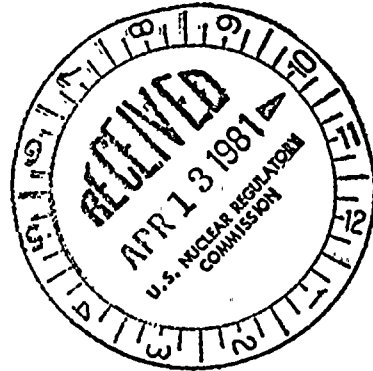


Washington Public Power Supply System
A JOINT OPERATING AGENCY

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April 8, 1981
G02-81-74
NS-L-GCS-81-099



Mr. Richard H. Vollmer
Director, Division of Engineering
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Vollmer:

Subject: APPLICATION OF ASME CODE CASES

- Ref.: 1) Letter, O.D. Parr, NRC to J.J. Stein, WPPSS,
"Review of PSAR Amendment No. 22," dated
November 18, 1976.
- 2) Letter, G.D. Bouchey to Secretary of Commission,
"Comments on Advance Notice of Rulemaking," dated
February 9, 1981.

The purpose of this letter is to provide you with our interpretation of, and to request NRC clarification concerning, the NRC approval required for application of ASME Code Cases which have not yet been listed in Regulatory Guide 1.84 or Regulatory Guide 1.85.

Footnote 6 to paragraph 50.55(a) of 10CFR50 states:

"The use of specific code cases may
be authorized by the Commission upon
request pursuant to paragraph 50.55(a)(2)(ii)."

It is not clear whether this authorization by the Commission must be granted prior to implementation of the code case or can be requested after-the-fact. We would appreciate your position on this issue.

Our interpretation of the regulation is that prior authorization by the NRC is not required as long as we have evaluated the proposed code case and have determined that application of the code case is not a change to the principal engineering or architectural criteria for the plant. This interpretation is in agreement with the guidance we received from the staff in Reference 1 and the comments we submitted to the Commission in Reference 2.

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Mr. Richard H. Vollmer
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We recognize that implementation of a code case prior to receipt of authorization by the NRC places us at risk that the code case may not be accepted, as written, by the NRC and that additional constraints may be applied by the Commission when the code case is addressed in Regulatory Guides 1.84 or 1.85. There are, however, certain situations which arise where we feel that the risk is minimal and is compensated for by the fact that construction or fabrication activities may continue undisturbed if we apply the code case prior to requesting authorization from the Commission.

Our procedure in dealing with code cases is to review the case to determine if its implementation would represent a change in the principal engineering or architectural criteria or result in a decrease in the level of safety. If that determination is positive or we feel the case may not be acceptable to the NRC, prior authorization is sought.

If, however, we determine that the level of safety has not been decreased, the principal engineering or architectural criteria are unaffected and our assessment of NRC acceptance is favorable, we will treat the case as an SAR deviation and NRC authorization will be sought after-the-fact.

We would appreciate receiving your comments on this matter at your earliest convenience.

Should you have any questions, please contact Mr. G. C. Sorensen, Licensing Manager. Mr. Sorensen may be reached at (509)372-5238.

Very truly yours,



G. D. BOUCHEY
Director, Nuclear Safety

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Encl. Ref. 1, Letter O.D. Parr to J.J. Stein
 Ref. 2, Letter G.D. Bouchey to Secretary of Commission

cc: N. S. Reynolds, D&L
 B. J. Youngblood, NRC