



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

October 27, 2022

Mr. David P. Rhoades
Senior Vice President
Constellation Energy Generation, LLC
President and Chief Nuclear Officer
Constellation Nuclear
4300 Winfield Road
Warrenville, IL 60555

SUBJECT: DRESDEN NUCLEAR POWER STATION, UNITS 2 AND 3, AND QUAD CITIES
NUCLEAR POWER STATION, UNITS 1 AND 2 — WITHDRAWAL OF
PROPOSED ALTERNATIVE TO USE ASME CODE CASE N-921 FOR THE
SIXTH INSERVICE INSPECTION INTERVALS (EPID L-2022-LLR-0051)

Dear Mr. Rhoades:

By letter dated June 9, 2022 (Agencywide Documents Access and Management System Accession No. ML22160A087), Constellation Energy Generation, LLC (the licensee) submitted an application in accordance with paragraph 50.55a(z)(1) of Title 10 of the *Code of Federal Regulations* (10 CFR) for a proposed alternative to certain requirements of 10 CFR 50.55a, "Codes and standards," for Dresden Nuclear Power Station, Units 2 and 3 (Dresden), and Quad Cities Nuclear Power Station, Units 1 and 2 (Quad Cities). Specifically, the licensee requests an alternative to requirements in Section XI of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code (BPV Code) and 10 CFR 50.55a(b)(5)(ii), (b)(5)(iii), (g)(4)(ii), (g)(5)(i), (g)(5)(iii), and (g)(5)(iv) for the sixth inservice inspection (ISI) intervals at Dresden and Quad Cities. The sixth ISI interval at Dresden is scheduled to start on January 20, 2023, and end on January 19, 2033, and the sixth ISI interval at Quad Cities is scheduled to start on April 2, 2023, and end on April 1, 2033. The application states that, in accordance with 10 CFR 50.55a(z)(1), the proposed alternative would provide an acceptable level of quality and safety.

The regulations in 10 CFR 50.55a include, in part, requirements for the use of Section XI of the ASME BPV Code for the ISI of nuclear power plants. Specific editions and addenda of the ASME Codes have been incorporated by reference into 10 CFR 50.55a, subject to certain limitations. Section XI of the ASME BPV Code requires certain inservice examinations and tests to be completed within a defined 10-year interval for the service life of the plant. A certain percentage of these inservice examinations and tests must be completed in each of the three inspection periods that make up the 10-year ISI interval. In lieu of these requirements, the proposed alternative would, in part, allow the licensee to use the ASME Code Case N-921, "Alternative 12-yr [Year] Inspection Interval Duration." This would extend the sixth ISI intervals at Dresden and Quad Cities by 2 years and revise the schedule for the three inspection periods within the sixth ISI intervals.

Paragraph 10 CFR 50.55a(g)(4)(ii) requires, in part, that inservice examination of components and system pressure tests conducted during successive 120-month (i.e., 10-year) inspection intervals must comply with the latest edition and addenda of the ASME Code incorporated by reference in 10 CFR 50.55a(a) 18 months before the start of the 120-month inspection interval (or the optional ASME Code Cases as specified in 10 CFR 50.55a(g)(4)(ii)) subject to the conditions listed in 10 CFR 50.55a(b). As an alternative to this requirement, the licensee proposes to revise the interval from 120 months to 144 months (i.e., 12 years) such that the ASME Code update would align with the end of the extended sixth ISI intervals at Dresden and Quad Cities. The regulations in 10 CFR 50.55a(b)(5)(ii), (b)(5)(iii), (g)(5)(i), (g)(5)(iii), and (g)(5)(iv) are also tied to the 120-month update requirement or to the 10-year ISI interval. The proposed alternative would also allow the licensee to comply with these requirements on a 144-month interval instead of a 120-month interval to align with the proposed 12-year ISI intervals.

The purpose of this letter is to provide the results of the U.S. Nuclear Regulatory Commission (NRC or Commission) staff's acceptance review of this application. The NRC staff performed the acceptance review in accordance with the Office of Nuclear Reactor Regulation Office Instruction LIC-109, Revision 3, "Acceptance Review Procedures for Licensing Basis Changes" (ML20036C829). The acceptance review was performed to determine if there is sufficient technical information in scope and depth to allow the NRC staff to complete its detailed technical review. The acceptance review is also intended to identify whether the application has any readily apparent information insufficiencies in its characterization of the regulatory requirements or the licensing bases of the plants.

The guidance in LIC-109, Revision 3, states, in part, that: "It should be noted that the generic use of a Code Case that has received final approval by the ASME and is currently under review by the NRC, shall not be accepted for review. This avoids inefficiencies by preventing the NRC staff from expending resources to review the same issue in two separate processes." The ASME Code Case N-921 was approved by the ASME on September 28, 2021, and the NRC staff is currently considering rulemaking to allow its generic use by power reactor licensees. The NRC staff considers rulemaking to be the best approach for considering the use of Code Case N-921 because the rulemaking process allows the staff to consider the views of the broader industry and other stakeholders.

Further, in SECY-21-0029, "Rulemaking Plan on Revision of Inservice Testing and Inservice Inspection Program Update Frequencies Required in 10 CFR 50.55a," dated March 15, 2021 (ML20273A286), the NRC staff stated, among other things, that:

Because the NRC specifies the 120-month IST and ISI program update interval in 10 CFR 50.55a, conducting rulemaking is the only option to address this regulatory issue. Developing new regulatory guidance or updating current regulatory guidance would not be a viable option to implement a change to this requirement.

Prior to the completion of this rulemaking process, the staff anticipates that some licensees may submit requests for exemptions to the requirements to update IST and ISI programs every 120 months. Staff will consider the merits of such requests on a case-by-case basis.

The Commission approved the NRC staff's recommendations in SECY-21-0029 in a staff requirements memorandum dated November 8, 2021 (ML21312A490).

Therefore, in accordance with LIC-109, Revision 3, the NRC staff informed the licensee via telephone call on October 18, 2022, that the June 9, 2022, application would not be accepted for review for the reasons discussed above. Subsequently, by letter dated October 27, 2022 (ML22300A111), the licensee requested to withdraw the application. The NRC staff acknowledges the licensee's request to withdraw the application. The NRC staff activities associated with the review have ceased and the associated EPID L-2022-LLR-0051 has been closed.

If you have any questions, please contact Scott Wall at 301-415-2855 or Scott.Wall@nrc.gov.

Sincerely,

/RA by Blake Purnell for/

Scott P. Wall, Senior Project Manager
Plant Licensing Branch III
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-237, 50-249,
50-254, and 50-265

cc: Listserv

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