U.S.NRC
United States Nuclear Regulatory Commission
Protecting People and the Environment

Reactor Vessel Material Surveillance Program Requirements

Rulemaking Status

Public Meeting
April 30, 2019

ADAMS Accession No. ML19106A001

Agenda

- Welcome/Introductions/Logistics
- Meeting Purpose
- Background
- Direct Final Rule Process
- Rulemaking Status
- Regulatory Considerations
- Schedule
- Public Questions and Discussion
- Closure

Announcements

- Category 3 Public Meeting
- Teleconference Number
  - 1-888-560-6530 passcode: 7959565
- Webinar
  - https://attendee.gotowebinar.com/register/6542737797754813955
- If you are participating via phone, please send an email to Stewart.Schneider@nrc.gov confirming your attendance

Meeting Purpose

Provide information to the public on the status and scope of the rulemaking activity to revise Appendix H to 10 CFR Part 50

Background

June 2017: NRC held a public meeting to discuss three rulemaking options and solicited public input (ML17173A081)

- Option A: Status Quo – No revision
- Option B: Retain ASTM E185-82 and limited revisions
  - Eliminate inclusion and testing of certain specimens
  - Maximize cost reduction
- Option C: Incorporate ASTM E185-16 & E2215-16 and extensive revisions
  - Include Option B cost reductions
  - Substantial number of conditions to remove requirements having limited benefit

