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Acceptability of ASME Code, Section III, Division 5, "High Temperature Reactors"

Comment On: NRC-2024-0203-0001
Draft Regulatory Guide: Acceptability of ASME Code, Section III, Division 5, "High Temperature Reactors"

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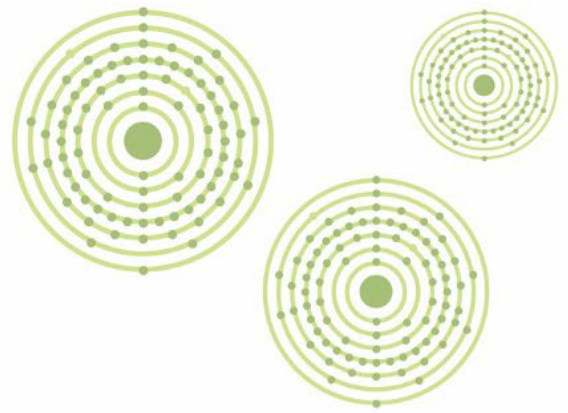
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General Comment

See attached file(s)

Attachments

TP-LIC-LET-0391 DG-1436 Comments



January 27, 2025

Docket ID: NRC-2024-0203
TP-LIC-LET-0391

Office of Administration
ATTN: Program Management, Announcements and Editing Staff
Mailstop: TWFM 7A-06M
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Submission of Comments on Draft Guide DG-1436, Proposed Revision 3 to Regulatory Guide 1.87, "Acceptability of ASME Code, Section III, Division 5, 'High Temperature Reactors'"

Reference: Proposed Revision 3 to Regulatory Guide 1.87, "Acceptability of ASME Code, Section III, Division 5, 'High Temperature Reactors,'" 89 Federal Register 100921, Dated December 13, 2024

In a Federal Register Noticed dated December 13, 2024 (Reference), the U.S. Nuclear Regulatory Commission (NRC) issued for public comment draft guide DG-1436, "Acceptability of ASME Code, Section III, Division 5, 'High Temperature Reactors,'" requesting that comments be submitted by January 27, 2025.

TerraPower, LLC (TerraPower) finds the proposed changes contained in Draft Guide DG-1436, Proposed Revision 3 to Regulatory Guide (RG) 1.87, "Acceptability of ASME Code, Section III, Division 5, 'High Temperature Reactors,'" lacking alignment with existing Commission policy and unnecessarily conservative. Changes from Revision 2 to Revision 3 extend beyond the scope of endorsing the 2023 Edition of American Society of Mechanical Engineers (ASME) Section III, Division 5, without adequate justification.

NRC Imposed Limitations

The limitations specified in the draft guide add requirements to the code. This is within the purview of the NRC when it is warranted to assure adequate protection. However, the

Enclosure to this letter includes a list of imposed limitations (essentially, requirements) that TerraPower considers unnecessary or not appropriately justified. Proper justification would explain why the code is inadequate as written, provide evidence to support the claim, and define how the added limitations address the inadequacy. ASME Section III is a consensus code developed specifically to establish rules for the construction of nuclear power plants, upon which the NRC is a contributing member. Given that process, with the current level of regulatory engagement, there is a lack of evidence to justify the list of additional limitations contained in proposed revision.

Non-safety-related SSCs

The Licensing Modernization Project, through Nuclear Energy Institute (NEI) 18-04 and the subsequent NRC endorsement, introduced the idea of non-safety-related with special treatment (NSRST) structures, systems, and components (SSCs), which are included under the umbrella of "safety-significant" SSCs. These SSCs are not safety-related, and the special treatments applied are selected to assure the reliability and capability targets established by the design are met. Any safety classification categories other than safety-related should be outside the scope of this RG. NSRST SSCs are non-safety-related and for which industrial and commercial codes and standards should provide adequate design and construction requirements (as shown in the approved RG 1.87, Rev 2, Table A-1), with special treatments applied as-necessary and commensurate with the risk significance of the NSRST function.

