UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

January 24, 2017

Oliver Potts, Director
Office of the Federal Register (F)
National Archives and Records Administration
8601 Adelphi Road
College Park, MD 20740-6001

Dear Director Potts:

In accordance with Part 51 of Title 1 of the *Code of Federal Regulations* (CFR), we request that you approve the incorporation by reference of the material listed below into Title 10 of the CFR. Enclosed is an original copy of each item to be incorporated by reference and a draft copy of the final rule, "Incorporation by Reference of American Society of Mechanical Engineers Codes and Code Cases" (RIN 3150-AI97; NRC-2011-0088). A Microsoft Word file of the draft final rule and a copy of this letter have been submitted to the OFR-Legal@gpo.gov mailbox. These materials are also available in the box labeled 3 of 3.

Please note that Section XV, "Incorporation by Reference—Reasonable Availability to Interested Parties," of the draft final rule discusses the reasonable availability of the materials to be incorporated by reference and NRC's interactions regarding those materials during the rulemaking process with the standards organizations and the public. Section V, "Section-by-Section Analysis," in the draft final rule also includes a detailed discussion of the materials to be incorporated by reference (Section V, "Section-by-Section Analysis").

Materials to be Incorporated by Reference

The following materials will be referenced in 10 CFR 50.55a, as follows:

1. 10 CFR 50.55a(a)(1)(i)(E) "*ASME Boiler and Pressure Vessel Code, Section III*"

   Section III of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel (BPV) Code consists of several divisions. These divisions are broken down into subsections. The NRC is incorporating Division 1. Subsections for Division 1 are designated by capital letter preceded by the letter "N." Each subsection is published separately. The date of issuance for each subsection is the same as the entire Section III.

- 2007 ASME Boiler & Pressure Vessel Code; 2009b Addenda; Section III; Subsection NCA; "General Requirements for Division 1 and Division 2;" "Rules for Construction of Nuclear Facility Components" (Date of issuance: July 1, 2009).
    - Subsection NCA – General Requirements for Division 1 and Division 2
    - Division 1
        - Subsection NB – Class 1 Components
        - Subsection NC – Class 2 Components
        - Subsection ND – Class 3 Components
        - Subsection NE – Class MC Components
        - Subsection NF – Supports
        - Subsection NG – Core Support Structures
        - Subsection NH – Class 1 Components in Elevated Temperature Service
    - Appendices

- 2010 ASME Boiler & Pressure Vessel Code; 2010 Edition; Section III; "Rules for Construction of Nuclear Facility Components;" Subsection NCA, "General Requirements for Division 1 and Division 2" (Date of issuance: July 1, 2010).
    - Subsection NCA – General Requirements for Division 1 and Division 2
    - Division 1
        - Subsection NB – Class 1 Components
        - Subsection NC – Class 2 Components
        - Subsection ND – Class 3 Components
        - Subsection NE – Class MC Components
        - Subsection NF – Supports
        - Subsection NG – Core Support Structures
        - Subsection NH – Class 1 Components in Elevated Temperature Service
    - Appendices

- 2010 ASME Boiler & Pressure Vessel Code; 2011a Addenda; Section III; "Rules for Construction of Nuclear Facility Components;" Subsection NCA, "General Requirements for Division 1 and Division 2" (Date of issuance: July 1, 2011).
    - Subsection NCA – General Requirements for Division 1 and Division 2
    - Division 1
        - Subsection NB – Class 1 Components
        - Subsection NC – Class 2 Components
        - Subsection ND – Class 3 Components
        - Subsection NE – Class MC Components
        - Subsection NF – Supports
        - Subsection NG – Core Support Structures
        - Subsection NH – Class 1 Components in Elevated Temperature Service
    - Appendices

- 2013 ASME Boiler & Pressure Vessel Code; 2013 Edition; Section III; "Rules for Construction of Nuclear Facility Components;" Subsection NCA, "General Requirements for Division 1 and Division 2" (Date of issuance: July 1, 2013).
    - Subsection NCA – General Requirements for Division 1 and Division 2
    - Division 1
        - Subsection NB – Class 1 Components
        - Subsection NC – Class 2 Components
        - Subsection ND – Class 3 Components
        - Subsection NE – Class MC Components
        - Subsection NF – Supports
        - Subsection NG – Core Support Structures
        - Subsection NH – Class 1 Components in Elevated Temperature Service
    - Appendices

These materials are located in the box labeled as 1 of 3.

2. 10 CFR 50.55a(a)(1)(ii)(C) "*ASME Boiler and Pressure Vessel Code, Section XI*"

    - 2007 ASME Boiler & Pressure Vessel Code; 2009b Addenda; Section XI, "Rules for Inservice Inspection of Nuclear Power Plant Components" (Date of issuance: July 1, 2009).

    - 2010 ASME Boiler & Pressure Vessel Code; 2010 Edition; Section XI; "Rules for Inservice Inspection of Nuclear Power Plant Components" (Date of issuance: July 1, 2010).

