

**From:** Wall, Scott  
**Sent:** Thursday, March 4, 2021 9:37 AM  
**To:** Lashley, Phil H (EH); Morgan, Jeffrey D.  
**Cc:** Dickson, Billy; Ospino, Ty; Ruiz, Robert  
**Subject:** Perry Nuclear Power Plant - Verbal Authorization of Request VR-3, Revision 0 (EPID No. L-2021-LLR-0007)

Dear Mr. Lashley:

By telephone conversation on March 3, 2021, the U.S. Nuclear Regulatory Commission (NRC) staff provided a verbal authorization to Energy Harbor Nuclear Corp (the licensee) for the alternative **VR-3, Revision 0**, for Perry Nuclear Power Plant (Perry) proposing one-time extensions of testing for certain Perry valves scheduled for the upcoming spring 2021 refueling outage. The NRC staff's evaluation and verbal authorization is repeated at the end of this e-mail.

The following NRC and licensee personnel participated in the conference call:

NRC

Nancy Salgado – Chief, Plant Licensing Branch III  
Angela Buford – Chief, Mechanical Engineering and Inservice Testing Branch  
Bob Wolfgang – Senior Mechanical Engineer  
Yuken Wong – Senior Mechanical Engineer  
Gurjendra Bedi – Mechanical Engineer  
Ian Tseng – Mechanical Engineer  
Jason Huang – Mechanical Engineer  
Michael Farnan – Mechanical Engineer  
Nicholas Hansing – Mechanical Engineer  
Scott Wall – Senior Project Manager

Energy Harbor Nuclear Corp

Rod Penfield – Site Vice President  
Darin Benyak – Senior Vice President, Fleet Nuclear Support  
Alexandra Zelaski – Manager, Nuclear Work Control  
Dave Olderman – Supervisor, Nuclear Engineering Programs  
Justin Truxall – Nuclear Engineer  
Jacob Zbiegien – Nuclear Engineer  
Jeff Morgan – Licensing Engineer  
Dave McCreary – Licensing Engineer  
Ken McMullen – Licensing Engineer  
Phil Lashley – Fleet Licensing Manager

Please contact me if you have any questions.

**Scott P. Wall, LSS BB, BSP**

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VERBAL AUTHORIZATION BY THE NRC OFFICE OF NUCLEAR REACTOR REGULATION  
FOR 10 CFR 50.55a REQUEST VR-3, REVISION 0  
VALVE TEST FREQUENCY EXTENSION  
ENERGY HARBOR NUCLEAR CORP.  
PERRY NUCLEAR POWER PLANT, UNIT NO. 1  
DOCKET NO. 50-440  
EPID NO. L-2021-LLR-0007  
MARCH 3, 2021

**Technical Evaluation read by Angela Buford, Branch Chief, Mechanical Engineering and Inservice Testing Branch, Division of Engineering and External Hazards, NRC Office of Nuclear Reactor Regulation**

By letter dated on January 28, 2021 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML21028A796), as supplemented by letter dated February 22, 2021 (ADAMS Accession No. ML21053A010), Energy Harbor Nuclear Corp. (the licensee) proposed, to the U.S Nuclear Regulatory Commission (NRC), an alternative to specific inservice testing (IST) requirements in the American Society of Mechanical Engineers (ASME) *Operation and Maintenance of Nuclear Power Plants, Division 1, OM Code: Section IST* (OM Code), 2012 Edition, for Perry Nuclear Power Plant, Unit No. 1 (Perry), pursuant to Title 10 of the *Code of Federal Regulations*, Part 50, Section 55a (10 CFR 50.55a).

In particular, the licensee submitted 10 CFR 50.55a Request VR-3, Revision 0, requesting NRC authorization to extend the performance of diagnostic testing for 9 specific solenoid valves at Perry listed in the request from the upcoming refueling outage 1RF18, scheduled to begin on March 7, 2021, to the next refueling outage 1RF19, scheduled to occur in the spring of 2023. The NRC staff's evaluation described in this Verbal Authorization applies only to the 9 specific solenoid valves at Perry listed in the submittal dated January 28, 2021, as supplemented by letter dated February 22, 2021.

