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Perry Nuclear Power Plant
Docket No. 50-440
Schedule for Response to NRC SER
on Generic Letter 88-01 "NRC
Position on IGSCC in BWR
Austenitic Stainless Steel Piping"

Gentlemen:

By letter dated February 10, 1992, the NRC staff responded to our letters of July 29, 1988 (PY-CEI/NRR-0894L), June 15, 1989 (PY-CEI/NRR-1027L), and July 31, 1989 (PY-CEI/NRR-1044L). The NRC's Safety Evaluation and its attached Technical Evaluation Report (TER) reviewed the Cleveland Electric Illuminating Company responses to each of the NRC Staff Positions expressed in Generic Letter 88-01 entitled "NRC Position on IGSCC In BWR Austenitic Stainless Steel Piping", its Attachment A, and the associated NUREG-0313 Rev. 2 "Technical Report on Material Selection and Processing Guidelines For BWR Coolant Pressure Boundary Piping".

The NRC letter accepted the majority of the CEI responses to the Generic Letter 88-01 Positions, but took exception to three of the CEI responses. Specifically, the Staff disagreed with the following positions:

1. not to amend the Perry Technical Specifications to include a statement on Inservice Inspection, as specified in the Generic Letter
2. not to accept the operability of leakage monitoring instruments in accordance with the revised staff position
3. not to amend the Technical Specifications to initiate a plant shutdown in the event of a 2 gpm increase in unidentified reactor coolant system leakage within 24 hours.

The NRC's February 10, 1992 letter requested that proposed changes to the Perry Nuclear Power Plant (PNPP) Technical Specifications that conform with the Generic Letter 88-01 Positions be submitted. It also requested that a schedule for our response to the NRC letter be provided. This response letter provides schedules for addressing each of the above items, and additional brief discussions of our objections to certain items.

It is requested that NRC management take note of the issues raised by the Staff and of those raised by CEI in this letter and in future meetings and correspondence on this Generic Letter. CEI believes that the Staff positions

taken on the three issues identified in the February 10, 1992 letter are either not consistent with the Commission's Interim Policy Statement on Technical Specification Improvement, or may involve backfits for PNPP pursuant to 10 CFR 50.109, or provide further examples in support of industry comments made during the Regulatory Impact Survey regarding NRC imposition of "requirements" through the use of Generic Letters. As noted below, a copy of this letter is being provided to Mr. Samuel J. Chilk, Secretary of the Commission, in order to bring these concerns to the attention of the NRC Commissioners.

As noted above, CEI expects to address each issue in more detail in future meetings and supplemental correspondence; the purpose of this letter is to clarify our objections and propose schedules for resolution of the issues.

Addition of a Statement to Specification 4.0.5

The NRC Staff's first exception was to the CEI proposal to make a commitment to the Generic Letter Positions on Inspection Schedules, Methods and Personnel, and Sample Expansion, rather than adding a statement to Technical Specification 4.0.5 to this effect. CEI believes that (1) adding a commitment such as this to the Technical Specifications is inconsistent with the Commission's Interim Policy Statement on Technical Specification Improvements; (2) the NRC interpretation of Generic Letter 88-01 as requiring each licensee to change their Technical Specifications to include a commitment statement (see TER Sections 3.1.1 and 3.1.2) is inconsistent with the positions the Staff has espoused in response to industry concerns expressed in the Regulatory Impact Survey; and (3) the addition of this change is purely administrative and would not result in any improvement in plant safety above that provided by our alternative proposal to incorporate such a statement into the PNPP Inservice Examination Program. Further details on CEI's position on this overregulation issue will be provided in subsequent correspondence to the Commission.

In addition to the above considerations, the standard phraseology for a Technical Specification change provided by the NRC Staff in Generic Letter 88-01 could not be utilized in PNPP's case, since CEI took exception to two of the three NRC Positions (Inspection Schedules, and Methods and Personnel), and our exceptions were approved by the NRC in their February 10, 1992 letter. A simple commitment to the NRC Positions would not be accurate. Such wording would be similar to the following:

The Inservice Inspection Program for piping identified in NRC Generic Letter 88-01 shall be performed in accordance with the NRC Staff Positions in the Generic Letter on Inspection Schedules, Methods and Personnel, and Sample Expansion, as modified by CEI letter dated July 31, 1989 (PY-CEI/NRR-1044L) and approved by the staff by letter dated February 10, 1992.

Again, this would be purely an administrative change to the Technical Specifications which would not result in any improvement in plant operational safety, therefore CEI does not plan to submit such a Technical Specification

change request. To date, PNPP has been performing activities in accordance with our previous Generic Letter 88-01 commitments on Inspection Schedules, Methods and Personnel, and Sample Expansion. However, CEI will commit to the addition of such a "motherhood" statement to the Inservice Examination Program (ISEP). The schedule for addition of the above statement into the PNPP ISEP is to have it incorporated by December 31, 1992, as part of a revision to the program that will be prepared to incorporate lessons learned from Refueling Outage 3. The above commitment, along with previous commitments, ensures that appropriate ISI examinations will be performed, and responses to examination findings will be taken.

