



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

July 30, 2019

Mr. Paul Fessler
Senior Vice President and
Chief Nuclear Officer
DTE Electric Company
Fermi 2 – 260 TAC
6400 North Dixie Highway
Newport, MI 48166

SUBJECT: FERMI 2 – SUPPLEMENTAL INFORMATION NEEDED FOR ACCEPTANCE OF REQUESTED LICENSING ACTION RE: SUBMITTAL OF VALVE RELIEF REQUESTS FOR THE INSERVICE TESTING PROGRAM FOURTH 10-YEAR INTERVAL (EPID L-2019-LLR-0056 AND L-2019-LLR-0058)

Dear Mr. Fessler:

By letter dated June 14, 2019, DTE Electric submitted an application containing four relief requests (RRs) for Fermi 2 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML19165A134). The U.S. Nuclear Regulatory Commission (NRC) staff reviewed the RRs and notified you by email on July 16, 2019 (ADAMS accession No. ML19197A348) that VRR-006 and VRR-009 contained sufficient information to start the technical review. However, for the two RRs (listed below) the NRC staff determined that the supplemental information is needed to complete its acceptance review of your proposed alternatives.

- VRR-004, “Relief to Utilize Diagnostic Testing to Confirm Obturator Verification,” would provide relief from the requirements of American Society of Mechanical Engineers (ASME) OM (Operations and Maintenance) Code ISTC-3700 and Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.55a(b)(3)(xi). The basis for this RR is that compliance with the specified requirements would result in hardship or unusual difficulty without a compensating increase in the level of quality and safety.
- VRR-007, “Relief from Conducting Obturator Verification for Certain Power Operated Valves,” would provide relief from 10 CFR 50.55a(b)(3)(xi), ASME OM Code condition: Valve Position Indication. The basis of the RR is that compliance with the specified requirements would result in hardship or unusual difficulty without a compensating increase in the level of quality and safety.

The purpose of this letter is to provide the results of the U.S. Nuclear Regulatory Commission (NRC) staff’s acceptance review of this application. The acceptance review was performed to determine if there is sufficient technical information in scope and depth to allow the NRC staff to complete its detailed technical review. The acceptance review is also intended to identify whether the application has any clear information insufficiencies in its characterization of the regulatory requirements or the licensing basis of the plant.

Pursuant to 10 CFR, Sections 50.55a(z)(1) and 50.55a(z)(2), the applicant shall demonstrate that the proposed alternatives would provide an acceptable level of quality and safety, or that compliance with the specified requirements of Section 50.55a would result in hardship or unusual difficulty without a compensating increase in the level of quality or safety.

The NRC staff has reviewed your application and concluded that the information delineated in the enclosure to this letter is necessary to enable the staff to make an independent assessment regarding the acceptability of the proposed RR in terms of regulatory requirements and the protection of public health and safety and the environment.

In order to make the application complete, the NRC staff requests that DTE supplement the application to address the information insufficiencies delineated in the enclosure by August 9, 2019 and will enable the staff to begin its detailed technical review. If the information responsive to the NRC staff's request is not received by the above date, the application will not be accepted for review pursuant to 10 CFR 2.101, and the NRC will cease its review activities associated with the application. If the application is subsequently accepted for review, you will be advised of any further information needed to support the staff's detailed technical review by separate correspondence.

The information requested and associated time frame in this letter were discussed with Jason Haas of your staff on July 24, 2019.

If you have any questions, please contact the Project Manager, Sujata Goetz, at (301) 415-8004.

Sincerely,

/RA/

Sujata Goetz, Project Manager
Plant Licensing Branch III
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No.: 50-341

Enclosure:
Supplemental Information Needed

cc: Listserv

SUPPLEMENTAL INFORMATION NEEDED
PROPOSED ALTERNATIVE REQUEST OF VALVE RELIEF REQUEST
FOURTH, 10-YEAR INTERVAL IN-SERVICE INSPECTIONS

DTE ENERGY COMPANY

FERMI 2

DOCKET NO. 50-341

EPID: L-2019-LLR-0056, L-2019-LLR-0058

By letter dated June 14, 2019, DTE Electric Company (DTE) submitted an application containing four relief requests (RRs) for Fermi 2 (Agencywide Documents Access and Management System Accession No. ML19165A134). The U.S. Nuclear Regulatory Commission (NRC) staff reviewed the RRs and notified you by email on July 16, 2019 (ADAMS accession No. ML19197A348) that VRR-006 and VRR-009 contained sufficient information to start the technical review. However, for the other two RR (listed below) the NRC staff determined that supplemental information is needed to complete its acceptance review of the licensee proposed alternatives.