Quality Group Classifications

Regulatory Guide (RG) 1.26, "Quality Group Classifications and Standards for Water-, Steam-, and Radioactive-Waste-Containing Components of Nuclear Power Plants," is intended for use by light-water-cooled nuclear power plants following traditional deterministic safety evaluation methods. The integration of this traditional guidance into a document intended to be used by licensees following NEI 18-04 for non-light-water reactor designs introduces confusion and complicates compliance for licensees that do not utilize quality groups in their design. In addition, Appendix A in its entirety does not appear to be aligned with the purpose of the RG, which is the endorsement of the 2023 Edition of ASME Section III, Division 5. Potential solutions for NRC's consideration include:

- Removing Appendix A from this document and considering the creation of a separate RG, or
- Designating Appendix A as non-mandatory.

The Enclosure to this letter contains additional comments.

TerraPower appreciates the opportunity to engage with the NRC on this important topic. We share in the goal of generating content that will assure the public health and safety while staying aligned with the Accelerating Deployment of Versatile, Advanced Nuclear for Clean Energy Act of 2024 (ADVANCE Act) requirement to implement initiatives that achieve efficient, timely, and predictable license application reviews.

Please contact Nick Kellenberger at nkellenberger@terrapower.com if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Ian Gifford".

Ian Gifford
Director of Licensing
TerraPower, LLC

Enclosure: TerraPower, LLC Comments and Review of DG-1436 Proposed Revision 3 to RG 1.87

ENCLOSURE

**TerraPower, LLC Comments and Review of
DG-1436 Proposed Revision 3 to RG 1.87**

TerraPower, LLC Comments and Review of DG-1436 Proposed Revision 3 to RG 1.87

Comment	Section	Comments/Basis	Recommendation
1	General Comment	<p>The body of Regulatory Guide (RG) 1.87 describes an approach that is acceptable to NRC staff to assure the mechanical/structural integrity of components that operate in elevated temperature environments and that are subject to time-dependent material properties and failure modes. Appendix A, "High Temperature Reactor Quality Group Classification," provides guidance for quality group classification. Quality group classification is a separate topic that should not be paired with the endorsement of ASME BPVC Section III, Division 5. Furthermore, Appendix A appears to apply deterministic quality group classification guidance to the risk-informed, performance-based (RIPB) RG 1.233 process. This is not compatible with the RIPB implementation of RG 1.233, which selects special treatments based on the required functional performance of SSCs.</p>	<p>Recommendations in order of preference:</p> <ol style="list-style-type: none"> 1. Remove Appendix A from RG 1.87. 2. Remove the deterministic quality group classification guidance from Appendix A. 3. Move Appendix A to an independent guidance document.
2	<p>Related Guidance First Bullet Page 2</p>	<p>This paragraph notes that NUREG-2245 exceptions and limitations on the 2017 Edition remain in this revision.</p> <p>Reliance on consensus standards without additional regulatory restrictions should be expected, particularly since the NRC staff is actively participating and votes on Code changes.</p>	<p>Remove exceptions and restrictions based on a technical review of a prior Code Edition (2017).</p>
3	<p>Related Guidance Second Bullet</p>	<p>RG 1.26 provides deterministic-related guidance for light water reactors (LWRs) regarding quality groups.</p> <p>References to LWR technology guidance should be minimized as they are not technology inclusive and are</p>	<p>Remove references to LWR technology guidance. Specifically, RG 1.26.</p>

