder asked about the NRC staff's expectation for documentation. The NRC staff responded that the justification for the MOV test intervals established in long-standing programs would suffice with more work necessary for new reactors.

The second sub-topic relates to MOV risk categorization. One stakeholder expressed concern that Appendix III to the ASME OM Code uses a different exercise frequency. The NRC staff responded that licensees should evaluate risk when extending the length of the interval between MOV exercising.

The third sub-topic relates to MOV stroke time. One stakeholder expressed concern about tying the MOV stroke time to Appendix III with the main issue being that the technical specifications point to inservice testing (IST) in the ASME OM Code. The NRC regional staff clarified that IST program is evaluating degradation while the technical specifications are verifying acceptable stroke times. The stakeholders requested that the regulatory text focus on technical specifications.

The seventh technical presentation focused on check valves. One stakeholder pointed out that there may be short-term non-compliances with the proposed rule text and that a clarification

would help. The NRC staff responded that a relief request is always an option and that this requirement would be looking forward (for example, enforcement discretion more likely than violations).

The eighth technical presentation concerned valve position indication. One stakeholder inquired if the NRC staff had considered using Appendix J for test intervals as an option. The staff responded that we review the current Code and would evaluate the use of proposed alternatives. A second stakeholder indicated that the proposed condition might require utilities to take more action (potential backfit issue) and that the intent of the Code is “reasonable assurance.” The staff acknowledged that ASME is working on addressing this issue in the Code but that the issue continues to remain unresolved. Another stakeholder believed that making a change would not address stem/disc disconnection issues. The stakeholder suggested taking a step back to consider an approach similar to Appendix II. A fourth stakeholder asked what the minimum for documentation would be. The staff responded that observations recorded in the plant record would meet the requirement.

The last technical presentation related to the IST standards requirement for operating plants. A stakeholder indicated that the additional provision being considered for paragraph (f)(4) in 10 CFR 50.55a resolved his concern. A few stakeholders requested that the NRC staff clarify the proposed requirements for non-Code Class components and augmentation in the IST program. The NRC staff responded that the IST program allows alternate system testing with justification. Another stakeholder asked about snubbers and attachments. The NRC staff responded that this provision is applicable to only pumps and valves.

One general question about the path forward was when the final rule will be published. The NRC staff answered that fall 2016 is the goal.

**Public Participation Themes:** The stakeholders appreciated the opportunity to discuss their respective comments on the proposed rule and offered clarification as needed. Many of the comment resolutions being considered by the NRC staff were acceptable to the commenters. Additionally, one stakeholder requested another meeting on the regulatory guides related to that rulemaking. The NRC staff responded that there may be one in the next few months.

**Action Items/Next Steps:**

- NRC staff will continue the comment resolution process as a part of the construction of the final rule.

**Attachments:**

- Meeting agenda ADAMS ML16048A506
- NRC presentation ADAMS ML16053A227
- NRC handout ADAMS ML16053A228
- Meeting attendees

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\*concurrence via e-mail

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