- VRR-004, "Relief to Utilize Diagnostic Testing to Confirm Obturator Verification," would provide relief from the requirements of American Society of Mechanical Engineers (ASME) OM (Operations and Maintenance) Code (ASME OM Code) ISTC-3700, and Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.55a(b)(3)(xi). The basis for this RR is that compliance with the specified requirements would result in hardship or unusual difficulty without a compensating increase in the level of quality and safety.
- VRR-007, "Relief from Conducting Obturator Verification for Certain Power Operated Valves," would provide relief from 10 CFR 50.55a(b)(3)(xi), ASME OM Code condition: Valve Position Indication. The basis of the RR is that compliance with the specified requirements would result in hardship or unusual difficulty without a compensating increase in the level of quality and safety.

The acceptance review performed by the NRC staff has identified the following insufficiencies:

1. RR VRR-004

DTE requested relief from the requirement in ASME OM Code, ISTC-3700, "Position Verification Testing," and 10 CFR 50.55a(b)(3)(xi), "OM Condition: Valve Position Indication," for the 23 valves listed in the RR. DTE requested to use diagnostic testing instead of local observation and other indications of obturator movement, and to perform

Enclosure

obturator verification every 10 years or less rather than the 2-year position indication test frequency of ISTC-3700.

- (a) The description of diagnostic testing to be performed and the methods used to complete the obturator verification requirement is not sufficiently described for the valves.
- (b) The application states that the diagnostic interval can reach a maximum frequency of 10 years based on the currently recommended ASME OM Code 2017 Edition Appendix IV for high safety significant valves.
 - i. It is not clear to the NRC staff if Fermi 2 will adopt the ASME OM Code 2017 Edition Mandatory Appendix IV requirements for the 23 valves listed. If so, Appendix IV still requires obturator verification per ISTC-3700 every 2 years. Explanation of exceeding this interval and the reasons why it is acceptable is needed.
 - ii. The maximum diagnostic test interval frequency in Appendix IV is 10 years. The RR contains no discussion of how the interval is established (e.g., are there two successful tests at a reduced interval before extending?). There is also no discussion of how a valve test failure will affect the test interval. Does the test interval consider valve risk and margin?
 - iii. The alternative request mixes portions of mandatory Appendix III requirements with Appendix IV. The request needs to be more specific regarding which Appendix is being requested.
- (c) The NRC staff considers the proposal to be an alternative to the ASME OM Code requirements. Please clarify if the request is an alternative request pursuant to 10 CFR 50.55a(z) or some other regulation.

2. RR VRR-007

DTE requested relief from 10 CFR 50.55a(b)(3)(xi) for obturator position verification for 63 valves listed in the RR. DTE proposed to supplement valve position indication with other indications to provide assurance of proper obturator position, except in those cases identified in the RR where obturator verification is not necessary or results in a hardship or unusual difficulty without a compensating increase in the level of quality and safety. In an attachment to the RR, DTE provided its description of the various bases for each valve to exclude obturator position verification through other indications as required by 10 CFR 50.55a(b)(3)(xi).

The description of the alternative indications that will be used to provide assurance of proper obturator position and the methods used to complete the obturator verification requirement is not sufficiently described for the valves for the NRC staff to make complete its acceptance review.

SUBJECT: FERM2 – SUPPLEMENTAL INFORMATION NEEDED FOR ACCEPTANCE OF REQUESTED LICENSING ACTION RE: SUBMITTAL OF VALVE RELIEF REQUESTS FOR THE INSERVICE TESTING PROGRAM FOURTH 10-YEAR INTERVAL (EPID L-2019-LLR-0056, AND L-2019-LLR-0058,) DATED JULY 30, 2019

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