Leakage Monitoring upon Loss of a Drywell Sump

The NRC's second exception was to the CEI position that the current licensing basis for PNPP was acceptable with respect to the Technical Specification required Action to be taken upon inoperability of the drywell sumps. The NRC Staff originally proposed (in Generic Letter 88-01) an allowable outage time of only 24 hours before a plant shutdown must begin, with no provisions for alternative methods of leak detection during any longer allowable outage time. CEI stated that PNPP utilized the drywell cooler condensate flow rate monitoring system as an alternative leakage detection method capable of detecting a 1 gpm leak within 1 hour, to be used for an allowable outage time of 30 days, and that this was part of the NRC approved licensing basis for the plant. The NRC's Safety Evaluation and attached TER both state that the reason for NRC's exception to CEI's proposal is that the upper drywell cooler condensate flow rate monitoring system does not provide sufficient accuracy in quantifying leakage (i.e. a 1 gpm within 1 hour capability is not acceptable). In their Safety Evaluation, the NRC therefore directed that another method should be established (and demonstrated) that would more accurately measure leakage, such as by manually pumping the sump or measuring differences in sump level, in order for a 30-day allowable outage time for the sumps to be acceptable.

The mention of the "1 gpm within 1 hour" capability for the drywell cooler condensate flow rate monitoring system was included in the CEI letter since this is the only known published NRC acceptance criteria for leakage detection (see Regulatory Guide 1.45). If the Staff has developed more restrictive criteria, they have not transmitted these "requirements" to CEI specifically or the industry in general. In fact, the PNPP FSAR (and subsequently the USAR) is very clear as to which leakage detection systems meet the Regulatory Guide 1.45 criteria. This information on leakage detection accuracy was reviewed and approved by the NRC staff as part of the PNPP licensing process, as was the 30-day allowable outage time for drywell sump inoperability that was included in the original PNPP Technical Specifications. The 30-day allowable outage time for the sumps, while depending on the drywell cooler condensate flow rate monitoring system, was reaffirmed by the NRC in Amendment 30 to the PNPP Operating License. In actuality, the accuracy of the drywell cooler condensate flow rate monitoring system can be shown to be significantly greater than just

"1 gpm within 1 hour." We maintain our position that this monitoring technique is acceptable, and imposing the sump pumpout as the only acceptable option constitutes a backfit as defined in 10CFR50.109(a)(1).

While CEI sees merit in the capability to establish a 30-day allowable outage time based upon manual sump pumpouts every shift as proposed by the NRC, it is not clear that the NRC's backfit that would remove the current Action from the Technical Specifications is justified. We do not agree that the revised leakage monitoring proposal represents a substantial increase in the overall protection of public health or safety. In future correspondence and meetings, further information on the drywell cooler condensate flow rate monitoring system will be provided, and discussions will be held with the Staff to obtain further details on their position. CEI believes that these discussions will lead to a resolution acceptable to CEI and NRC. In the interim, PNPP will continue to comply with our current Technical Specification for this particular issue. It is proposed that the tentative schedule for resolution of this issue be: (1) CEI and NRC preparation for a meeting to be held following completion of the busy spring outage season and after plant startup activities (proposed meeting date - week of July 13, 1992); (2) follow up correspondence and information exchanges leading to issue resolution by the end of October 1992; (3) any interim procedural controls that are determined to be necessary as a result of the resolution being made effective within ninety days of such resolution, and (4) Technical Specification changes that are determined to be necessary as a result of the resolution to be submitted to NRC within two full calendar quarters following the resolution date.

Addition of the "2 gpm rate increase over any 24 hour period" limit

The NRC's third exception was to the CEI position that if stress improvement was applied to the IGSCC susceptible welds, that a requirement would not be incorporated into the Technical Specifications to direct a plant shutdown for inspection and corrective actions when, within any period of 24 hours or less, any leakage detection system indicates an increase in rate of unidentified leakage in excess of 2 gpm. The NRC Safety Evaluation and TER stated that although stress improvement is still being considered for PNPP, that the 2 gpm unidentified leakage rate increase limit is intended to apply to all BWR plants regardless of the classification of the welds.

CEI again objects to the wording in the TER that states that the 2 gpm limit is a "requirement" of the Generic Letter (see TER Section 3.2.6). We would like to reiterate the previously established industry position that Generic Letters cannot be used to unilaterally impose new requirements on licensees. CEI does recognize that BWR plants with IGSCC susceptible welds have committed to similar limits in the past, and in fact, since the second refueling outage when ISI examinations first identified indications in PNPP's IGSCC susceptible welds, PNPP has actually utilized the "2 gpm rate increase within 24 hours" as a guideline, even though it was not incorporated into plant procedures (for example, reference the April 1, 1991 plant shutdown). It should be noted that work is ongoing through the BWR Owners Group to justify a 4 hour time period

rather than the 24 hour period as the window which must be examined for the 2 gpm rate increase. A limit of this type on unidentified leakage rate increases appears to be an appropriate restriction, therefore PNPP commits to such a limit. PNPP will use a 24 hour period as the window to be examined, at least until the BWR Owners Group work is reviewed and approved. This shutdown requirement will be added to plant procedures prior to restart from the current refueling outage, with subsequent Technical Specification changes being submitted to the NRC within two full calendar quarters following final resolution between the NRC and the Owners Group as to the appropriate time period to be used (either 4 hours or 24 hours). During the interim period until Technical Specification changes are submitted, the above commitment will ensure compliance.

The wording of the procedure changes will be provided for NRC information prior to restart from the refueling outage. As noted in previous letters, as a minimum, this requirement will have to allow for re-establishing background rates of leakage during plant startups. It also will include provisions similar to those in the Standard Technical Specifications that provide a short time period (4 hours after a 2 gpm increase within 24 hours has been experienced) to identify the source of the leakage increase as not being from one of the IGSCC susceptible welds (this time period is also under discussion with the NRC through the BWR Owners Group).

The further correspondence and discussion to be held with the Staff over the next several months should serve to resolve the above issues.

If there are any further questions, please feel free to call.

Sincerely,



Michael D. Lytle

MDL:BSF:ss

cc: NRC Project Manager
NRC Resident Inspector Office
NRC Region III
Secretary of the Commission
NUMARC
NUBARG