



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

June 8, 2020

Mr. Ken J. Peters
Senior Vice President and
Chief Nuclear Officer
Attention: Regulatory Affairs
Vistra Operations Company LLC
Comanche Peak Nuclear Power Plant
6322 N FM 56
P.O. Box 1002
Glen Rose, TX 76043

SUBJECT: COMANCHE PEAK NUCLEAR POWER PLANT, UNIT NO. 1 – PROPOSED
ALTERNATIVE TO THE REQUIREMENTS OF THE ASME CODE TO DELAY
THE CODE OF RECORD FOR THE INSERVICE INSPECTION PROGRAM
(EPID L-2019-LLR-0105)

Dear Mr. Peters:

By letter dated October 30, 2019, Vistra Operations Company LLC (Vistra OpCo, the licensee), submitted a request to the U.S. Nuclear Regulatory Commission (NRC) for the use of an alternative to certain American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code), Section XI requirements at Comanche Peak Nuclear Power Plant (Comanche Peak), Unit No. 1.

Specifically, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.55a(z)(1), the licensee requested to use the proposed alternative on the basis that the alternative provides an acceptable level of quality and safety. The licensee requested authorization to delay updating the Comanche Peak, Unit No. 1 Code of Record for the fourth 10-year inservice inspection (ISI) interval until the time of the required Code of Record update for Comanche Peak, Unit No. 2. After the start of the fourth 10-year ISI interval for Comanche Peak, Unit No. 2, both units would then utilize the same edition of the ASME Code, Section XI.

The NRC staff has reviewed the subject request to delay updating the ISI program Code of Record for Comanche Peak, Unit No. 1, until the time of the Comanche Peak, Unit No. 2, Code of Record update and concludes, as set forth in the enclosed safety evaluation, that Vistra OpCo has adequately addressed all of the regulatory requirements set forth in 10 CFR 50.55a(z)(1). Therefore, the NRC staff authorizes the proposed alternative at Comanche Peak, Unit No. 1, until the time of the Comanche Peak, Unit No. 2, Code of Record update in 2023.

All other ASME Code, Section XI, requirements for which relief was not specifically requested and approved remain applicable, including third-party review by the Authorized Nuclear Inservice Inspector.

K. Peters

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If you have any questions, please contact the Project Manager, Dennis Galvin, at 301-415-6256 or Dennis.Galvin@nrc.gov.

Sincerely,

Jennifer L. Dixon-Herrity, Chief
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-445

Enclosure:
Safety Evaluation

cc: Listserv



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SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

PROPOSED ALTERNATIVE TO DELAY THE CODE OF RECORD

FOR THE INSERVICE INSPECTION PROGRAM

VISTRA OPERATIONS COMPANY LLC

COMANCHE PEAK NUCLEAR POWER PLANT, UNIT NO. 1

DOCKET NO. 50-445

1.0 INTRODUCTION

By letter dated October 30, 2019 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML19312A073), Vistra Operations Company LLC (the licensee), submitted a request to the U.S. Nuclear Regulatory Commission (NRC) for the use of an alternative to certain American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code), Section XI requirements at Comanche Peak Nuclear Power Plant (Comanche Peak), Unit No. 1.

Specifically, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.55a(z)(1), the licensee requested to use the proposed alternative on the basis that the alternative provides an acceptable level of quality and safety. The licensee requested authorization to delay updating the Comanche Peak, Unit No. 1 Code of Record for the fourth 10-year inservice inspection (ISI) interval until the time of the required Code of Record update for Comanche Peak, Unit No. 2. After the start of the fourth 10-year ISI interval for Comanche Peak, Unit No. 2, both units would then utilize the same edition of ASME Code, Section XI.

2.0 REGULATORY EVALUATION

Pursuant to 10 CFR 50.55a(g)(4), "Inservice inspection standards requirement for operating plants," ASME Code Class 1, 2, and 3 components (including supports) shall meet the requirements, except the design and access provisions and the preservice examination requirements, set forth in the ASME Code, Section XI, to the extent practical within the limitations of design, geometry, and materials of construction of the components. The regulations require that inservice examination of components and system pressure tests conducted during the first 10-year inspection interval and subsequent 10-year inspection intervals comply with the requirements in the latest edition and addenda of Section XI of the ASME Code incorporated by reference in 10 CFR 50.55a(b) 12 months prior to the start of the 120-month inspection interval, subject to the limitations and modifications listed therein.

Pursuant to 10 CFR 50.55a(z), "Alternatives to codes and standards requirements," alternatives to the requirements of paragraph (g) of 10 CFR 50.55a may be used when authorized by the NRC. A proposed alternative must be submitted and authorized prior to implementation. The licensee must demonstrate: (1) the proposed alternatives would provide an acceptable level of quality and safety or (2) compliance with the specified requirements would result in hardship or unusual difficulty without a compensating increase in the level of quality and safety. The NRC staff reviewed and evaluated the licensee's request pursuant to 10 CFR 50.55a(z)(1).

Based on the above, and subject to the following technical evaluation, the NRC staff finds that regulatory authority exists for the licensee to request, and for the Commission to authorize, the alternative requested by the licensee.

3.0 TECHNICAL EVALUATION

3.1 The Licensee's Proposed Alternative

3.1.1 Components Affected

The affected components are ASME Class 1, 2 and 3 components and component supports.

