From:	Gropp Jr, Richard W:(Exelon Nuclear)
To:	RulemakingComments Resource
Subject:	[External_Sender] Proposed Rule Comments - 10 CFR 50 ASME 2019–2020 Code Editions (Docket ID NRC-2018-0290)
Date:	Tuesday, May 25, 2021 3:11:23 PM
Attachments:	10 CFR 50 Proposed Rule ASME Codes - Exelon Comments 05-25-21 (Docket ID NRC-2018-0290).pdf

Please find attached comments on the NRC's Proposed Rule 10 CFR 50, *"American Society of Mechanical Engineers 2019–2020 Code Editions"* (Docket ID NRC-2018-0290). The attached comments are submitted on behalf of Exelon Generation Company, LLC.

Thank you,

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May 25, 2021

U.S. Nuclear Regulatory Commission
Washington, DC 20555–0001

Subject: Comments Concerning Proposed Rule 10 CFR 50, *"American Society of Mechanical Engineers 2019–2020 Code Editions"* (86FR16087, dated March 26, 2021, Docket ID NRC-2018-0290)

This letter is being submitted in response to the U.S. Nuclear Regulatory Commission (NRC) request for comments concerning Proposed Rule 10 CFR 50, *"American Society of Mechanical Engineers 2019–2020 Code Editions,"* published in the *Federal Register* on March 26, 2021 (i.e., 86FR16087).

The NRC is proposing to amend its regulations to incorporate by reference the 2019 Edition of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code and the 2020 Edition of the American Society of Mechanical Engineers Operation and Maintenance of Nuclear Power Plants, Division 1: OM Code: Section IST, for nuclear power plants. The NRC is also proposing to incorporate by reference the 2011 Addenda to ASME NQA–1–2008, Quality Assurance Requirements for Nuclear Facility Applications (ASME NQA–1b–2011), and the 2012 and 2015 Editions of ASME NQA–1, Quality Assurance Requirements for Nuclear Facility Applications. This action is in accordance with the NRC's policy to periodically update the regulations to incorporate by reference new editions and addenda of the ASME codes and is intended to maintain the safety of nuclear power plants and to make NRC activities more effective and efficient.

Exelon Generation Company, LLC (Exelon) appreciates the opportunity to comment and offers the attached comments on certain sections on this proposed rule for consideration by the NRC. In addition, Exelon fully supports the comments submitted by the Nuclear Energy Institute (NEI) on behalf of the industry related to the subject proposed rulemaking.

If you have any questions or require additional information, please contact Richard Gropp at (610) 765-5557.

Respectfully,

D. P. Helker

David P. Helker
Sr. Manager, Licensing
Exelon Generation Company, LLC

Attachment

Comments Concerning Proposed Rule 10 CFR 50, *"American Society of Mechanical Engineers 2019–2020 Code Editions"*

10 CFR 50.55a Section	Proposed Change	Discussion	Comments on Proposed Changes
§50.55a(b)(2)(xxvi), Section XI Condition: Pressure Testing of Class 1, 2, and 3 Mechanical Joints	NRC proposes to amend § 50.55a(b)(2)(xxvi) to remove references to Section XI pressure test and VT–2 examination. The NRC proposes to relax the requirement to perform an ASME Section XI pressure test in accordance with IWA–5211(a) and VT–2 examination of mechanical joints disassembled and reassembled during the course of repair/replacement activities.	§ 50.55a(b)(2)(xxvi) Section XI condition: Pressure Testing of Class 1, 2, and 3 Mechanical Joints. Mechanical joints in Class 1, 2, and 3 piping and components greater than NPS–1 which are disassembled and reassembled during the performance of a Section XI repair/replacement activity requiring documentation on a Form NIS–2 shall be leak tested to ensure leak tightness. The owner shall establish the type of leak test, test medium, test pressure, acceptance criteria that would demonstrate the joint's leak tightness, and the qualifications of the personnel who will perform the leak test.	Exelon recommends "(xxvi) *Section XI condition: Pressure Testing of Class 1, 2, and 3 Mechanical Joints*" not be added to the Rule as currently proposed, but rather we suggest it should be deleted entirely. Licensee's Appendix B Quality Assurance programs already address leakage inspections of mechanical connections outside of ASME Section XI IWA-5000 pressure testing requirements. The language of the proposed Rule creates a new qualification and inspection program for leak checks by requiring licensees to "establish the type of leak test, test medium, test pressure, acceptance criteria that would demonstrate the joint's leak tightness, and the qualifications of the personnel who will perform the leak test." Based on the previous requirements under this paragraph most licensees adopted using the 2017 Edition of ASME Section XI for exemptions from the IWA-4540(b) requirements without adding any conditions for standard leak checks performed at nominal operating pressure and temperature outside of ASME Section XI required tests.