TerraPower, LLC Comments and Review of DG-1436 Proposed Revision 3 to RG 1.87

Comment	Section	Comments/Basis	Recommendation
	Page 3	often based on deterministic principles and not on risk-informed safety-significant functions. The quality group classification philosophy of RG 1.26 is not compatible with most advanced reactor technologies which operate at near atmospheric conditions, therefore lacking the pressure retaining function typical for LWRs.	
4	BRGP q(1) Page 5 and corresponding C.1.q(1) and C.1.q(2) Page 15	<p>Basis for Regulatory Guidance Position (BRGP) q (1): In this paragraph the staff requires additional justification for using stress values in HBB-I-14.2, I-14.3, I-14.4, I-14.6 on the basis that these values were established for non-welded products. Further in this paragraph, the staff stipulates that other non-nuclear codes use reduction factors for stress developed from non-welded products.</p> <p>ASME.BPVC.III.5 2023 Edition HBB-3221(a)(2), "Weldments," uses a reduction factor of 0.8 on the stress allowable limits. The NRC's basis statement does not appear to take this reduction factor into account and effectively adds additional margin. Furthermore, recent code actions including testing and benchmarking of code rules on time-dependent material properties and creep by Argonne National Laboratory indicated excessive margin greater than a factor of ten in existing code rules. Considering that most advanced reactors operate at or near atmospheric pressures, the additional justification required does not appear justified.</p> <p>1. The new limitation added in C.1.q(1) is not supported by the basis, as the Code uses weld reduction factors.</p>	<p>1. The new limitation imposed by C.1.q(1) should be removed.</p> <p>2. Remove the existing limitation in C.1.q(2) unless sufficient justification can be made, and provided, for its inclusion.</p>

TerraPower, LLC Comments and Review of DG-1436 Proposed Revision 3 to RG 1.87

Comment	Section	Comments/Basis	Recommendation
		<p>2. The existing limitation in C.1.q(2) is not provided with a basis to justify why the limitation is necessary. Unless there is a clear and justified basis the staff should consider removing this limitation.</p>	
5	<p>BRGP v Page 5 and corresponding C.1.v Page 20</p>	<p>BRGP v is used to add code limitation C.1.v without a proper basis.</p> <p>The basis provided for BRGP v is insufficient and does not support the restriction on code paragraph HBB-Z-1212.3. As HBB-Z-1212.3 explains "...The rationale is that the procedure for creep-fatigue design by inelastic analysis, per Nonmandatory Appendix HBB-T, <u>explicitly and separately accounts for the accumulation of damage in the material using the Code rules. As such, representing damage development in the constitutive model double counts damage and may lead to an overly conservative design...</u>" Imposing this limitation results in undue burden on advanced reactor applications.</p>	<p>Remove code limitation C.1.v. The limitation double-counts the conservatism.</p>
6	<p>BRGP w Page 5 and corresponding C.1.w Page 20</p>	<p>BRGP w is used to add code limitation C.1.w without consideration of a complete Code basis.</p> <p>HBB-T-1300 limits inelastic strains to 1%, 2%, and 5% for average, bending, and local strains respectively; also referenced in Figure HBB-3221-1 for strain and deformation limits. The additional basis provided in Position w stipulates that non-physical behavior may be exhibited by the constitutive model for stainless steel (SS) 316 in HBB-Z due to the internal variable omega. Given</p>	<p>Remove the HBB-T-1300 limits.</p>

TerraPower, LLC Comments and Review of DG-1436 Proposed Revision 3 to RG 1.87

Comment	Section	Comments/Basis	Recommendation
		<p>the limitations on strain limits in HBB-T-1300, the proposed additional limitation on the internal variable, omega, is only of interest from a theoretical perspective but in practice the limits of HBB-T-1300 make it redundant and unnecessary. Extracting the one limit fails to consider the code as a whole.</p>	
7	<p>BRGP x Page 6 and corresponding C.1.x Page 20</p>	<p>BRGP x is used to add code limitation C.1.x without consideration of complete Code basis.</p> <p>Similar to the C.1.w comment above, HBB-T-1300 strain limits may already provide adequate and sufficient limitation such that the constitutive equations in HBB-Z-1325 may be reasonably acceptable and well within the accuracy required for practical engineering. Given the inherent margin, as demonstrated by the Argonne National Laboratory benchmark tests (see comment on Background / page 5, and corresponding C.1.q(1) and C.1.q(2)), the staff should consider whether all "edge" cases of theoretical arguments would need to be limited which creates an impractical domain for practicing engineers.</p>	<p>Reconsider limitations on all "edge" cases.</p>
8	<p>General</p>	<p>Dozens of additional limitations (C.1.z through C.1.rr) on nonmetallic Class SN core components are added.</p> <p>This increases the burden on license applicants that utilize nonmetallic components.</p>	<p>Reconsider the value of adding limitations on nonmetallic Class SN core components.</p>

