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PECO NUCLEAR
A Unit of PECO Energy

PECO Energy Company
965 Chesterbrook Boulevard
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January 28, 1998

Mr. David L. Meyer, Chief
Rules and Directives Branch
Division of Administrative Services
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

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

Dear Mr. Meyer:

This letter is being submitted in response to the NRC's request for comments concerning draft Regulatory Guide (RG) DG-1070, "Sampling Plans Used for Dedicating Simple Metallic Commercial Grade Items for Use in Nuclear Power Plants." The NRC issued this draft RG for public comment on October 6, 1997. This draft RG provides a statistically-based sampling plan for evaluation of critical characteristics of "simple metallic items," and provides guidance on selection of critical characteristics for these items. The comment period for this draft RG expires on January 30, 1998.

PECO Energy appreciates the opportunity to comment on this draft RG. We do not believe that additional guidance is necessary at this time regarding the sampling of items in the commercial grade dedication process, since adequate guidance currently exists. PECO Energy offers the attached comments for consideration by the NRC.

If you have any questions, please contact Mr. John S. Moore at (610) 640-6393.

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Very truly yours,

G. A. Helker /For

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Director - Licensing

ATTACHMENT

PECO Energy Comments Regarding
Draft NRC Regulatory Guide DG-1070,
"Sampling Plans Used for Dedicating Simple Metallic
Commercial Grade Items for Use in Nuclear Power Plants"

PECO ENERGY COMMENTS REGARDING DRAFT REGULATORY GUIDE DG-1070, "SAMPLING PLANS USED FOR DEDICATING SIMPLE METALLIC COMMERCIAL GRADE ITEMS FOR USE IN NUCLEAR POWER PLANTS"

PECO Energy believes that issuance of Draft Regulatory Guide (RG) DG-1070 to provide additional guidance on sampling of items in the commercial grade dedication process is neither warranted nor necessary at this time. The basis for our position is outlined below along with specific comments addressing individual points contained within the draft guidance document. We have also recently participated with other utilities in providing a consensus set of comments on the Draft Regulatory Guide (DG-1070) through EPRI and NEI.

PECO Energy has been committed to, and has utilized, the guidance found in the EPRI Report NP-7218. We also impose these requirements on our vendors with very satisfactory results. The appropriate elements of PECO Energy's procurement, Commercial Grade Dedication, and sampling programs were reviewed against the introduction to RG DG-1070 to confirm that our dedication program, including sampling plans, will maintain the current levels of component performance. As a frame of reference, PECO Energy has been dedicating commercial grade items for safety-related use since the late 1980's without failures attributable to inadequate sampling. We have used the guidance found in MIL-STD-105D/E as well as EPRI NP-7218 as a means to provide the "reasonable assurance" required under 10 CFR 21. The historical data from our commercial grade dedication efforts as well as programmatic internal and external assessments of the sampling program's effectiveness continue to provide the assurance necessary to maintain the current levels of component performance.

In addition to the discussion provided above, PECO Energy has responded to the following NRC generic communications and issues utilizing the sampling guidance as contained in MIL-STD-105D/E:

- NRC Generic Letter 87-02 regarding fraudulent fasteners,
- NRC Bulletin 88-05 regarding fraudulent fittings and flanges,
- NRC Bulletin 88-10 regarding molded case circuit breakers, and
- PECO Energy's small bore pipe assessment.

The responses to these issues included consideration of the potential safety significance and utilized sampling as an acceptable means of providing "reasonable assurance" that the items or components in total would continue their current levels of performance. The responses, utilizing MIL-STD-105D/E as a basis for sampling, were considered acceptable to the NRC.

With regard to specific points concerning RG DG-1070, we would offer the following comments for consideration by the NRC.

1. This draft RG states that it only applies to commercial grade dedication of simple metallic items. It further states that MIL-STD-105E is not appropriate for the commercial grade dedication process. The draft document uses statistical justification to provide "reasonable assurance" that simple metallic commercially available parts are as-specified in the purchase order. The draft document does not take any statistical credit that these same simple metallic parts are being used throughout all industries with high levels of satisfactory performance. Analyses of failures will confirm that variations in nominal composition or mechanical properties comprise a very low statistical probability as to the cause of a failure especially in simple metallic items.

2. EPRI Report NP-7218 recognizes that different types of lot formations occur and adjusts the degree of sampling based upon the confidence in lot homogeneity. The draft RG identifies only one type of lot formation to establish lot homogeneity (i.e., heat traceability from one manufacturer.). The degree of sampling for this type of lot formation is excessive, because the properties of items within the inspection lot would be very similar.

3. The draft RG is overly conservative in that it takes no credit for specific utility assessment and assurance programs, the historical results obtained from similar industry wide programs, nor lists any performance issues which would warrant the need for additional guidance. Sampling guidance for simple metallic items is of little value to the nuclear industry considering the fact that there would be no increase in the levels of quality and safety.

   Further, there is no evidence that this position was validated with other government organizations such as the NASA and the U.S. Navy that have extensively used MIL-STD-105E as a procurement sampling plan. MIL-STD-105E has been the sampling standard for military and navy nuclear item procurements over the last half century and has been utilized even if items are not from a continuous manufacturing process.

   If concerns exist within the NRC as to the appropriate use of MIL-STD-105 E and EPRI NP-7218 for sampling in general, the assumption could be made by an NRC inspector that the only acceptable sampling methodology is contained within the draft RG and impose that sampling practice broadly on the utility or supplier. The potential implications would be far reaching, expensive without benefit of improved performance and quality, and without the performance based history as rationale.

4. The draft RG is based on the premise that partial chemistry tests can be performed nondestructively. For many fasteners these partial chemistries may be destructive. The draft RG does not consider this and provides no guidance as to what to do in this situation. Industry costs to destructively test to the levels prescribed in Table 1 would be excessive.

5. The draft RG, unlike MIL-STD-105 E and EPRI NP-7218, does not permit the adjustment of sampling plans based upon acceptance trending results.

6. The NRC has expressed concern over reduction in the number of nuclear suppliers/vendors. In Section 4.3 of the draft RG the NRC recognizes that this new guidance will further eliminate suppliers. Thus this document is in direct conflict with a major NRC goal, which is maintaining a viable nuclear supplier base.

7. The potential costs associated with the implementation of this draft RG even as it is currently projected have yet to be fully considered. The draft document relies solely on increased sampling populations and additional destructive tests to increase the levels of "reasonable assurance." This anticipated or perceived increase in levels of "reasonable assurance," which cannot be supported statistically, does not support or justify the increased costs of material evaluation, procurement, and test equipment or testing facilities/vendors. Rather, as described above, the current statistically acceptable methodologies for sampling provide levels of "reasonable assurance" at cost levels appropriate to the safety and health of the general public.

In conclusion, PECO Energy does not support the issuance of the draft RG at this time. We fully support the comments and recommendations regarding this document issued by NEI on behalf of EPRI. As discussed above, PECO Energy Nuclear implements the guidance contained in EPRI Report NP-7218 and imposes these requirements on our vendors with very satisfactory results. We are firmly committed to the continuous improvement of our program, and that of the industry, through the use of EPRI's recommendations.
