

From: [Gowin, Mark Allen](#)
To: [RulemakingComments Resource](#)
Subject: [External_Sender] Public comments on Proposed Rule 10 CFR 50.55a (Federal Register, Vol. 86, No. 57)
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Attachments: [ISTOG Comments on proposed rulemaking for 10 CFR 5055a - signed.pdf](#)

Please see attached public comments provided by the Inservice Testing Owners Group for your consideration.

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ISTOG Comments on Proposed Rule for 10 CFR 50.55a

Introduction

The Inservice Testing Owners Group (ISTOG) welcomes this opportunity to provide public comments on the proposed rule for 10 CFR 50.55a (Federal Register, Vol. 86, No. 57). The following ISTOG comments were developed during a membership-wide virtual meeting where each proposed change affecting Inservice Testing (IST) was discussed. In addition, membership-wide ISTOG polls were conducted to gain more specific details where needed.

Comments

(b)(3)(iv) OM Condition: Check Valves (Appendix II)

Comment / Recommendation:

10CFR50.55a(b)(3)(iv) OM Condition: Check Valves (Appendix II) should be revised to be applicable to all addenda and editions of OM endorsed for use. In addition, the overly restrictive language "...At least one of the identified activities for a valve group shall be performed on each valve of the group at approximately equal intervals not to exceed the maximum interval shown in Table II-4000-1..." should be revised to simply require compliance with the maximum intervals (both columns) shown in Table II-4000-1. This will provide flexibility for those CVCM plans that are not at the maximum intervals while also ensuring activities on individual valves are not deferred to the end of the group interval.

A similar comment has already been provided to chairman of the ASME OM, Subgroup - Check Valves for consideration.

Bases for Comment / Background:

This condition was first imposed as part of final rulemaking dated July 17, 2017 and became effective on August 17, 2017 (Federal Register / Vol. 82, No. 136). This condition effectively implemented new requirements which were added to the 2017 Edition of OM, Appendix II, II-4000(b)(1)(e) that require distribution of Check Valve Condition Monitoring (CVCM) activities for each valve in a multi-valve group at approximately equal intervals across the interval for the group. The language in the 2017 Edition of OM and this condition are essentially the same.

While the goal for this condition and clarification in 2017 Edition of OM is appropriate, the actual language of these two documents have lead to unintended consequences. The statement, "...At least one of the identified activities for a valve group shall be performed on each valve of the group at approximately equal intervals not to exceed the maximum interval shown in Table II-4000-1..." has resulted in significant burden for licensees to the revise their CVCM program plans for compliance. The requirement to distribute the CVCM activities across each valve at equal intervals is more prescriptive than necessary to ensure a licensee doesn't defer activities for all valves in a group to the end of the group interval.

Before this condition and OM change, most licensees performed CVCM activities on pairs of valves in a group or staggered the activities across the valve group interval in a manner that met the goal of distributing activities of multi-valve groups. However, the method of staggering activities did not meet the prescriptive language of this condition. As a result, the only way to comply with this condition and optimize testing is to split the group into smaller groups of valves or groups of one as permitted by II-2000(a). This is a significant burden on licensees and does not necessarily ensure a better distribution of activities.

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Example:

Assume all activities for the group have not been completed such that interval extension is not allowed at the time the condition becomes effective.

Before Condition:

1 group of 4 valves where activities on 2 valves in the group are performed every other outage

Group	Outage 1	Outage 2	Outage 3	Outage 4
4 valves (A, B, C, D)		A, C		B, D

After Condition:

One group of four valves where activities on 1 valve in the group are performed every outage

Group	Outage 1	Outage 2	Outage 3	Outage 4
4 valves (A, B, C, D)	A	C	B	D

OR

Two groups of Two valves where activities on one valve in the group are performed every other outage

Group	Outage 1	Outage 2	Outage 3	Outage 4
2 valves (A, B)		A		B
2 valves (C, D)		C		D

The example above demonstrates a case where a CVCM plan that met the original intent of OM to stagger activities yet still must be revised to comply with the condition. In addition, the example shows two different ways the CVCM program may be revised to order to comply with this condition. The last method shows how the revised CVCMP can comply with the condition without changing the schedule of activities. The end result is that compliance with this condition imposed significant burden to revise CVCM plans with no increase in the level of safety.

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(b)(3)(XI) OM Condition: Valve Position Indication

First Comment / Recommendation:

10 CFR 50.55a(b)(3)(XI) OM Condition: Valve Position Indication should be removed.

Bases / Background

ISTOG provided comments (ML16015A352) on the rulemaking in which this condition was first proposed on Friday September 18, 2015 (Federal Register / Vol. 80, No. 181). Specifically, one of those comments stated, in part, "...ISTOG disagrees with proposed rulemaking and the rulemaking statement that changing the should to a shall in ISTC 3700 is not a new requirement but a clarification of the intent of the existing ASME OM Code. The proposed rulemaking goes against the recognized authority of the OM Code interpretation and change processes. See the ASME OM Interpretation 12-01..." Review of the NRC's Analysis of Public Comments (ML16130A531) shows there were numerous other public commenters stating this condition represented a new requirement contrary to NRC's assertion that it was merely a clarification.