TerraPower, LLC Comments and Review of DG-1436 Proposed Revision 3 to RG 1.87

Comment	Section	Comments/Basis	Recommendation
9	BRGP 1-CC-N-898-1 BRGP 2-CC-N-898-1 Pages 8 & 9 and Table 5. N-898-1 Page 24	BRGPs 1- and 2-CC-N-898-1 are used to add code limitations in Table 5 without potential consideration of complete Code basis. The same basis as used in "Background Position w / page 5, and C.1.w / page 20", and "Background Position x / page 6, and C.1.x / page 20" are used here. The comment on this limitation is the same as noted for those two positions above.	Remove the HBB-T-1300 limits.
10	BRGP 1-CC-N-940 Page 9 and Table 5. 1-CC-N-940 Page 24	The condition in 1-CC-N-940 imposes an additional restriction on ultrasonic testing (UT) technology without consideration of the entirety of the construction Code. The position references ASME B31.1 for additional requirements without consideration of other measures provided by the construction code. In ASME-III there are many requirements that are above and beyond B31.1, such as Certified Material Test Reports, design and fabrication rules for time independent properties, and restrictions on fabrication and welding methods/configurations. In addition, CC-N-940 invokes Section V article 4 in its entirety for UT. Therefore, if Section V is acceptable to the regulator, then no additional requirements should be applied on this code case with respect to allowable UT technologies.	Remove the additional restrictions imposed by this condition.

TerraPower, LLC Comments and Review of DG-1436 Proposed Revision 3 to RG 1.87

Comment	Section	Comments/Basis	Recommendation
		<p>It is not appropriate to select the most restrictive requirements and apply them without consideration to safety-significance and the overall framework of the construction code, which includes design, materials, fabrication, testing, examination, and installation.</p>	
11	<p>BRGP 3-CC-N-940 Page 10 and Table 5. 3-CC-N-940 Page 24</p>	<p>The condition in 3-CC-N-940 imposes an additional restriction on progressive sampling without consideration of the entirety of the construction Code.</p> <p>Similar comment to "Background Position 1-CC-N-940 / page 9, and Table 5 1-CC-N-940 / page 24," when looking at appropriate exams, the entirety of the construction code should be considered. Selecting from B31.1 requirements that are more restrictive disregards the additional measures that exist in ASME-III. The limitation of progressive exams for piping above 750 F should not be relevant for ASME-III due to the additional construction requirements imposed by Division 5, which thoroughly address the time independent effects. Furthermore, Division 5 requires Certified Material Test Reports, and restricts weld configurations. The combination of enhanced construction, design rigor, and a comprehensive examination, supports the safety significance of moderate energy piping, particularly in advanced designs that operate near atmospheric pressures.</p>	<p>Remove the additional restrictions imposed by this condition.</p>

TerraPower, LLC Comments and Review of DG-1436 Proposed Revision 3 to RG 1.87

Comment	Section	Comments/Basis	Recommendation
12	BRGP 4-CC-N-940 Page 10 and Table 5. 4-CC-N-940 Page 24	<p>The condition in 4-CC-N-940 imposes an additional restriction on progressive sampling without consideration of the entirety of the construction Code and the reduced safety significance of moderate energy piping.</p> <p>This comment is similar to the other CC-N-940 restrictions. When looking at appropriate exams, the entirety of the construction code should be considered. Selecting from B31.1 requirements that are more restrictive disregards the additional measures that exist in Section-III. See comments above.</p>	Remove the additional restrictions imposed by this condition.
13	BRGP 6-CC-N-940 Page 10 and Table 5. 6-CC-N-940 Page 24	<p>The condition in 4-CC-N-940 imposes an additional restriction on leak testing without consideration of the entirety of the construction Code and the reduced safety significance of moderate energy piping.</p> <p>This comment is similar to the other CC-N-940 restrictions. When looking at appropriate leak tests, the entirety of the construction code should be considered. Selecting from B31.1 requirements that are more restrictive disregards the additional measures that exist in Section-III. See comments above.</p>	Remove the additional restrictions imposed by this condition.
14	C.1.a(1) Page 12	<p>Position C.1a(1), as stated, is not appropriate.</p> <p>This position adds an interpretation that NSRST SSCs should consider the most restrictive application of ASME BPVC Section III. This position applies safety-related (SR) equivalent application of codes and standards to NSRST SSCs, which is not consistent with the RG 1.233 risk-</p>	Position C.1.a(1) should be revised to remove the confirmation that the risk significance of the NSRST SSC is sufficiently below that of safety-related SSCs.

