

50-298



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

November 18, 1998

Mr. G. R. Horn  
Sr. Vice President of Energy Supply  
Nebraska Public Power District  
1414 15th Street  
Columbus, NE 68601

SUBJECT: RELIEF AUTHORIZATION FOR ALTERNATIVE TO THE REQUIREMENTS OF ASME SECTION XI, AS ENDORSED BY 10 CFR 50.55a FOR CONTAINMENT INSPECTION FOR COOPER NUCLEAR STATION (TAC NO. MA1163)

Dear Mr. Horn:

By letter dated February 24, 1998, the Nebraska Public Power District (NPPD) submitted the Containment Inspection Program (CIP) and requested relief from the requirements of ASME Section XI, "Rules for Inservice Inspection of Nuclear Power Plant Components," of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code) for the current inservice inspection (ISI) interval in accordance with Paragraph 50.55a(a)(3)(i) of 10 CFR Part 50 for the Cooper Nuclear Station. The applicable edition of the ASME Code, Section IX, for the Cooper containment inspection program, is the 1992 Edition and Addenda of Subsections IWE and IWL.

Although 10 CFR 50.55a(g)(6)(B)(5) does not require the Containment Inspection Program be submitted, NPPD provided a copy as supporting information for the relief requests. The staff has used the CIP for the supporting information, but has not reviewed the details of the program. The program should be maintained at the site as required by the regulations, but our use of the information should not be construed as agency review or approval of the CIP.

In the February 24, 1998, letter, NPPD requested six reliefs. In the subsequent letter dated August 6, 1998, in response to our June 30, 1998, request for additional information, NPPD withdrew two requests; those referred to as RC-03 "Visual Examination of Paint or Coatings" and RC-05 "Bolt Torque Tests." The four relief requests addressed by this authorization include RC-01 "Qualification of Nondestructive Examination Personnel", RC-02 "Seals and Gaskets", RC-04 "Successive Examination of Repairs", and RC-06 "VT-2 Visual Examinations."

As required by the regulations, the inservice inspection for containment examinations shall be in conformance with 10 CFR 50.55a(b)(2)(vi) as modified by 10 CFR 50.55a(b)(2)(ix) and 10 CFR 50.55a(b)(2)(x), except where specific written relief has been granted by the Commission pursuant to 10 CFR 50.55a(g)(6)(i). Or, as stated in 10 CFR 50.55a(a)(3), alternatives to the requirements of paragraph (g) may be used, when authorized by the Commission, if (i) the proposed alternatives would provide an acceptable level of quality and safety or (ii) compliance with the specified requirements would result in hardship or unusual difficulty without a compensating increase in the level of quality and safety.

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In the enclosed Safety Evaluation for relief request RC-01 "Qualification of Nondestructive Examination Personnel," the staff concludes that the personnel qualification procedure in existence for Class 1, 2, and 3, components (i.e., use of IWA-2300 of the 1989 Edition of ASME XI) will provide assurance the personnel are properly qualified and certified and that adoption of the 1992 Edition of ASME for containment inspection qualification (i.e., use of ANSI/ASNT CP-189) would require developing and administering a second program that would be duplicative and would impose a burden to NPPD without a compensating increase in the level of quality and safety. Therefore, relief request RC-01 is authorized, pursuant to 10 CFR 50.55a(a)(3)(ii).

In the enclosed Safety Evaluation for relief request RC-02 "Seals and Gaskets," the staff concludes that, given the assurance of leak tightness of seals and gaskets as verified during the Type B testing required by 10 CFR Part 50, Appendix J, the requirement to conduct visual examination of seals and gaskets in accordance with IWE-2500, Table IWE-2500-1 is a burden without any compensating increase in the level of quality and safety. Therefore, relief request RC-02 is authorized, pursuant to 10 CFR 50.55a(a)(3)(ii).

In the enclosed Safety Evaluation for relief request RC-04 "Successive Examination of Repairs," the staff concludes that provisions of the Code requires licensees to verify the adequacy of repairs, which provides an adequate level of safety and quality, and that successive examinations after repair as required by IWE-2420(a) and 2420(b), would result in hardship or unusual difficulty without a compensating increase in the level of quality and safety. Therefore, relief request RC-04 is authorized, pursuant to 10 CFR 50.55a(a)(3)(ii).

