



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

August 22, 1997

50-369/370  
50-413/414

Mr. M. S. Tuckman  
Senior Vice President  
Nuclear Generation  
Duke Power Company  
P. O. Box 1006  
Charlotte, NC 28201

SUBJECT: CATAWBA AND MCGUIRE NUCLEAR STATIONS - RESPONSE TO  
REQUEST FOR RELIEF FROM THE ASME CODE, SECTION III  
REQUIREMENTS (TAC NOS. M92619, M92620, M92625 AND M92626)

Dear Mr. Tuckman:

By letters dated June 15, 1995, and September 26, 1996, Duke Power Company (DPC) identified an issue that certain valves in its Catawba and McGuire nuclear stations do not meet the design provisions stated in paragraphs NC-7153 and ND-7153 of Section III of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code (ASME Code) (1971 Edition including the Winter 1971 Addenda for McGuire and 1974 Edition including the Summer 1974 Addenda for Catawba). DPC requested that it be allowed to permanently retain the installed configuration of a number of manual and motor-operated stop (block) valves located in series with overpressure protection relief devices in the Chemical and Volume Control System, Boron Recycle System, Safety Injection System, Residual Heat Removal System, Containment Spray System, Waste Gas System, Auxiliary Feedwater System, and Component Cooling System and use specific administrative controls to verify their positions.

In its submittals, DPC requested that the staff authorize relief from the ASME Code, Section III design requirements stated in paragraphs NC/ND-7153 pursuant to Title 10 of the Code of Federal Regulations (10 CFR) Section 50.55a(a)(3) for the installed block valve configuration. DPC stated that the block valve and relief valve configurations are part of the original plant designs and either facilitate maintenance of the affected components or close for containment isolation.

The staff has reviewed DPC's request for an alternative pursuant to 10 CFR 50.55a(a)(3). The staff finds that ASME Code, Section III requirements for Quality Group B and C components (ASME Code Class 2 and 3 components) as stated in 10 CFR 50.55a(d) and (e), respectively, apply to nuclear power plants whose applications for construction permits (CPs) were docketed after May 14, 1984. The CPs for McGuire, Units 1 and 2, and Catawba, Units 1 and 2, were docketed before May 14, 1984. Therefore, the regulations in 10 CFR 50.55a(d) and (e) concerning ASME Code, Section III design requirements do not apply to McGuire and Catawba. Accordingly, authorization of an alternative to ASME Code, Section III design requirements pursuant to 10 CFR 50.55a(a)(3) is unnecessary and inappropriate for these nuclear plants.

DPC  
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August 22, 1997

In its Final Safety Analysis Reports (FSAR), DPC committed to design and construct its McGuire and Catawba plants in accordance with ASME Code, Section III design provisions. In its June 15, 1995, and September 26, 1996, letters, DPC identified a number of ASME Code Class 2 and 3 block valves installed in the McGuire and Catawba plants that did not meet the design requirements of ASME Code, Section III, paragraphs NC/ND-7153. The NRC staff views DPC's discovered condition of noncompliance with the ASME Code, Section III design provisions as a deviation from plant licensing commitments. Accordingly, DPC may desire to revise its licensing basis to accept the deviation as-is, and to either perform an evaluation of the discovered condition pursuant to 10 CFR 50.59, or submit a proposed license amendment to authorize a change in the licensing basis.

On the basis of the above evaluation, the staff concludes that authorization of an alternative or relief from ASME Code, Section III design provisions for ASME Code Class 2 and 3 components is unnecessary and inappropriate for the Catawba and McGuire nuclear stations. DPC may desire to accept the discovered deviation from its licensing commitments as a "change" to its facility and evaluate it in accordance with 10 CFR 50.59, or otherwise submit a proposed license amendment to authorize a change in the licensing basis.

Sincerely,

ORIGINAL SIGNED BY L. WHEELER FOR:

Herbert N. Berkow, Director  
Project Directorate II-2  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

Docket Nos. 50-369, 50-370, 50-413,  
and 50-414

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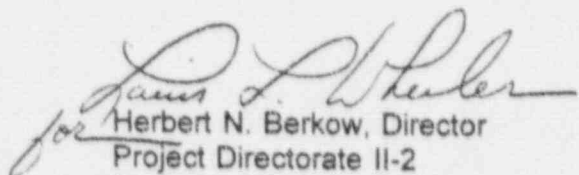
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In its Final Safety Analysis Reports (FSAR), DPC committed to design and construct its McGuire and Catawba plants in accordance with ASME Code, Section III design provisions. In its June 15, 1995, and September 26, 1996, letters, DPC identified a number of ASME Code Class 2 and 3 block valves installed in the McGuire and Catawba plants that did not meet the design requirements of ASME Code, Section III, paragraphs NC/ND-7153. The NRC staff views DPC's discovered condition of noncompliance with the ASME Code, Section III design provisions as a deviation from plant licensing commitments. Accordingly, DPC may desire to revise its licensing basis to accept the deviation as-is, and to either perform an evaluation of the discovered condition pursuant to 10 CFR 50.59, or submit a proposed license amendment to authorize a change in the licensing basis.