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TerraPower, LLC Comments and Review of DG-1436 Proposed Revision 3 to RG 1.87

Comment	Section	Comments/Basis	Recommendation
		<p>informed, performance-based philosophy. The most restrictive application of ASME BPVC Section III may not be warranted as a special treatment application to non-safety-related SSCs. The addition of this paragraph creates an undue burden on license applications to prove a "negative," (i.e., why ASME BPVC Section III does not apply). This is not consistent with risk-informed design.</p> <p>Under the application of RG 1.233, the risk significance of an NSRST SSC is not required to be below the risk significance of SR SSCs. RG 1.233 does not require SR equivalent treatment for NSRST SSCs whose risk significance exceeds that of SR SSCs. The special treatments for NSRST SSCs are selected to provide reasonable confidence that SSCs will perform their functions reflected in the licensing basis events, which may not require the application of SR equivalent treatment.</p>	
15	C.1.b Page 12	<p>The paragraph restricts qualified chartered engineers from fulfilling ASME certifying engineer roles.</p> <p>Chartered engineers in ASME-III App. XXIII are internationally recognized professionals who are subject to the same qualification requirements as United States registered professional engineers. This restriction disregards international programs and regulations.</p>	Remove this restriction.
16	C.1.u Page 20	In this revision 3, the staff states that "The NRC staff did not review Nonmandatory Appendix HBB-Y and therefore	This restriction should be removed.

TerraPower, LLC Comments and Review of DG-1436 Proposed Revision 3 to RG 1.87

Comment	Section	Comments/Basis	Recommendation
		<p>is not endorsing it." The same basis was prevalent in revision 2 of RG 1.87.</p> <p>Nonmandatory Appendix HBB-Y, Guidelines for Design Data Needs for New Materials, should be reviewed as part of this RG revision update.</p>	
17	C.1.t Page 20	<p>Nonmandatory Appendix HBB-T-1710, Special Strain Requirements at Welds, provides a non-specific requirement without a basis.</p> <p>Stress relaxation is already limited by the procedures in HBB-T that were deemed sufficient to address the staff's concerns. Stress relaxation cracking is geometry specific, and each specific geometry is required to be subjected to the stress relaxation rules in HBB-T if used. The limitation as written is open to interpretation and should be removed or revisited to include a more defined scope and purpose.</p>	This limitation should be removed.
18	Background Page 4	<p>The following statement was unchanged from RG 1.87 Revision 2:</p> <p><i>"Appendix A to this RG provides guidance for the quality group classification of components in non-LWR designs. It provides one method that is acceptable to the NRC staff for the safety classification of components for non-LWR nuclear power plants."</i></p> <p>However, the second sentence, <i>"It provides one method that is acceptable to the NRC staff for the safety classification of components for non-LWR nuclear power</i></p>	<p>Revise the background statement on page 4 as follows:</p> <p><i>"Appendix A to this RG provides guidance for the quality group classification of components in non-LWR designs. It provides a method for the selection of quality standards."</i></p>

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TerraPower, LLC Comments and Review of DG-1436 Proposed Revision 3 to RG 1.87