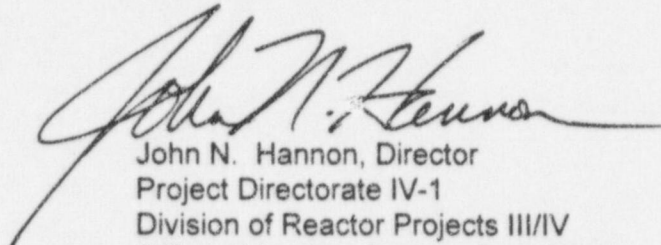
NPPD also requested relief RC-06 "VT-2 Visual Examination" from the requirements of IWE-5240 on the basis that 10 CFR 50.55a(b)(2)(x)(E) requires a visual examination of containment and pressure testing can be conducted in accordance with 10 CFR Part 50, Appendix J. The purpose of 10 CFR 50.55a(b)(2)(x)(E) is to assess the surface condition of the containment and does not relate to the Code requirement in IWE-5240. Moreover, this provision is related to the repair/replacement aspect of the containment system. VT-2 examination of the pressure retaining components after major repair/replacement activities involving these components is necessary to provide assurance of the integrity of the

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component. Therefore, NPPD has not made an acceptable case pursuant to either 10 CFR 50.55a(a)(3)(i) or 10 CFR 50.55a(a)(3)(ii) to justify the relief request. Relief request RC-06 "T-2 Visual Examination" is denied.

Sincerely,



John N. Hannon, Director  
Project Directorate IV-1  
Division of Reactor Projects III/IV  
Office of Nuclear Reactor Regulation

Docket No. 50-298

Enclosure: As stated

cc w/encl: See next page

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component. Therefore, NPPD has not made an acceptable case pursuant to either 10 CFR 50.55a(a)(3)(i) or 10 CFR 50.55a(a)(3)(ii) to justify the relief request. Relief request RC-06 "VT-2 Visual Examination" is denied.

Sincerely,

**ORIGINAL SIGNED BY:**

John N. Hannon, Director  
Project Directorate IV-1  
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Office of Nuclear Reactor Regulation

Docket No. 50-298

Enclosure: As stated

cc w/encl: See next page

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Cooper Nuclear Station

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

EVALUATION OF REQUESTS FOR RELIEF  
FROM SOME OF THE ASME SECTION XI REQUIREMENTS  
AS ENDORSED BY 10 CFR 50.55a FOR CONTAINMENT INSPECTION  
COOPER NUCLEAR STATION  
The Civil Engineering and Geosciences Branch (ECGB/DE/NRR)

INTRODUCTION

In Federal Register Notice No. 154, Volume 61, dated August 8, 1996, the Nuclear Regulatory Commission announced the amendment to its regulation, 10 CFR 50.55a (rule). The rule incorporated by reference the 1992 edition with 1992 addenda of Subsections IWE and IWL of Section XI of the ASME Boiler and Pressure Vessel Code (Code). Subsections IWL and IWE respectively provide the requirements for inservice inspection (ISI) of Class CC concrete components, and Class MC and metallic liners of Class CC components, of light-water cooled power plants. The effective date for the amended rule was September 9, 1996. Pursuant to 10 CFR 50.55(a)(6)(ii)(B) licensees are to incorporate the new requirements into their ISI plans and to complete the first containment inspection by September 9, 2001. Alternatives of the requirements of 10 CFR 50.55a(g) may be authorized pursuant to 10 CFR 50.55a(a)(3) if the licensee demonstrates that: (1) the proposed alternatives provide an acceptable level of quality and safety or, (2) compliance would result in hardship or unusual difficulty without a compensating increase in the level of quality and safety.

This evaluation addresses the merits of the requests for relief (Ref. 1) proposed by the licensee, Nebraska Public Power District (NPPD), for Cooper Nuclear Station (CNS).