On the basis of the above evaluation, the staff concludes that authorization of an alternative or relief from ASME Code, Section III design provisions for ASME Code Class 2 and 3 components is unnecessary and inappropriate for the Catawba and McGuire nuclear stations. DPC may desire to accept the discovered deviation from its licensing commitments as a "change" to its facility and evaluate it in accordance with 10 CFR 50.59, or otherwise submit a proposed license amendment to authorize a change in the licensing basis.

Sincerely,

  
for Herbert N. Berkow, Director  
Project Directorate II-2  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

Docket Nos. 50-369, 50-370, 50-413,  
and 50-414

cc: See next page



McGuire Nuclear Station  
Catawba Nuclear Station

cc:

Mr. Paul R. Newton  
Legal Department (PBO5E)  
Duke Power Company  
422 South Church Street  
Charlotte, North Carolina 28242-0001

County Manager of Mecklenburg County  
720 East Fourth Street  
Charlotte, North Carolina 28202

Mr. Michael T. Cash  
Regulatory Compliance Manager  
Duke Power Company  
McGuire Nuclear Site  
12700 Hagers Ferry Road  
Huntersville, North Carolina 28078

J. Michael McGarry, III, Esquire  
Winston and Strawn  
1400 L Street, NW.  
Washington, DC 20005

Senior Resident Inspector  
c/o U. S. Nuclear Regulatory  
Commission  
12700 Hagers Ferry Road  
Huntersville, North Carolina 28078

Mr. Peter R. Harden, IV  
Account Sales Manager  
Westinghouse Electric Corporation  
Power Systems Field Sales  
P. O. Box 7288  
Charlotte, North Carolina 28241

Dr. John M. Barry  
Mecklenburg County  
Department of Environmental  
Protection  
700 N. Tryon Street  
Charlotte, North Carolina 28202

Mr. Richard M. Fry, Director  
Division of Radiation Protection  
North Carolina Department of  
Environment, Health, and  
Natural Resources  
3825 Barrett Drive  
Raleigh, North Carolina 27609-7721

Ms. Karen E. Long  
Assistant Attorney General  
North Carolina Department of  
Justice  
P. O. Box 629  
Raleigh, North Carolina 27602

Mr. G. A. Copp  
Licensing - EC050  
Duke Power Company  
526 South Church Street  
Charlotte, North Carolina 28242-0001

Regional Administrator, Region II  
U.S. Nuclear Regulatory Commission  
Atlanta Federal Center  
61 Forsyth Street, S.W., Suite 23T85  
Atlanta, Georgia 30303

Elaine Wathen  
Lead REP Planner  
Division of Emergency Management  
116 West Jones Street  
Raleigh, North Carolina 27603-1335

Mr. T. Richard Puryear  
Owners Group (NCEMC)  
Duke Power Company  
4800 Concord Road  
York, South Carolina 29745

McGuire Nuclear Station  
Catawba Nuclear Station

cc:

Mr. M. S. Kitlan  
Regulatory Compliance Manager  
Duke Power Company  
4800 Concord Road  
York, South Carolina 29745

North Carolina Municipal Power  
Agency Number 1  
1427 Meadowwood Boulevard  
P. O. Box 29513  
Raleigh, North Carolina 27626-0513

County Manager of York County  
York County Courthouse  
York, South Carolina 29745

Richard P. Wilson, Esquire  
Assistant Attorney General  
South Carolina Attorney General's  
Office  
P. O. Box 11549  
Columbia, South Carolina 29211

Piedmont Municipal Power Agency  
121 Village Drive  
Greer, South Carolina 29651

Saluda River Electric  
P. O. Box 929  
Laurens, South Carolina 29360

Max Batavia, Chief  
Bureau of Radiological Health  
South Carolina Department of  
Health and Environmental Control  
2600 Bull Street  
Columbia, South Carolina 29201

North Carolina Electric Membership  
Corporation  
P. O. Box 27306  
Raleigh, North Carolina 27611

Senior Resident Inspector  
4830 Concord Road  
York, South Carolina 29745

Mr. G. R. Peterson  
Site Vice President  
Catawba Nuclear Station  
Duke Power Company  
4800 Concord Road  
York, South Carolina 29745

Mr. H. B. Barron  
Vice President, McGuire Site  
Duke Power Company  
12700 Hagers Ferry Road  
Huntersville, North Carolina 28078