Comment	Section	Comments/Basis	Recommendation
		<p><i>plants,</i>" misrepresents the contents of Appendix A. The quality group classifications in RG 1.87 Appendix A do not provide a method for the safety classification of components, they provide a method for the selection of quality standards.</p>	
19	BRGP b Page 5	<p>There appears to be a typo on page 5. "Basis for Regulatory Guidance Position b" The language under this heading seems to describe the basis for Regulatory Guidance Position C.1.a(1).</p>	<p>Change the basis heading to read: Basis for Regulatory Guidance Position C.1.a(1)</p>
20	C.1.b(2) Page 12	<p>There appears to be an editorial error in the numbering for Position C.2.b(2). There is no Position C.2.b(1).</p>	<p>Renumber Position C.2.b(2) as C.2.b(1).</p>
21	A-2 Pages A-2, -3	<p>The following paragraph appears under the heading "Traditional Approach:" "This appendix addresses pressure-retaining components and supports of high-temperature reactors. The guidance in RG 1.26 should be used for pressure-retaining components containing water, steam, or radioactive material in light-water-cooled nuclear power plants. Other systems not covered by this RG 1.87, such as instrument and service air; diesel engines, their generators, and auxiliary support systems; diesel fuel; emergency and normal ventilation; fuel handling; and radioactive waste management systems, should be designed, fabricated,</p>	<p>Clarify the scope of Appendix A at the beginning of the appendix. Include clarification that the scope only includes components under the jurisdiction of the ASME Code.</p>

TerraPower, LLC Comments and Review of DG-1436 Proposed Revision 3 to RG 1.87

Comment	Section	Comments/Basis	Recommendation
		<p>erected, and tested to quality standards commensurate with the safety function to be performed."</p> <p>For clarity, the scope of systems covered by RG 1.87 Appendix A should be identified at the beginning of the appendix, rather than under the "Traditional Approach" safety classification category header. Additionally, the scope of Appendix A should be clarified to include only components under the jurisdiction of the ASME Code.</p>	
22	Appendix A	<p>DG-1436 Appendix A provides a method for the selection of quality standards under the application of RG 1.233 that is based on the safety classification of components. However, the RG 1.233 process is implemented based on the functions performed by SSCs. In the NEI 18-04 process, as endorsed by RG 1.233, special treatments, capability targets, and reliability targets are selected to provide assurance that SSCs perform their functions identified in the licensing basis events. Therefore, it is better aligned with RG 1.233 to provide guidance that codes and standards should be selected based on the safety significance of the functions performed by SSCs within ASME Code jurisdiction, rather than based on the overall safety classification of the SSC.</p>	<p>Clarify that the Appendix A guidance for RG 1.233 implementation is based on the safety significance of functions performed by SSCs within ASME Code jurisdiction.</p>
23	Table A-1 Page A-8	<p>The proposed revision modifies Table A-1 Quality Group C column to indicate that ASME Code, Section III, Division 5 should be used for NSRST SSCs.</p>	<p>Table A-1 should be revised to indicate that industrial codes such as ASME BPVC Section VIII, ASME B31.1, and ASME B31.3 are appropriate for NSRST SSCs if they cover the component service and design conditions,</p>

TerraPower, LLC Comments and Review of DG-1436 Proposed Revision 3 to RG 1.87

Comment	Section	Comments/Basis	Recommendation
		<p>DG-1436 appears to contain an underlying perspective that for each NSRST SSC, an applicant using RG 1.233 should justify deviating from each special treatment that would be applied to an equivalent SR component. This perspective is counter to the risk-informed, performance-based NEI 18-04 process endorsed by RG 1.233. NSRST SSCs are not safety-related and should not be viewed as subject to the same treatment as SR SSCs by default. NEI 18-04 and RG 1.233 allow for the specification of right-sized requirements for NSRST SSCs to leverage risk information. Special treatments for NSRST SSCs refer to requirements that provide increased assurance beyond normal industrial practices that SSCs perform their design-basis functions. Special treatments can be selected as additions to normal industrial practices, rather than justified eliminations from SR practices. The safety classification of an NSRST SSC should generally be seen as sufficient justification for not applying ASME BPVC Section III and should not require a case-by-case justification.</p>	<p>unless a specific special treatment for an NSRST component is determined to require the elevated assurances of ASME BPVC Section III.</p>
24	<p>Section A-2 (Traditional Approach) Pages A-2, -3 Table A-1 Page A-8</p>	<p>Section A-2 and Table A-1 information on RG 1.26 and the "Traditional Approach." This information was unchanged from RG 1.87 Revision 2.</p> <p>The use application for the "Traditional Approach" information in Section A-2 is not clear because RG 1.26 and ASME BPVC Section III, Division 5 are not compatible. It is unclear whether Appendix A is defining quality groups that are an alternate to RG 1.26 for a non-LWR applicant not utilizing 10 CFR 50.69 or RG 1.233 for the safety</p>	<ol style="list-style-type: none"> 1. Remove the RG 1.26 quality groups from Table A-1. 2. Clarify the intended application of the RG 1.26 information in Section A-2 (Traditional Approach) or remove. 3. Consider making Appendix A non-mandatory.