EVALUATION OF RELIEF REQUESTS

RELIEF REQUEST NO. RC-01 (NDE PERSONNEL QUALIFICATION)

Code Requirements

IWA-2300 requires personnel performing nondestructive examinations (NDE) and visual inspections to be qualified and certified in accordance with a written practice prepared in accordance with ANSI/ASNT CP-189, Standard for Qualification and Certification of Nondestructive Testing Personnel.

Basis For Relief

Specific relief is requested from the provisions of IWA-2300 on the basis that the proposed alternative would provide an acceptable level of quality and safety. The CNS Third Ten-year Inservice Inspection Program conforms to the requirements of ASME Section XI, 1989 Edition

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as required by 10 CFR 50.55a. Personnel performing NDE for Inservice Inspection of Code Class 1, 2, and 3 components and component supports are qualified and certified in accordance with a written practice based on ASNT SNT-TC-1A, Personnel Qualification and Certification in Nondestructive Testing, 1984 Edition (Ref. 1). Personnel performing visual examinations are qualified and certified to comparable levels of qualification as defined in SNT-TC-1A and the employer's written practice. The 1992 Edition of ASME requires the use of ANSI/ASNT CP-189, Standard for the Qualification and Certification of Nondestructive Testing Personnel.

The format of SNT-TC-1A and CP-189 are similar. However, SNT-TC-1A is a recommended practice. Its guidance can be modified as necessary to meet the users needs, while CP-189 establishes minimum requirements that must be met. CP-189 also requires Level III personnel to hold an ASNT level III Certificate with a current valid endorsement for each NDE method used. Weighting factors are permitted by SNT-TC-1A but not by CP-189. In addition, CP-189 requires all practical examinations to be administered using a written checklist. There are also changes to the minimum experience levels. CP-189 requires more hours of experience whereas SNT-TC-1A specifies months (work level per time). Initial training is uniform under CP-189 whereas SNT-TC-1A training is based on education. Furthermore, IWA-2310 in the 1992 Edition, 1992 Addenda, states, "Certifications based on SNT-TC-1A are valid until recertification is required."

Visual examination is the primary nondestructive examination method required by Subsections IWE. Neither CP-189 nor SNT-TC-1A specifically includes visual examination; thus, the Code requires qualification and certification to comparable levels as defined in CP-189 or SNT-TC-1A, as applicable, and the Employer's written practice. NPPD states that development and administration of a second program would not enhance safety or quality and would be a burden, particularly in developing a second written practice, tracking of certifications, and resulting duplication of paperwork, etc. This duplication would also apply to NDE vendor programs. Updating to the 1992 Edition, 1992 Addenda, for Subsections IWB, IWC, etc., would require a similar request for relief.

#### Proposed Alternate

In view of the above considerations, NPPD requests relief in accordance with 10 CFR 50.55a(a)(3)(ii), as compliance with the specified requirements of the code would result in hardship or unusual difficulty without a compensating increase in the level of quality and safety. As an alternate, CNS proposes to qualify and certify NDE Testing personnel in accordance with IWA-2300 of the 1989 Edition of ASME XI.

#### STAFF EVALUATION OF RC-01

In response to a staff request (1) to provide its plans to implement Subarticle IWA -2300 (1992 Edition and Addenda) for qualifying NDE personnel for all the ASME Section XI components, and (2) to explain how the use of SNT-TC-1A for visual examinations satisfies the standards for visual acuity given in Table IWA-2322-1 of IWA-2320, NPPD has stated (Ref. 2) that its third Ten-year ISI interval began on March 1, 1996, and that its ISI program complies with the 1989 Edition of ASME which invokes SNT-TC-1A, 1984 Edition. At the end of the interval, circa

2006, NPPD will update the ISI program to the latest edition of ASME XI approved by the Commission. At that time, NPPD will also upgrade its written practice to be comparable to CP-189 for all required ASME visual examinations. The requirements of the Code, including CP-189, will be invoked on the NDE contractor(s). NPPD further states, that if the relief request is approved, visual acuity will be demonstrated in accordance with IWA-2321 of the 1989 Edition of ASME XI which is the method currently used to demonstrate the visual acuity of visual inspectors as well as NDE personnel.