In its submittal dated January 28, 2021, as supplemented by letter dated February 22, 2021, the licensee provided justification that compliance with the provisions in ASME OM Code, Subsection ISTC, "Inservice Testing of Valves in Light-Water Reactor Nuclear Power Plants," paragraph ISTC-3630, "Leakage Rate for Other Than Containment Isolation Valves," subparagraph (a), "Frequency," and ASME OM Code, Subsection ISTC, "Inservice Testing of Valves in Light-Water Reactor Nuclear Power Plants," paragraph ISTC-3700, "Position Verification Testing," and compliance with the 10 CFR 50.55a(b)(3)(xi) OM Condition: Valve Position Indication as incorporated by reference in 10 CFR 50.55a, to conduct leakage testing of isolation valves every 2 years and to verify that valve operation is accurately indicated with remote position indicators at least once every 2 years would result in a hardship without a compensating increase in the level of quality and safety in accordance with 10 CFR 50.55a(z)(2), if performed at this time. For example, the licensee indicated that valve work at this time would represent a hardship during this Coronavirus Disease 2019 (COVID-19) outbreak, because the licensee intends to reduce the number of personnel on site to prevent the spread of COVID-19 at Perry. This reduction would include qualified testing contractors to perform the leakage and obturator position verification tests.

In its request, the licensee described the history of the 9 solenoid valves listed in its request, stating that there has not been a failure of the position indication light or measured leakage rate criteria for any solenoid valve in the last 13 years.

Based on the information described above for the 9 specific solenoid valves at Perry, identified in the licensee's request, the NRC staff finds that (1) previous testing of these solenoid valves indicate their acceptable historical performance; (2) no current concerns with the performance of these solenoid valves have been identified; (3) periodic maintenance activities are not modified by this request; and (4) a hardship exists for the performance of team-oriented testing of these solenoid valves at this time that would be contrary to the health and safety of plant personnel.

Therefore, the NRC finds that the licensee's proposed alternative for a one-time extension of the diagnostic testing interval for the 9 specified solenoid valves at Perry, submitted in accordance with 10 CFR 50.55a(z)(2), will provide reasonable assurance that the solenoid valves will be operationally ready to perform their safety functions until the next refueling outage, scheduled for the spring of 2023. All other ASME OM Code requirements as incorporated by reference in 10 CFR 50.55a for which relief or an alternative was not specifically requested and approved as part of this request on January 28, 2021, as supplemented by letter dated February 22, 2021, remain applicable. If the licensee identifies a performance issue with any of these solenoid valves, the licensee will be expected to take action to implement the requirements of its Technical Specifications. This authorization will remain in effect until restart from the next refueling outage for Perry, scheduled for the spring of 2023. The licensee's examination and testing plans for these solenoid valves may be adjusted as appropriate by any subsequent NRC-authorized alternative requests.

**Authorization read by Nancy Salgado, Chief of the Plant Licensing Branch III, Office of Nuclear Reactor Regulation**

As Chief of the Plant Licensing Branch III, Office of Nuclear Reactor Regulation, I agree with the conclusions of the Mechanical Engineering and Inservice Testing Branch.

The NRC staff concludes that the licensee's proposed alternative, under Request Number VR-3, Rev. 0, for Perry will provide reasonable assurance of adequate safety until the next refueling outage, scheduled for the spring of 2023, when diagnostic testing for the 9 specific solenoid valves will be performed.

The NRC staff finds that complying with the diagnostic testing requirements of the ASME OM Code, Subsection ISTC, as required by 10 CFR 50.55a, for the valves within the scope of this alternative request would result in hardship or unusual difficulty without a compensating increase in the 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)(2).

Therefore, effective March 3, 2021, the NRC authorizes the use of Request Number VR-3, Rev. 0, until completion of the next refueling outage, scheduled for the spring of 2023. All other requirements in ASME OM Code for which relief or an alternative was not specifically requested and approved in this alternative request remain applicable.

This verbal authorization does not preclude the NRC staff from asking additional clarification questions regarding Request Number VR-3, Rev. 0, while subsequently preparing the written safety evaluation.

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