    - 2010 ASME Boiler & Pressure Vessel Code; 2011a Addenda; Section XI; "Rules for Inservice Inspection of Nuclear Power Plant Components" (Date of issuance: July 1, 2011).

    - 2013 ASME Boiler & Pressure Vessel Code; 2013 Edition; Section XI; "Rules for Inservice Inspection of Nuclear Power Plant Components" (Date of issuance: July 1, 2013).

These materials are located in the box labeled 2 of 3.

3. 10 CFR 50.55a(a)(1)(iii)(B) *"ASME BPV Code Case N-729-4"*

    - Code Cases: Nuclear Components; "Case N-729-4, Alternative Examination Requirements for PWR Reactor Vessel Upper Heads With Nozzles Having Pressure-Retaining Partial-Penetration Welds Section XI, Division 1" (Approval date: June 22, 2012).

4. 10 CFR 50.55a(a)(1)(iii)(C) *"ASME BPV Code Case N-770-2"*

    - Code Cases: Nuclear Components; Case N-770-2, "Alternative Examination Requirements and Acceptance Standards for Class 1 PWR Piping and Vessel

Nozzle Butt Welds Fabricated With UNS N06082 or UNS W86182 Weld Filler Material With or Without Application of Listed Mitigation Activities Section XI, Division 1" (Approval date: June 9, 2011).

5. 10 CFR 50.55a(a)(1)(iii)(D) *"ASME BPV Code Case N-824"*

    - Code Cases: Nuclear Components; "Case N-824 Ultrasonic Examination of Cast Austenitic Piping Welds from the Outside Surface Section XI, Division 1" (Approval date: October 16, 2012).

6. 10 CFR 50.55a(a)(1)(iii)(E) *"ASME OM Code Case OMN-20"*

    - ASME OM-2012, "Operation and Maintenance of Nuclear Power Plants;" Code Case: OMN-20, "Inservice Test Frequency" (Date of issuance: April 8, 2013).

7. 10 CFR 50.55a(a)(1)(iii)(F) *"ASME BPV Code Case N-513-3 Mandatory Appendix I"*

    - Code Cases: Nuclear Components; "Case N-513-3 Evaluation Criteria for Temporary Acceptance of Flaws in Moderate Energy Class 2 or 3 Piping Section XI, Division 1;" "Mandatory Appendix I Relations for F_m, F_b, and F for Through-Wall Flaws" (Approval date: January 26, 2009).

8. 10 CFR 50.55a(a)(1)(iii)(G) *"ASME BPV Code Case N-852"*

    - Code Cases: Nuclear Components; "Case N-852 Application of the ASME NPT Stamp Section III, Division 1; Section III, Division 2; Section III, Division 3; Section III, Division 5" (Approval date: February 9, 2015).

9. 10 CFR 50.55a(a)(1)(iv)(B) *"Operation and Maintenance of Nuclear Power Plants, Division 1: Section IST Rules for Inservice Testing of Light-Water Reactor Power Plants"*

    - ASME OM-2009, "Operation and Maintenance of Nuclear Power Plants" (Revision and Consolidation of ASME OM Code-2004 and ASME OM-S/G-2007) (Date of issuance: February 26, 2010).

    - ASME OM-2011, "Addenda to ASME OM-2009 Operation and Maintenance of Nuclear Power Plants" (Date of issuance: July 18, 2011).

10. 10 CFR 50.55a(a)(1)(iv)(C) *"Operation and Maintenance of Nuclear Power Plants, Division 1: OM Code: Section IST"*

    - ASME OM-2012, "Operation and Maintenance of Nuclear Power Plants" (Revision of ASME OM-2009) (Date of issuance: April 8, 2013).

11. 10 CFR 50.55a(a)(1)(v)(A) *"Quality Assurance Program Requirements for Nuclear Facilities"*

    - ANSI/ASME NQA-1-1983 Edition (Date of issuance: July 1, 1983),
    - ANSI/ASME NQA-1a-1983 Addenda to ANSI/ASME NQA-1-1983 Edition (Date of issuance: December 31, 1983),
    - ANSI/ASME NQA-1b-1984 Addenda to ANSI/ASME NQA-1-1983 Edition (Date of issuance: March 15, 1985), and
    - ANSI/ASME NQA-1c-1985 Addenda to ANSI/ASME NQA-1-1983 Edition (Date of issuance: December 31, 1985).

    - ANSI/ASME NQA-1-1986 Edition (Date of Issuance: July 1, 1986),
    - ANSI/ASME NQA-1a-1986 Addenda to ANSI/ASME NQA-1-1986 Edition (Date of issuance: February 15, 1987),
    - ANSI/ASME NQA-1b-1987 Addenda to ANSI/ASME NQA-1-1986 Edition (Date of issuance: March 15, 1998), and
    - ANSI/ASME NQA-1c-1988 Addenda to ANSI/ASME NQA-1-1986 Edition (Date of issuance: February 28, 1989).