The current NPPD program plan for qualifying and certifying the NDE personnel is based on the 1984 Edition of the ASME Section XI requirements for Class 1, 2, and 3 components. The 1989 Edition of the code requires the use of ASNT-TC-1A for the qualification and certification of NDE personnel. Thus, the staff recognizes that the licensee will have to develop a second program for qualifying and certifying its NDE personnel for containment inspection in accordance with Subarticle IWA-2300 of the 1992 Edition of the Code. As the licensee's current procedure for qualifying and certifying the NDE personnel, based on the provisions of SNT-TC-1A, is acceptable for Class 1, 2, and 3 components, the use of NDE personnel qualified by the procedure for containment augmented examination will provide assurance of quality examinations and certifications. The licensee plans to use CP-189 for certifying and qualifying the NDE personnel for the next 10-year inspection interval program plan beginning in September 2006 (Ref. 2).

Considering these factors, the staff concludes that the imposition of the requirement of Subarticle IWA-2300 (1992 Edition) for containment inspection will subject the licensee to hardship (caused by the need to develop and administer a second program which would not enhance safety or quality) and would impose a burden, particularly in developing a second written practice, tracking of certifications, duplication of paperwork, etc.) without a compensating increase in the level of quality and safety. The alternative proposed (i.e., use of IWA -2300 of the 1989 Edition of ASME XI) to qualify and certify NDE personnel will provide assurance that NDE personnel are properly qualified and certified. Hence, the staff finds this relief request acceptable pursuant to 10 CFR 50.55a(a)(3)(ii).

#### RELIEF REQUEST NO. RC-02 (EXAMINATION OF SEALS AND GASKETS)

##### Code Requirements

IWE-2500, Table IWE-2500-1 requires seals and gaskets on airlocks, hatches, and other devices to be visually examined (VT-3) once each interval to assure containment leak-tight integrity.

##### Basis for Relief

Specific relief is requested on the basis that compliance with the specified requirements of the Code would result in hardship or unusual difficulty without a compensating increase in the level of quality and safety, and that the proposed alternative would provide an acceptable level of quality and safety. NPPD states (Ref. 1) that seals and gaskets receive a 10 CFR 50 Appendix J test, the purpose of which is to measure leakage of containment or penetrations whose design incorporates resilient seals, gaskets, sealant compounds, and electrical penetrations



fitted with flexible metal seal assemblies. Physical examination of the seals and gaskets requires the joints, which are proven adequate through Appendix J testing to be disassembled. For electrical penetrations, this would involve a pre-maintenance Appendix J test, de-termination of cables at electrical penetrations if enough cable slack is not available, disassembly of the joint, removal and examination of the seals and gaskets, reassembly of the joint, re-termination of the cables if necessary, post maintenance testing of the cables, and a post maintenance Appendix J test of the penetration. The work required for the Containment Hatches would be similar except for the de-termination, re-termination, and testing of cables. Not only does this require the use of outage staff hours, but also imposes the risk that equipment could be damaged. The 1992 Edition, 1992 Addenda, of Section XI recognizes that disassembly of joints to perform these examinations is not warranted. Note 1 in Examination Category E-D was modified to state that sealed or gasketed connections need not be disassembled solely for performance of examinations. However, without disassembly, most of the surface of the seals and gaskets would be inaccessible.

For those penetrations that are routinely disassembled, a Type B test is required upon final assembly and prior to start-up. NPPD states that, since the Type B test will assure the leak integrity of the connection, the performance of a visual examination would not increase the level of quality or safety. Seals and gaskets are not part of the containment pressure boundary under current Code rules (NE2110(b)). When the airlocks and hatches containing these materials are tested in accordance with 10 CFR 50, Appendix J, degradation of the seal or gasket material would be revealed by an increase in the leakage rate. Corrective measures would be applied and the component retested. Furthermore, repair or replacement of seals and gaskets is not subject to Code rules in accordance with IWA-4111 (b)(5) (1992 Edition, 1992 Addenda).

