



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

May 18, 1994

MEMORANDUM FOR: Eric S. Beckjord, Director
Office of Nuclear Regulatory Research

FROM: William T. Russell, Director
Office of Nuclear Reactor Regulation

SUBJECT: PROPOSAL FOR ADDITION TO RULEMAKING
FOR 10 CFR 50.55a, "CODES AND STANDARDS"

The Office of Nuclear Reactor Regulation (NRR) proposes that certain changes to Section 50.55a be included as an addition to the ongoing rulemaking effort for 10 CFR 50.55a supplemental to the additions requested in Dr. Murley's letter to you dated February 22, 1994. The changes relate to policy issues that NRR has been reviewing as a result of a cost-beneficial licensing action request being reviewed by NRR's Division of Engineering. Specifically, Entergy Operations, Inc., requested an alternative to the 120-month update required by 10 CFR 50.55a for both the inservice inspection program and the inservice testing program.

On April 18, 1994, the staff met with Entergy Operations, Inc., and Nuclear Energy Institute (NEI) representatives. At that meeting, the staff identified an approach that, although different from the Entergy request, appeared acceptable to them and NEI and addressed their concerns associated with the costs of implementing the updated programs over the remaining life of the plants. Gilbert C. Millman of the Mechanical Engineering Branch in your Office has been involved in meetings related to the request and is familiar with the staff's proposed alternative approach to modifying 10 CFR 50.55a.

The current regulations require that licensees update their inservice inspection and inservice testing programs to later editions and addenda of the ASME Boiler and Pressure Vessel Code (B&PV Code) every 120 months. The changes we propose would eliminate the updating requirements based on specific intervals. Rather, we propose that each edition and addenda of the B&PV Code, and the ASME Operations and Maintenance Code (O&M Code), become effective six months after the date of publication. Licensees would be able, but not required, to use later editions, or portions thereof, of the B&PV Code and the O&M Code, as they became effective without further approval by the Commission. For any changes that we believe would be safety significant, the NRC will perform a backfit analysis in accordance with 10 CFR 50.109 and, as appropriate, such changes will be incorporated into the rule, identifying the implementation schedule. For the ongoing rulemaking, Appendix VIII, "Performance Demonstration for Ultrasonic Examination Systems," of the B&PV Code, would be an example of a change that NRC will impose on licensees on the basis of the analysis that has already been performed in the current rulemaking effort.

CONTACT: P. Campbell, NRR/DE/EMEB

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*L-4-1, 71, 50, Licensing
Prod. & At. L.
X - RD-11 - Testing
X - MMS - Cost Benefit*

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The revised rules should incorporate a method for addressing relaxations in the Code which are unacceptable to the NRC, similar to the limitations on specific editions and addenda currently included in 10 CFR 50.55a(b)(2). The staff must have the option to maintain certain requirements of previous Code editions. The process for identification of the exceptions to the later editions and addenda of the code should be efficient and allow the staff to inform licensees within the six-month period prior to the effective date of the later editions or addenda. We recommend an approach such as publishing the exception in the Federal Register with later incorporation into the rule.

On the basis of the extent of the changes involved on both policy grounds and the actual structure of the rule, the NRR Division of Engineering staff will provide support for the rulemaking effort. Patricia L. Campbell, Mechanical Engineering Branch, will be the NRR technical contact for this effort.

Original Signed By

WILLIAM T. RUSSELL

William T. Russell, Director
Office of Nuclear Reactor Regulation

cc: J. L. Milhoan

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