    - ASME NQA-1-1989 Edition (Revision of ANSI/ASME NQA-1-1986 Edition) (Date of issuance: September 15, 1989),
    - ASME NQA-1a-1989 Addenda to ASME NQA-1-1989 Edition (Date of issuance: March 31, 1990),
    - ASME NQA-1b-1991 Addenda to ASME NQA-1-1989 Edition (Date of issuance: April 15, 1991), and
    - ASME NQA-1c-1992 Addenda to ASME NQA-1-1989 Edition (Date of issuance: September 30, 1992).

12. 10 CFR 50.55a(a)(1)(v)(B) *ASME NQA-1, "Quality Assurance Requirements for Nuclear Facility Applications"*

    - ASME NQA-1-1994 Edition (Date of issuance: July 29, 1994).
    - ASME NQA-1-2008 Edition (Date of issuance: March 14, 2008).
    - ASME NQA-1a-2009 Addenda to ASME NQA-1-2008 Edition (Date of issuance: August 31, 2009).

<u>Removal of Materials Already Incorporate by Reference</u>

1. 10 CFR 50.55a(g)(6)(ii)(D)(1) *"Implementation"*

   Code Cases: Nuclear Components; "Case N-729-1, Alternative Examination

Requirements for PWR Reactor Vessel Upper Heads With Nozzles Having Pressure-Retaining Partial-Penetration Welds Section XI, Division 1" (Approval date: March 28, 2006).

2. 10 CFR 50.55a(g)(6)(ii)(F)(1) *"Implementation"*

   Code Case: Nuclear Components; "Case N-770-1, Alternative Examination Requirements and Acceptance Standards for Class 1 PWR Piping and Vessel Nozzle Butt Welds Fabricated With UNS N06082 or UNS W86182 Weld Filler Material With or Without Application of Listed Mitigation Activities Section XI, Division 1" (Approval date: December 25, 2009).

Incorporated Materials are Reasonably Available

Interested parties, including members of the general public, may purchase a copy of the materials from ASME at Three Park Avenue, New York, NY 10016, or at the ASME Web site https://www.asme.org/shop/standards. The materials also are accessible through third-party subscription services such as IHS (15 Inverness Way East, Englewood, CO 80112; https://global.ihs.com) and Thomson Reuters Techstreet (3916 Ranchero Dr., Ann Arbor, MI 48108; http://www.techstreet.com). The purchase price for individual documents ranges from $225 to $720 and the cost to purchase all documents is approximately $9,000.

The materials incorporated by reference can also be examined by all interested parties, by appointment, at the NRC Technical Library located at Two White Flint North, 11545 Rockville Pike, Rockville, Maryland 20852; telephone: 301-415-7000; e-mail: Library.Resource@nrc.gov. Accordingly, the NRC has determined that materials incorporated by reference are reasonably available to all interested parties, including members of the general public.

Please contact Jennifer Borges of my staff at 301-415-3647 or by e-mail at Jennifer.Borges@nrc.gov if you have any questions.

Sincerely,

/RA/

Cindy Bladey
OFR Liaison Officer

Enclosures:
As stated

Requirements for PWR Reactor Vessel Upper Heads With Nozzles Having Pressure-Retaining Partial-Penetration Welds Section XI, Division 1" (Approval date: March 28, 2006).

2. 10 CFR 50.55a(g)(6)(ii)(F)(1) *"Implementation"*

   Code Case: Nuclear Components; "Case N-770-1, Alternative Examination Requirements and Acceptance Standards for Class 1 PWR Piping and Vessel Nozzle Butt Welds Fabricated With UNS N06082 or UNS W86182 Weld Filler Material With or Without Application of Listed Mitigation Activities Section XI, Division 1" (Approval date: December 25, 2009).

Incorporated Materials are Reasonably Available

Interested parties, including members of the general public, may purchase a copy of the materials from ASME at Three Park Avenue, New York, NY 10016, or at the ASME Web site https://www.asme.org/shop/standards. The materials also are accessible through third-party subscription services such as IHS (15 Inverness Way East, Englewood, CO 80112; https://global.ihs.com) and Thomson Reuters Techstreet (3916 Ranchero Dr., Ann Arbor, MI 48108; http://www.techstreet.com). The purchase price for individual documents ranges from $225 to $720 and the cost to purchase all documents is approximately $9,000.

The materials incorporated by reference can also be examined by all interested parties, by appointment, at the NRC Technical Library located at Two White Flint North, 11545 Rockville Pike, Rockville, Maryland 20852; telephone: 301-415-7000; e-mail: Library.Resource@nrc.gov. Accordingly, the NRC has determined that materials incorporated by reference are reasonably available to all interested parties, including members of the general public.

Please contact Jennifer Borges of my staff at 301-415-3647 or by e-mail at Jennifer.Borges@nrc.gov if you have any questions.

Sincerely,

/RA/

Cindy Bladey
OFR Liaison Officer

Enclosures:
As stated

ADAMS Accession No: ML17019A200

OFFICE	ADM:DAS:RADB	ADM:DAS:RADB:TL	ADM:DAS:RADB:BC
NAME	JBORGES	LTERRY (w/edits)	CBLADEY
DATE	1/19/17	1/23/17	1/24/17

OFFICIAL RECORD COPY