NPPD states that the visual examination of seals and gaskets in accordance with IWE-2500, Table IWE-2500-1 is a burden without any compensating increase in the level of safety or quality. Therefore, NPPD requests relief in accordance with 10 CFR 50.55a(a)(3)(ii), since compliance with the specified requirements of this section would result in hardship or unusual difficulty without a compensating increase in the level of quality and safety.

#### Proposed Alternate

As an alternative, NPPD will test the leak-tightness of seals and gaskets in accordance with 10 CFR 50, Appendix J. No additional alternatives to the visual examination, VT-3, of the seals and gaskets will be performed. Relief is requested for the first ten-year interval of the Containment Inspection Program for CNS.

#### STAFF EVALUATION OF RC-02

The staff does not agree with the licensee's contention that the penetration seals and gaskets are not part of the containment pressure boundary. The staff, however, finds that the leak-tightness of seals and gaskets would be verified during the Type B testing as required by 10 CFR Part 50, Appendix J. Therefore, the staff finds the licensee's alternative examination program based on 10 CFR Part 50, Appendix J acceptable for granting relief under 10 CFR

50.55a(a)(3)(ii), since compliance with the specified requirements of the rule would result in hardship or unusual difficulty without a compensating increase in the level of quality and safety.

#### RELIEF REQUEST NO. RC-04 (SUCCESSIVE EXAMINATIONS)

##### Code Requirements

IWE-2420(b) and IWE-2420(c) state that when component examination results require evaluation of flaws, areas of degradation, or repairs in accordance with IWE-3000, and the component is found to be acceptable for continued service, the areas containing such flaws, degradation, or repairs shall be reexamined during the next inspection period listed in the schedule of the inspection program of IWE-2411 or IWE-2412, in accordance with Table IWE-2500-1, Examination Category E-C.

##### Basis For Relief

The purpose of a repair is to restore the component to an acceptable condition for continued service in accordance with the acceptance standards of IWE-3000. IWA-4150 requires the owner to conduct an evaluation of the suitability of the repair including consideration of the cause of failure. This requirement for successive examination presupposes that the repair was not suitable. If the repair has restored the component to an acceptable condition, successive examinations are not warranted. If the repair was not suitable, then the repair does not meet code requirements and the component is not acceptable for continued service. Neither IWB-2420(b), IWC-2420(b), nor IWD-2420(b) requires a repair to be subject to successive examination requirements. The successive examination of repairs in accordance with IWE-2420(b) constitutes a burden without a compensating increase in quality or safety. In SECY 96-080, response to Comment 3.3 regarding IWE-2420, the NRC stated, "The purpose of IWE-2420(b) is to manage components found to be acceptable for continued service (meaning no repair or replacement at this time) as an Examination Category E-C component... . If the component had been repaired or replaced, then the more frequent examination would not be needed." Therefore, NPPD requests relief in accordance with 10 CFR 50.55a(a)(3)(ii), since compliance with the specified requirements of the code would result in hardship or unusual difficulty without a compensating increase in the level of quality and safety.

##### Proposed Alternate

Successive examinations in accordance with IWE-2420(b) are not required for repairs made in accordance with IWA-4000. Relief is requested for the first ten-year interval of the Containment Inspection Program for CNS.

##### STAFF EVALUATION OF RC-04

As the Code requires the licensees to verify the adequacy of repairs, the staff finds that successive examinations after repair do not provide additional safety benefit. This position has been accepted by the staff for Class 1, 2 and 3 components. In response to a staff request to discuss its plans to monitor the progression of flaws and degradation areas when they are accepted by engineering analysis, NPPD has stated (Ref. 2) that it is only requesting relief from

the requirement to reinspect flaws or areas of degradation that have been repaired or replaced in accordance with IWE-3122.2 and 3122.3. NPPD agrees that the requirement to reexamine the area containing flaws or degradation accepted by engineering evaluation in IWE-3122.4(b) still applies. Therefore, the staff finds that relief from the Code requirements IWE-2420(a) and 2420(b) is acceptable pursuant to 10 CFR 50.55a(a)(3)(ii), since the alternative provides assurance of continued service and compliance with the specified code requirements would result in hardship or unusual difficulty without a compensating increase in the level of quality and safety.

