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January 30, 1998

Rules and Directives Branch, DAS Office of Administration U.S. Nuclear Regulatory Commission Washington, DC 20555

Subject: Draft Regulatory Guide DG-1070, Sampling Plans Used for Dedicating Simple Metallic Commercial Grade Items for Use in Nuclear Power Plants

62 FR 63 7.38

Dec. 12. 1997

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Dear Sir or Madam:

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Carolina Power & Light Company (CP&L) respectfully submits the following comments regarding the subject draft regulatory guide:

* The intended scope of this guidance is not clear. The term "simple metallic items" must be defined. It appears that this is only applicable to manufacturers and suppliers since the following statements are made:

Introduction - "... when using a sample plan for dedicating simple metallic CGIs for unrestricted use in nuclear power plants."

C.1 - "This regulatory guide applies to simple metallic CGIs when their end use is not known or when sampling has been determined necessary. No assessment of an item's safety significance or function is necessary when using this guidance for dedication of an item for unrestricted utility."

To dedicate a commercial item for safety related use, critical characteristics must be determined based on the safety functions of known applications. Therefore, unrestricted use is not realistic since the application must be known for proper 202030042 980130 CX. XXX C PDR

selection and critical characteristics determination. For example, HVAC duct material is designed in some instances based upon yield strength as opposed to ultimate tensile strength. To test this material across a wide spectrum of potential applications is not necessary.

* MIL-STD-105 has been used, with engineering judgment, by the nuclear industry for decades. Sampling plans based on this standard have been effective in detecting deficient items.

* References are made in several places to "certified material test reports" (CMTRs). Commercial grade items, by definition, do not require the necessity or expense of CMTRs as required by Appendix B for items manufactured as basic components. The acceptance requirements for the chemical and mechanical properties should be based on comparison to the material specification/purchase order requirements, which are typically ASTM or other industry standard material specification requirements. If the material meets the material specification/purchase order requirements, the material should be accepted.

* Section C.3, Lot Formation - By stating that different production runs are excluded, this is inferring that heat lot traceability is required. This is not characteristic of a commercial grade item. Consideration should be given to varying types of material supply. Engineering judgment is necessary in determining appropriate lot and sample plans as addressed in EPRI NP-7218.

* Section C.4, Selection of Sampling Plans for Inspection and Nondestructive Examination - Utilities procure replacement parts and material in small quantities, generally less than 10. The sample plans per Table 1 require 100% inspection and nondestructive examination for these quantities. Cⁿ &L considers this to be unnecessarily restrictive. Credit should be allowed for tests performed on the same lot for low quantities being procured. Additionally, it is specified that "... only one set of destructive tests is required regardless of lot size." This requirement would eliminate the current practice of procuring a single item when appropriate. A similar requirement is specified under Section C.7.

* Section C.7, Destructive Testing - Partial chemical nondestructive verification is sufficient to obtain reasonable assurance of product conformance. It is unnecessarily restrictive to require full chemical destructive testing. CP&L is not aware that a problem has occurred due to partial chemical nondestructive testing

failing to provide reasonable assurance of product quality.

The industry, through the Electric Power Research Institute (EPRI) and the Nuclear Energy Institute (NEI), has developed a response to this draft regulatory guide and has concluded that current sampling programs of utilities and 10CFR50, Appendix B manufacturers/suppliers are adequate to ensure safe operation of nuclear power plants. CP&L agrees with and supports the EPRI position.

Typically, the NRC will identify an adverse trend or will cite an example of problems which have demonstrated the need for new regulations and/or guidance. This has not been provided in this case. CP&L does not consider there is a problem that is being addressed by this new regulatory guide and foresees the creation of new problems through its implementation. For example, this regulatory guide will have significant impact on suppliers of commercial grade materials if issued. The cost benefits of commercial supply will be eliminated, and the ability to obtain material readily and in the appropriate quantities for continued safe operation of nuclear plants will be severely limited. Therefore, CP&L urges the NRC to withdraw this regulatory guide.

CP&L appreciates the opportunity to provide comments on this significant regulatory guidance. If you have any questions regarding our comments, please contact me at (919) 546-6901.

Sincerely yours,

Donna B. Alexander Manager, Performance Evaluation and Regulatory Affairs

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Mr. L. J. Callan, Executive Director for Operations
Mr. S. J. Collins, Director, USNRC Office of Nuclear Reactor Regulation
Mr. L. A. Reyes, Regional Administrator, Region II
Mr. J. B. Brady, USNRC Resident Inspector - HNP, Unit 1
Mr. B. Desai, USNRC Resident Inspector - HBRSEP, Unit 2

Mr. S. C. Flanders, USNRC Project Manager - HNP, Unit 1 Mr. J. W. Shea, USNRC Project Manager - HBRSEP, Unit 2 Mr. C. A. Patterson, USNRC Resident Inspector - BSEP, Units 1 and 2 Mr. D. C. Trimble, USNRC Project Manager - BSEP, Units 1 and 2 Chairman J. A. Sanford - North Carolina Utilities Commission

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