10 CFR 50.55a Section	Proposed Change	Discussion	Comments on Proposed Changes
Section 50.55a(b)(2)(xxxii) Section XI Condition: Summary Report Submittal	NRC proposes to amend the condition in § 50.55a(b)(2)(xxxii) to relax the timeframe for submittal of Summary Reports (pre-2015 Edition) or Owner Activity Reports (2015 Edition and later) for inservice examinations and repair replacement activities. The NRC has no objections to allowing licensees up to 120 days to submit the reports.	§ 50.55a(b)(2)((xxxii) *Section XI condition:* *Summary report submittal.* When using ASME BPV Code, Section XI, 2010 Edition through the latest edition and addenda incorporated by reference in paragraph (a)(1)(ii) of this section, Summary Reports and Owner's Activity Reports described in IWA–6230 must be submitted to the NRC. Preservice inspection reports for examinations prior to commercial service must be submitted prior to the date of placement of the unit into commercial service. For preservice and inservice examinations performed following placement of the unit into commercial service, reports must be submitted within 120 calendar days of the completion of each refueling outage.	Exelon recommends *"*(xxxii) *Section XI condition: Summary report submittal"* not be added to the Rule as proposed, and instead of requiring submittal of Summary Reports and Owner's Activity Reports, that these reports be made available upon request to the regulatory authority having jurisdiction at the plant site and to the enforcement authority. Based on numerous information requests associated with the NRC IP 71111.08 "Inservice Inspection Activities" it does not appear that NRC staff is actively reviewing submitted Summary Reports or Owner's Activity Reports until prior to the next scheduled refueling outage when requests for information associated with the IP 71111.08 inspection are developed. Allowing licensees to prepare the Summary Reports or Owner's Activity Reports without formally submitting them alleviates administrative burden while still making these documents available to NRC staff for review if requested.

Additional Comments

§ 50.55a(b)(3)(xi) - OM Condition:

1. Exelon requests further clarification concerning Supplemental Position Indication (SPI) implementation timeline and test due dates as no changes were made to the Condition to eliminate interpretation differences between the NRC and Licensees. Additionally, there should be clarification of SPI being required to be performed in conjunction with, but not required to be concurrent with, ISTC-3700 testing following adoption of the ASME OM Code, 2012 Edition, through the latest edition of the ASME OM Code.

2. Exelon requests further clarification of the SPI required testing due date for motor operated valves (MOVs) in Appendix III as the ISTC-3700 testing has shifted from 2 years to the Appendix III Inservice Testing (IST) frequency.

3. Exelon suggests eliminating the supplemental verification requirement for passive valves or at a minimum only require it in the required valve position. Sites are performing modification where possible or removing valves from the IST program to eliminate the need to do supplemental testing.

4. Exelon is requesting further clarification regarding why supplemental verification testing needs to be performed for valves that are determined to be not-susceptible to stem-disc separation.

5. Exelon suggests that the NRC consider endorsing ASME Code Case OMN-28 (instead of the proposed NRC revision) for valves that are not susceptible to stem-disc separation "…similar to what was done with OMN-20."

6. Exelon requests further clarification concerning the required testing due date when implementing the conditions for valves not susceptible to stem-disc separation or OMN-28. For example, can SPI be performed 10 years from the last performance of an ISTC-3700 test prior to implementing the latest edition of the Code?

7. Exelon suggests adding a reference to the EPRI document as acceptable method for determination of valve stem-disc separation susceptibility.

8. Exelon suggests adding an approval to utilize NRC-approved, performance-based, frequencies for SPI such as Appendix J or other approved performance-based Code Cases or site-specific relief requests.

Suggested wording to address start of SPI testing (draft):

Licensees must verify that valve operation is accurately indicated by supplementing valve position indicating lights with other indications such as flow meters or other suitable instrumentation during performance of ISTC-3700 testing to provide assurance of proper obturator

position for valves with remote position indication. Supplemental verification must be performed in conjunction with, but not concurrent with ISTC-3700, "Position Verification Testing." Supplemental verification for MOVs within the scope of Mandatory Appendix III must be performed in conjunction with but not concurrent with III-3300(e) position verification. Supplemental testing is required to start during performance of the first Position Verification Test following licensee implementation of the ASME OM Code, 2012 Edition, through the latest edition of the ASME OM Code incorporated by reference in paragraph (a)(1)(iv) of this section.

§ 50.55a(f)(4) - Inservice Testing Standards Requirement for Operating Plants:

1. With regard to the statement: *"…for pumps and valves that are within the scope of the ASME OM Code but are not classified as ASME BPV Code Class 1, Class 2, or Class 3 may be satisfied as an augmented IST program in accordance with paragraph (f)(6)(ii) of this section…,"* Exelon requests clarification whether the citation should be (f)(7)(ii) since it appears that the NRC is adding Section (7).

2. Exelon is requesting clarification concerning the removal of the statement: *"…without requesting relief under paragraph (f)(5) of this section or alternatives under paragraph (z) of this section."* Is the intent of this change to require prior NRC approval for non-Code Class components to deviate from ASME OM Code requirements? Exelon believes further clarification is needed.

§ 50.55a(f)(7) - Preservice and Inservice Testing Requirements:

1. Regarding the proposed requirement to provide IST plans on a periodic basis, Exelon believes that this will impose an undue burden with no added value and safety benefit and requests further clarification. Inservice Inspection (ISI) does not have the same requirement.