From: Terence Chan, PE
To: RulemakingComments Resource; Hoffman, Keith
Cc: Collins, Jay
Subject: [External_Sender] Comment to Proposed Rulemaking Docket NRC-2018-0290, ASME Code
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In the proposed rulemaking 86 FR 16087 dated March 26, 2021, NRC proposes to amend 10 CFR 50.55a(b)(2)(xxvi) to require a licensee-defined leak test rather than a Code-required pressure test, to demonstrate leak tightness of ASME Class 1, 2 and 3 mechanical joints. The NRC correctly notes that such a test would not need to meet ASME Code requirements, nor would the examiners of such a test be required to meet ASME personnel qualification requirements. Furthermore, although not specifically mentioned by the staff, such testing procedures also would not need to meet ASME requirements, any ASME documentation requirements would not need to be met, nor would any Authorized Nuclear Inservice Inspector (ANII) involvement be required. In fact, because a leak test under this amended provision is not considered a Code activity, ANII involvement could be specifically disallowed by the licensee.

While it would be good practice by an Owner to document or reference such a test to the associated repair/replacement plan of the affected component, there is no requirement to do so, either within the proposed amendment to this paragraph, or by ASME since all activities related to the leakage test permitted by this amendment is outside the jurisdiction of the ASME Code, Section XI. As a result, if the NRC feels it is important to ensure linkage between the leak test performed to the associated repair/replacement activity in order to effectively "... continue to monitor operating experience related to mechanical joints ...", it is suggested that NRC consider adding to this amended paragraph, a requirement that states to the effect that the licensee-defined leak test shall be referenced on the relevant repair/replacement plan and/or Form OAR-1, as appropriate for the relevant repair/replacement plan.