In response to public comments, the final rulemaking was modified to defer the requirement to implement this condition until licensees perform the 120 month update of their IST program to incorporate the 2012 Edition or later of OM. This relaxation of implementation dates (from 30 days to up to 120 months) makes it clear that NRC recognized this condition would be a significant burden for licensees to implement.

Some licensees have started implementation of this condition and, as a result, they have had to submit requests for alternatives to address issues with implementation. In other cases, licensees are considering changing the valve design to remove the position indication as a more effective way of complying with this condition.

None of the actions described above (multiple public comments, deferral of implementation to next interval update, new requests for alternatives, and potential design changes to remove indication) would be necessary if this condition were just a clarification. This information clearly demonstrates this condition is a new requirement and was incorrectly evaluated against the backfit rule in the original rulemaking that imposed this condition.

Second Comment / Recommendation:

If the first comment above is not accepted, then ISTOG would like to thank NRC for adding language in this condition to address those valves that are non-susceptible to stem-disc separation. This is an important change that will benefit the industry by reducing burden of testing valves that are shown to have little to no history of stem-disc separation and providing more focus on those valves that warrant additional attention.

Recently approved ASME OM Code Case OMN-28 provides a structured approach for position indication testing of non-susceptible valves. It provides guidance for determining the scope of valves, describes testing requirements (methods and frequency), as well as necessary corrective actions upon failure of testing.

Recommend NRC endorse the use of Code Case OMN-28 in this rulemaking in lieu of the proposed new language of this condition.

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Third Comment / Recommendation:

If the first comment above is not accepted, then ISTOG recommends this condition be revised to clarify the starting point for this condition or the time frame implementation must be completed.

Bases / Background

ISTOG members have unanimously interpreted the condition language which states, "...When implementing paragraph ISTC-3700, "Position Verification Testing," in the ASME OM Code, 2012 Edition through the latest edition..." to mean the implementation clock starts on the first day of the IST interval that requires compliance with the 2012 Edition or later edition of OM. Further, they believed there was two years from the start date of the interval to be in full compliance with the condition.

This interpretation is based on the principle that requirements imposed based on an interval start date could not or did not extend back into the previous interval where the 2012 Edition or later edition was not applicable. In addition, the ISTOG members also recognize that in many cases, the supplemental verification of both open and closed valve positions may not be able to be performed concurrently. Also, it also may not be possible to perform concurrent with the ISTC-3700 required local observation of stem travel. The provisions of ISTC-3700 clearly state that when using supplemental observations such as flow meters, the observations need not be concurrent.

(f)(4) Inservice testing standards requirement for operating plants

Comment / Recommendation:

The proposed rulemaking removes a portion of sentence which states, "...without requesting relief under paragraph (f)(5) of this section or alternatives under paragraph (z) of this section..."

Recommend this phrase is retained in the final rule. This language is necessary to clarify that formal submittals of requests for relief or alternatives are not required for augmented IST program related components. As an option, this language could be relocated to (f)(6)(ii) along with the subsequent sentence regarding the use of an augmented IST program.

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(f)(7) Inservice testing reporting requirements

Comment / Recommendation:

Recommend revising (f)(7) to only require submittal of IST plans when there is a demonstrated need (e.g., planned inspection) or at the beginning of each IST interval.

Bases / Background

An ISTOG poll was conducted and of the 23 respondents: 13 stated they submitted their IST plans only at the beginning of the interval; 8 stated they submitted their IST plans after major revisions; and 2 stated they submitted their IST plans both at the start of the interval and after major revisions. No one responded that they submitted more frequently.

Licensee processes for making formal docketed submittals to NRC are very time and labor intensive. The process requires each element of the submittal to be validated with supporting documentation. This effort would be a significant burden considering IST plans includes hundreds of components and technical requirements.

IST plans are frequently revised (sometimes multiple times per year) to address modifications or other changes in the program. Therefore, the proposed (f)(7) timing for submitting IST plans when the final safety analysis report for the applicable nuclear power plant is updated would not ensure the NRC has the latest version of a site's IST plan.

This proposed change represents a new requirement which would require changes to several licensee procedures for licensing activities and IST program activities. This new requirement would create a significant burden on licensees to submit their IST plans at least every two years without any compensating increase in quality or safety.

Conclusion

These comments are provided for your consideration. Please don't hesitate to contact Mark Gowin at the contact information below if you have any questions.

Sincerely,

Mark Gowin

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