

From: Lashley, Phil H <phlashley@energyharbor.com>
Sent: Friday, March 18, 2022 1:16 PM
To: Vaidya, Bhalchandra
Cc: Goodman, Josh
Subject: [External_Sender] OMN-27 Request

Bhalchandra,

In our 10 CFR 50.55a request dated 4/1/21, we made the following statements (highlights added for emphasis):

Cover letter: Specifically, Energy Harbor Nuclear Corp. requests approval to use ASME OM Code Case OMN-27, "Alternative Requirements for Testing Category A Valves (Non- PIV/CIV)," to determine valve test frequency in lieu of the two-year leakage rate test frequency requirement specified in ASME OM Code Section ISTC-3630(a) for Category A valves **that are not reactor coolant system pressure isolation valves (PIVs) or containment isolation valves (CIVs)**.

Section 1 of request: Davis-Besse Nuclear Power Station (DBNPS) and Beaver Valley Power Station, Unit Nos. 1 and 2 (BVPS-1 and BVPS-2, respectively) Category A valves **that are not reactor coolant system pressure isolation valves (PIVs) or containment isolation valves (CIVs)**.

Section 5 of request: Code Case OMN-27 **does not apply to pressure isolation valves (PIVs) or containment isolation valves (CIVs)**.

The NRC's safety evaluation (dated 1/21/22) states (highlights added for emphasis):

Cover letter, third paragraph: The NRC staff has reviewed the subject request and concludes, as set forth in the enclosed safety evaluation, that Alternative Requests RV-2, VRR5, and VRR7 for DBNPS, BVPS-1, and BVPS-2, respectively, provide an acceptable level of quality and safety for the ASME OM Code Category A valves, **excluding reactor coolant system, PIVs, and CIVs**.

Section 3.1 of the SE: The licensee requested to use the proposed alternative described below for all ASME OM Code Category A valves, **excluding reactor coolant system (RCS), pressure isolation valves (PIVs), and containment isolation valves (CIVs)**, in their IST program that meet the requirements of ASME OM Code Case OMN-27, "Alternative Requirements for Testing Category A Valves (Non- PIV/CIV)."

Section 3.1.2 of the SE: This will apply to all ASME OM Code Category valves **except RCS, PIVs, and CIVs**.

Also Section 3.1.2 of the SE: The plant staff at DBNPS, BVPS-1, and BVPS-2, have been testing their Category A valves, **excluding RCS, PIVs, and CIVs**, every 2 years, so this trending history provides justification to implement ASME OM Code Case OMN-27 for these valves.

Section 3.2 of the SE: The licensee proposes to apply ASME OM Code Case OMN-27 in its entirety for all Category A valves **that are not RCS, PIVs, or CIVs**, at DBNPS, BVPS-1, and BVPS-2.

Section 4 of the SE: As set forth above, the NRC staff has determined that Alternative Requests RV-2, VRR5, and VRR7 for DBNPS, BVPS-1, and BVPS-2, respectively, provide an acceptable

level of quality and safety for the ASME OM Code Category A valves, **excluding RCS, PIVs, and CIVs.**

The problem is that the NRC SE includes a comma after “RCS” that has changed the intent of the sentence. Whereas our request included PIVs that are within the RCS, the NRC SE excludes PIVs as well as all other RCS valves. That is a change in meaning from what was requested. Of note, it is characterized correctly in the second paragraph of the cover letter, which states (highlight added), “Specifically, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) paragraph 50.55a(z)(1), the licensee requested to use Alternative Request RV-2 for DBNPS, Alternative Request VRR5 for BVPS-1, and Alternative Request VRR7 for BVPS-2, regarding valve IST, ASME OM Code Case OMN-27, “Alternative Requirements for Testing Category A Valves (Non-PIV [pressure isolation valve]/CIV [containment isolation valve]),” to determine valve test frequency in lieu of the 2-year leakage rate test frequency requirement specified in ASME OM Code Section ISTC-3630(a) for Category A valves **that are not reactor coolant system PIVs or CIVs** on the basis that the proposed alternative would provide an acceptable level of quality and safety.

Please review and we can discuss how to proceed to correct the issue.

Respectfully,

Phil H. Lashley
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