NRC recommended Option B and stakeholders agreed

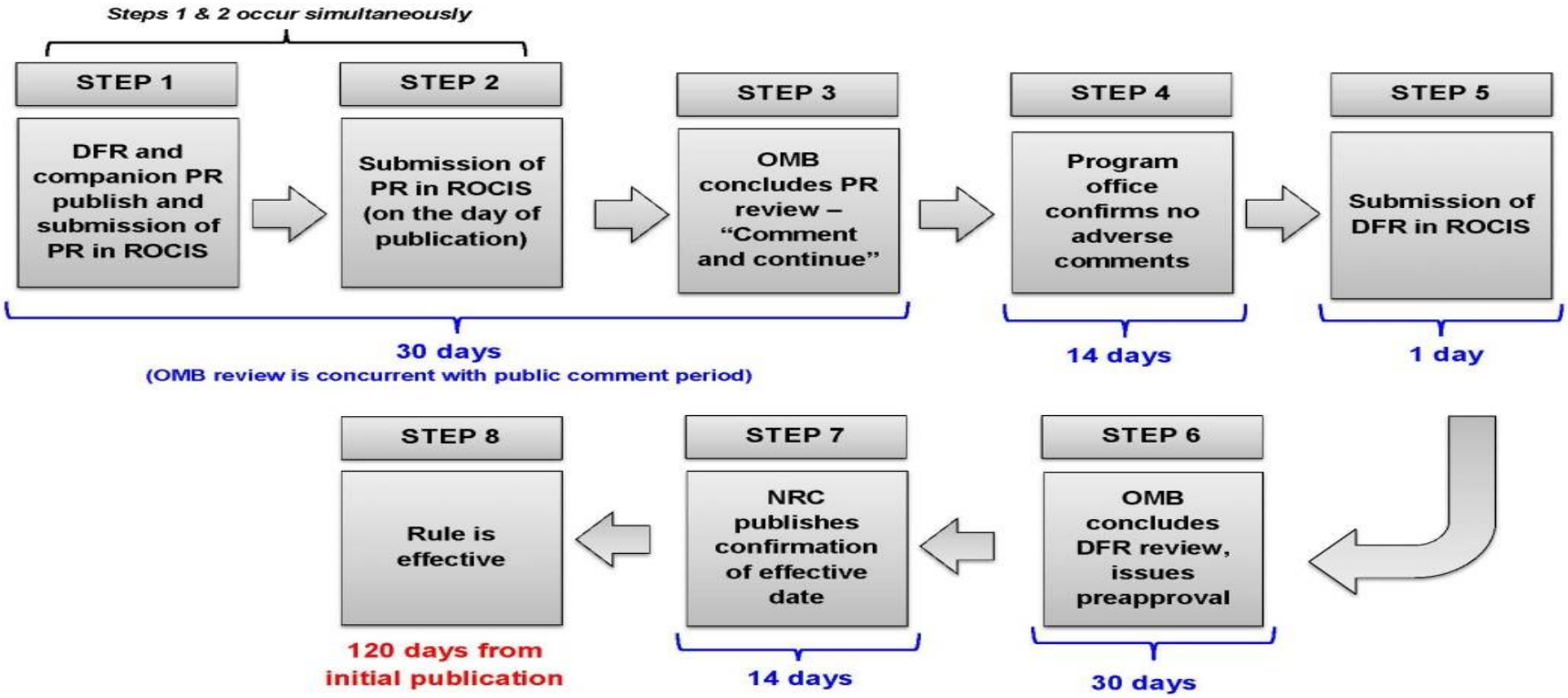
Commission Communication

- COMSECY-18-0016 (August 2018, ML18057A000)
  - Requested Commission approval to:
    - Publish the regulatory basis
    - Use the direct final rule process to revise the testing and reporting requirements in Appendix H
- SRM-COMSECY-18-0016 (January 2019, ML19009A513)
  - Commission approved regulatory basis publication and use of the direct final rule process
  - Clarify the specific edition of ASTM E185 applicable to reactor vessels purchased after 1982

Direct Final Rule Process

- Used for non-controversial regulatory amendments
- No significant technical or policy issues involved
- Issue direct final rule with a companion proposed rule
- Expedites the rulemaking process:
  - Revised requirements become effective sooner
  - Provides the benefits of the rule change sooner
- Minimizes the use of NRC resources
- Provides an opportunity for public comment on the rule
- No significant and adverse public comments anticipated

Effective Date Timeline



Rulemaking Status

- Regulatory Basis (RB) published on April 4, 2019
  - *Federal Register* notice of availability (84 FR 12876)
  - *Federal Register* notice of administrative correction
    - 84 FR 14845; April 12, 2019
  - ADAMS Accession No. ML19038A477
- Direct Final Rule underway to:
  - Eliminate the requirements to test weld heat-affected zone specimens and examine thermal monitors
  - Reduce the number of tensile specimens that require testing
  - Specify that testing correlation monitor material is optional
  - Increase the reporting period from one year to 18 months

The direct final rule would continue to ensure adequate protection of public health and safety and the environment

Additional Regulatory Consideration
(Commission-Directed)

- Surveillance Program Criteria (Section III.B.1)
  - Clarify the specific edition of ASTM E 185 that applies to the design of surveillance programs and withdrawal schedules for reactor vessels purchased after 1982
- Basis
  - Potential to misinterpret Appendix H as requiring the use of an ASTM standard not currently incorporated by reference
  - Direct Final Rule provides an opportunity to clarify the requirement
- Resolution
  - Revise Section III.B.1 to clarify that ASTM E185-82 must be used when designing a surveillance program for reactor vessels purchased after 1982
  - Consistent with NRC practice

Other Regulatory Considerations

- Cumulative Effects of Regulation (CER)
  - Recognizes the challenges that licensees face when implementing multiple complex regulatory positions, programs, or requirements within a limited implementation period and with available resources and technical expertise
  - NRC staff does not anticipate any CER concerns because the Appendix H rulemaking would reduce the regulatory burden on reactor licensees for testing and reporting
- Backfitting and Issue Finality
  - Proposed revisions would provide a non-mandatory relaxation
  - Proposed revisions would be voluntary; licensees would not be required to eliminate or reduce certain tests nor extend the period to report results
  - Therefore, Appendix H rulemaking would not constitute backfitting or violate issue finality