#### RELIEF REQUEST NO. RC-06 (VT-2 VISUAL EXAMINATION)

##### Code Requirements

IWE-5240 states that the requirements of IWA-5240 are applicable following repair, replacement, or modification. IWA-5240 requires a visual examination, VT-2, in conjunction with the pressure test.

##### Basis For Relief

Paragraph IWE-5210 states that, except as noted within Paragraph IWE-5240, the requirements of Article IWA-5000 are not applicable to Class MC or Class CC components. Paragraph IWE-5240 states that the requirements of IWA-5240 are applicable. Paragraph IWA-5240 requires a VT-2 visual examination. VT-2 examinations are conducted to detect evidence of leakage from pressure retaining components, with or without leakage collection systems, during the conduct of a system pressure test. In addition, personnel performing VT-2 examinations are required to be qualified in accordance with Subarticle IWA-2300 of ASME Section XI. Table IWE-2500-1, Category E-P, identifies the examination method as 10 CFR Part 50, Appendix J, and does not specifically require a VT-2 visual examination. 10 CFR Part 50, Appendix J provides the requirements for testing as well as the acceptable leakage criteria. These tests are performed by qualified test personnel using calibrated equipment to determine the leakage rate. In addition, 10 CFR 50.55a(b)(2)(x)(E) requires a general visual examination of the containment each inspection period. This inspection would identify any structural degradation that may contribute to leakage. NPPD states that a VT-2 visual examination will not provide additional assurance of safety beyond that of current Appendix J requirements. Therefore, NPPD requests relief in accordance with 10 CFR 50.55a(a)(3)(i) claiming that pressure testing in accordance with 10 CFR Part 50, Appendix J provides an adequate level of quality.

##### Proposed Alternate

Pressure testing shall be conducted in accordance with 10 CFR Part 50, Appendix J in lieu of Paragraph IWE-5240. Relief is requested for the first ten-year interval of the Containment Inspection Program for CNS.

## STAFF EVALUATION OF RC-06

The purpose of 10 CFR 50.55a(b)(2)(x)(E) is to assess the surface condition of the containment. It does not relate to the Code requirement in IWE-5240. Moreover, this provision is related to the repair/replacement (R/R) aspect of the containment system. The staff finds that a VT-2 examination of the pressure retaining components after major R/R activities involving these components is necessary to provide assurance of the integrity of the component. Therefore, the licensee has not made an acceptable case pursuant to either 10 CFR 50.55a(a)(3)(i) or 10 CFR 50.55a(a)(3)(ii) to justify the relief request. Consequently the staff denies the requested relief.

## CONCLUSION

Based on the review of the information provided in NPPD's requests for relief dated February 24, 1998 and the subsequent responses to the staffs request for additional information (Refs. 1 and 2), the staff recommends granting relief for three of the four requests and denying relief for one request. The three requests for which relief is granted in accordance with 10 CFR 50.55a(a)(3)(ii) (hardship) relate to NDE personnel qualification (RC-01), Examination of Seals and Gaskets (RC-02), and Successive Examinations (RC-04). The staff denies the fourth request related to VT-2 Visual Examination (RC-06), since the licensee has not made an acceptable case pursuant to either 10 CFR 50.55a(a)(3)(i) or 10 CFR 50.55a(a)(3)(ii) to justify the relief request. NPPD has withdrawn (in Ref. 2) two relief requests (i.e., RC-03 and RC-05) originally submitted in Ref. 1.

## REFERENCES

1. Letter dated January 24, 1998, from J. H. Swailes (Nebraska Public Power District) to NRC. Subject: Containment Inspection Program Cooper Nuclear Station, NRC Docket 50-298, DPR-46.
2. Letter dated August 6, 1998, from J. H. Swailes (Nebraska Public Power District) to NRC. Subject: Containment Inspection Program Relief Requests Cooper Nuclear Station, NRC Docket 50-298, DPR-46.

Principal Contributor: R. Pichumani

Date: November 18, 1998