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**Sent:** Tuesday, January 22, 2019 4:12 PM

**To:** Ma, May <[May.Ma@nrc.gov](mailto:May.Ma@nrc.gov)>

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**Subject:** [External\_Sender] NEI Letter to NRC - Comments on FRN to incorporate new ASME codes and standards

**THE ATTACHMENT CONTAINS THE FULL CONTENTS OF THE LETTER**

January 22, 2019

Ms. May Ma

Office of Administration

U.S. Nuclear Regulatory Commission

Washington, DC 20555-0001

**Subject:** Industry Comments on "American Society of Mechanical Engineers 2015-2017 Code Editions Incorporation by Reference" [RIN 3150-AJ74; Docket ID NRC-2016-0082]

**Reference No: 689**

Dear Ms. Ma:

The Nuclear Energy Institute<sup>[1]</sup> (NEI), on behalf of our members, appreciates the opportunity to comment on "American Society of Mechanical Engineers 2015-2017 Code Editions Incorporation by Reference" issued in the Federal Register on November 9, 2018. Below are two comments for your consideration.

In summary, since the NRC Resident Inspector currently has access to the most recent revision of a licensee's ASME OM Code program Plan and is able to distribute them to others within the NRC organization upon request, it is recommended that the additional proposed requirement to submit *interim IST Plan updates* be deleted.

If you or other NRC staff have any comments or questions please contact me at [svj@nei.org](mailto:svj@nei.org) or 202-739-8163.

Sincerely,

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[1] The Nuclear Energy Institute (NEI) is responsible for establishing unified policy on behalf of its members relating to matters affecting the nuclear energy industry, including the regulatory aspects of generic operational and technical issues. NEI's members include entities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect and engineering firms, fuel cycle facilities, nuclear materials licensees, and other organizations involved in the nuclear energy industry.

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**10 CFR 50.55a(b)(3)(xi) OM Condition: Valve Position Indication (page 56171)**

Verification of valve position indication became effective 8/17/2018. The proposed change is applicable when implementing the 2012 or later editions of the ASME OM Code. It stipulates that licensees shall verify that valve operation is accurately indicated by supplementing valve position indicating lights with other indications, such as flow meters or other suitable instrumentation, to provide assurance of proper obturator position. The scope of the condition follows guidance under paragraph ISTC-3700 and applies to all valves with remote position indication, with the exception of active MOVs under Mandatory Appendix III. The condition could imply the obturator position is to be verified using supplemental means every 24 months.

In the proposed rulemaking, 10CFR50.55a(b)(3)(xi) is being updated to increase the scope of the OM condition to include valves covered in all of the mandatory appendices within the ASME OM Code, in addition to subsection ISTC. The basis for this change seems to imply that diagnostic testing performed on MOVs under Mandatory Appendix III can be used to verify obturator position on the diagnostic test frequency (up to every 10 years), as this particular test method provides reasonable assurance of valve condition.

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Establishing a requirement to verify obturator position on every valve in the IST program with remote position indication places a significant burden on the licensee to develop new test methods and procedures for valves that do not have supplemental means available, such as flow or pressure indication. In these cases, it may be necessary to purchase special equipment and deploy personnel to high radiological areas in order to verify obturator position on a frequency that may not be necessary.

The OM condition could be modified to allow other NRC-approved test methods to verify obturator position while still maintaining reasonable assurance of the valve condition. An example of such an NRC-approved test method would be the Appendix J program. The Local Leak Rate Test performed under this program provides the reasonable assurance necessary to meet the intent of this OM condition on a frequency greater than 24 months and would greatly reduce the burden on the licensee. These types of NRC approved test methods call for increased testing frequencies when the valve's performance shows signs of degradation.

It is recommended that the following wording be added to the condition to provide greater flexibility in how licensees meet the intent of this OM condition: "...Licensees shall verify that valve operation is accurately indicated by supplementing valve position indicating lights with other indications, such as flow meters, other suitable instrumentation, or NRC approved testing programs to provide assurance of proper obturator position...."

### **10 CFR 50.55a(f)(7), Inservice Testing Reporting Requirements**

As stated in the proposed rulemaking, "The current ASME OM Code states in paragraph (a) of ISTA-3200, 'Administrative Requirements,' that IST Plans shall be filed with the regulatory authorities having jurisdiction at the plant site. However, the ASME is planning to remove this provision from the ASME OM Code in a future edition because this provision is more appropriate as a regulatory requirement rather than a Code requirement. Therefore [the] proposed condition is an administrative change that would relocate the provision from the ASME OM Code to § 50.55a."

However, the proposed 10 CFR 50.55a(f)(7) would expand the existing OM Code requirement to require licensees to submit their IST Plans *and interim IST Plan updates related to pumps and valves, and IST Plans and interim Plan updates related to snubber examination and testing* to NRC Headquarters, the appropriate NRC Regional Office, and the appropriate NRC Resident Inspector. Submittal of interim IST Plan updates for pumps and valves and snubber examination and testing is not currently required. The new requirement to submit IST Plan updates to the NRC is considered unnecessary and overly burdensome. Currently, program plans associated with the ASME OM Code are submitted to the NRC *for information* prior to the beginning of each 10 year interval. These program plan submittals are deemed adequate for the NRC to perform their technical reviews of any associated alternative and relief requests.

The current revision of the ASME OM Code IST program Plans are available to onsite resident inspectors, who can provide the latest revision to interested NRC technical staff and regional inspectors upon request.

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Furthermore, NRC inspectors typically request licensees to either provide, or have available upon arrival, the latest Plan documents prior to scheduled inspections. An OM Code IST program Plan is considered a living document and could go through several revisions within a 10 year interval. The proposed requirement may result in licensees not updating their ASME OM Code program plans as often due to the extra burden of having to send revisions to NRC headquarters, the NRC Regional Office, and the NRC Resident Inspector.

In summary, since the NRC Resident Inspector currently has access to the most recent revision of a licensee's ASME OM Code program Plan and is able to distribute them to others within the NRC organization upon request, it is recommended that the additional proposed requirement to submit *interim IST Plan updates* be deleted.

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Sincerely,



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c: Mr. James O'Driscoll, NRC/NMSS  
Mr. Keith Hoffman, NRC/NRR