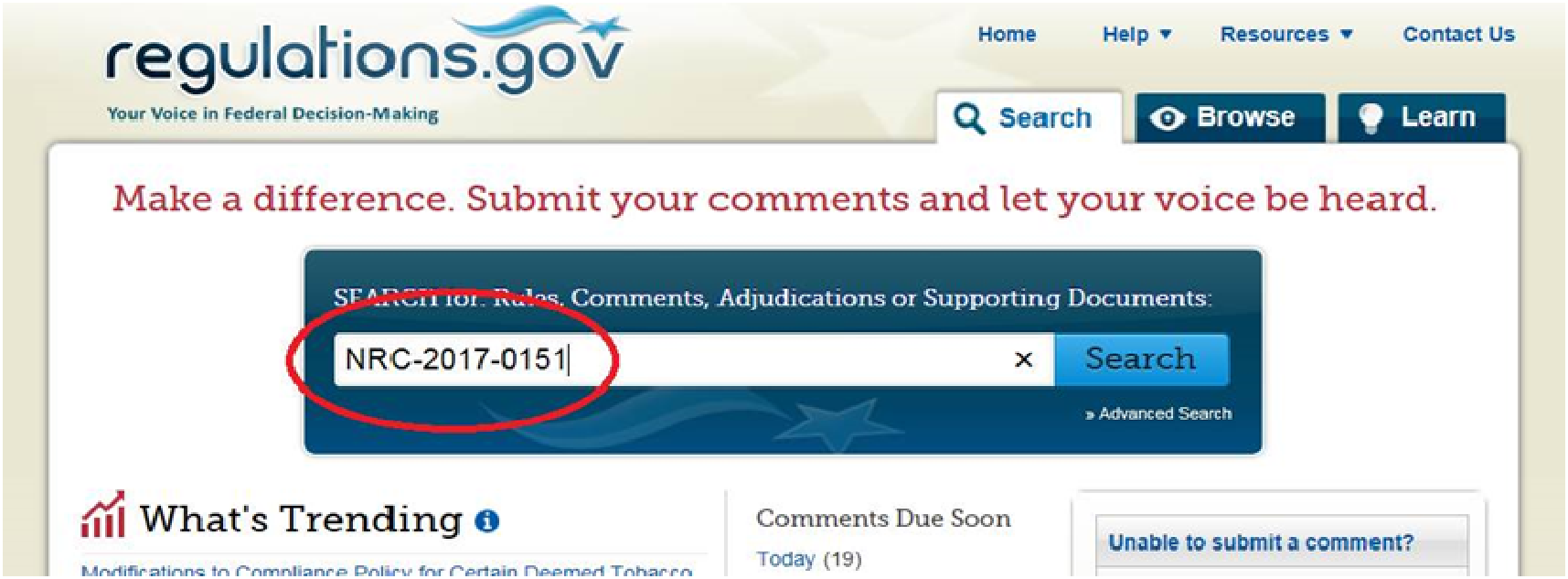
Rulemaking Schedule

- NRC staff's goal is to submit the direct final rule package to the Commission for review and approval by January 2020

- Direct Final Rule would become effective in late 2020

Questions

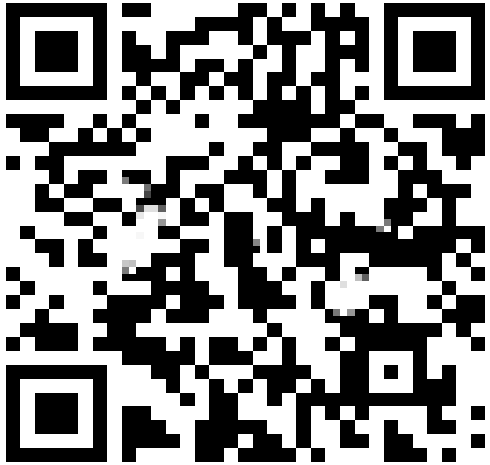
Where to Find Information



Search for docket ID NRC-2017-0151

How did we do?

- NRC Public Meeting Feedback Form



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Thank You