3.1.2 Inservice Inspection Interval

For Comanche Peak, Unit No. 1, the applicable edition of Section XI of the ASME Code for the third 10-year ISI interval, which ends in August 12, 2020, is the 2007 Edition with 2008 Addenda. Pursuant to 10 CFR 50.55a(g)(4)(ii), "Applicable ISI Code: Successive 120-month intervals," Comanche Peak, Unit No. 1, is required to update its ISI program for the fourth interval to the requirements of the latest ASME Code edition and addenda (i.e., 2013 Edition) incorporated by reference in 10 CFR 50.55a(b)(2), 12 months prior to the start of its subsequent 120-month inspection interval.

3.1.3 Licensee's Proposed Alternative

The licensee requests an approval to delay the update of the Code of Record for the Comanche Peak, Unit No. 1 ISI program until the time of the required update for Comanche Peak, Unit No. 2. The fourth 10-year ISI interval for Comanche Peak, Unit No. 1 starts on August 13, 2020. Comanche Peak, Unit No. 2 is scheduled to adopt the latest edition and addenda of the ASME Code Section XI, as required by 10 CFR 50.55a(g)(4), at its fourth 10-year ISI interval, which begins on August 3, 2023.

The Comanche Peak, Unit No. 1 ISI inspections will continue with a revised 10-year program plan for the fourth interval (from August 13, 2020, to August 2, 2023) that references the same Code of Record used for the third 10-year ISI interval, that is, 2007 Edition with 2008 Addenda of the ASME Code, Section XI. This edition of the ASME Code is also the same as that currently being used for the third 10-year ISI interval at Comanche Peak, Unit No. 2. The licensee states that having both units on the same Code of Record provides many implementation benefits which will maintain the existing level of quality and safety and provides cohesive programs for ISI, repairs, replacements and pressure testing. Having two separate ASME Code editions implemented on a two-unit site can create procedural and programmatic differences that could potentially result in implementation errors.

At the time of the required Comanche Peak, Unit No. 2 ASME Code update, the Comanche Peak, Unit No. 1 ISI program plan will be revised to implement the updated Comanche Peak, Unit No. 2 Code of Record for the remainder of the Comanche Peak, Unit No. 1 fourth 10-year ISI interval, which is expected to include the second and third inspection periods in their entirety (approximately 7 years). Note that a 10-year ISI interval includes three inspection periods, with each period lasting 3 1/3 years.

3.2 NRC Staff Evaluation

The NRC staff has reviewed the proposed alternative submitted in the licensee's letter dated October 30, 2019, for the fourth 10-year ISI interval for Comanche Peak, Unit No. 1. The licensee requests to have the ISI programs for Comanche Peak, Unit No. 1 and Comanche Peak, Unit No. 2 based on the same Code of Record. The licensee proposed that Comanche Peak, Unit No. 1 will continue ISI inspections in accordance with the current 2007 Edition with 2008 Addenda of the ASME Code, Section XI until the time of the required Comanche Peak, Unit No. 2 update. At the time of the Comanche Peak, Unit No. 2 update, both units will be updated to the applicable ASME Code Edition required by 10 CFR 50.55a(g)(4)(ii) for Comanche Peak, Unit No. 2.

The NRC staff concurs with the licensee that having two ISI programs based on separate editions of ASME Code, Section XI, implemented for the two Comanche Peak units can possibly create procedural and programmatic differences that could potentially result in implementation errors. Conversely, having the ISI programs for both units based on the same ASME Code edition can eliminate such differences and should provide for more cohesive programs for ISI, repairs, replacements, and pressure testing, and will maintain the existing level of quality and safety. The NRC staff notes that it has previously authorized delay of the Code of Record for Comanche Peak, Unit No. 1 for the third 10-year ISI interval (ADAMS Accession No. ML100850122).

The NRC staff notes that the continued use of the current ASME Code, Section XI, 2007 Edition with 2008 Addenda is subject to the limitations and modifications of 10 CFR 50.55a(b)(2).

The NRC staff finds that the transition to the implementation of the new Code of Record for the fourth 10-year ISI interval, by including the second and third inspection periods in their entirety, is acceptable and finds that the licensee's proposed alternative will provide an acceptable level of quality and safety.

The NRC staff notes that Class 1 and Class 2 Examination Category B-F, B-J, C-F-1 and C-F-2 piping welds are inspected under a risk-informed ISI program authorized by the NRC (ADAMS Accession No. ML12194A250) through the end of the third 10-year ISI interval. At the end of the third 10-year ISI interval the risk-informed ISI program will need to be authorized if it is to be used in the first period of the fourth 10-year ISI interval.

4.0 CONCLUSION

As set forth above, the NRC staff determines that the proposed alternative, to delay updating the ISI Program Code of Record of Comanche Peak, Unit No. 1, until the time of the Comanche Peak, Unit No. 2, Code of Record update, provides an acceptable level of quality and safety. Accordingly, the NRC staff concludes that the licensee has adequately addressed all of the regulatory requirements set forth in 10 CFR 50.55a(z)(1). Therefore, the NRC staff authorizes

the proposed alternative at Comanche Peak, Unit No. 1, until the time of the Comanche Peak, Unit No. 2, Code of Record update in 2023.

All other ASME Code, Section XI requirements for which relief was not specifically requested and approved remain applicable, including third-party review by the Authorized Nuclear Inservice Inspector.

Principal Contributor: J. Honcharik

Date: June 8, 2020

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ADAMS Accession No. ML20156A325

***via e-mail**

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DATE	06/05/2020	06/05/2020	04/27/2020	06/08/2020

OFFICIAL AGENCY RECORD