TerraPower, LLC Comments and Review of DG-1436 Proposed Revision 3 to RG 1.87

Comment	Section	Comments/Basis	Recommendation
		<p>classification of SSCs. The RG 1.26 quality groups and the Section A-2 discussion of the types of functions in each RG 1.26 quality group is specific to LWRs and is not technology inclusive.</p> <p>Additionally, the inclusion of the RG 1.26 quality groups in Table A-1 is misleading. Table A-1 appears to correlate RG 1.26 quality groups to RG 1.233 safety classifications. This correlation is inappropriate because the RG 1.26 quality groups are defined based on the component functions and radionuclide inventory release potential, not on the component safety classification. RG 1.26 Quality Group C may contain safety-related and non-safety-related components, as explained on DG-1436, page A-2.</p>	
25	Appendix A Terminology	<p>The terminology used in the Appendix A text and Table A-1 (carried over from Revision 2) is inconsistent and could be improved for clarity. Specifically, "Safety Classification Categories" and "License Modernization Project Approach" are used in Section A-2 and "Classification Method" and "Risk-Informed (RG 1.233)" are used in Table A-1 for the same concepts.</p>	Align the usage of terms to be consistent.
26	C.1 and C.1.c Page 12 A-4 Pages A-6, -7	<p>The first paragraph of C.1 states, "The NRC staff is unable to review those sections identified as being in the course of preparation to determine whether they are acceptable, and therefore, the staff does not endorse them." C.1 makes a similar statement stating that NRC staff does not endorse sections it is unable to review.</p>	<ol style="list-style-type: none"> 1. Revise C.1 to state, "The NRC staff is unable to review those sections identified as being in the course of preparation to determine whether they are acceptable. This does not mean that those sections are not acceptable. There may be instances where those portions

TerraPower, LLC Comments and Review of DG-1436 Proposed Revision 3 to RG 1.87

Comment	Section	Comments/Basis	Recommendation
		<p>In contrast to this, A-4 states, "Table A-1 represents the design standards that the NRC has determined are appropriate for the different categorization methods described in this appendix without having specific design information available for a reactor design. <u>This does not mean that other codes or standards are not acceptable, but the NRC has not generically evaluated other codes or standards at this time.</u> There may be instances where deviations from the recommendations in Table A-1 can be justified based on the specifics of the design."</p> <p>The statement used in A-4 seems a better approach when addressing the NRC staff's view regarding documents it has not yet reviewed.</p>	<p>can be justified based on the specifics of the design."</p> <p>2. Revise C.1.c to state, "Where ASME identifies portions of ASME Code, Section III, Division 5, as being in the course of preparation, the NRC staff is unable to review those sections to determine whether or not they are acceptable. This does not mean that those sections are not acceptable. There may be instances where those portions can be justified based on the specifics of the design."</p>
27	General Comment	<p>The quantity and scope of exceptions and limitations on the endorsement of the ASME Code, Section III, Division 5 is likely to result in excessive burden in implementation of the Code. In many instances, the exceptions and limitations consider only select, isolated portions of the Code and neglect to consider implementation of the Code as a whole. The NRC's engagement with the industry during the development and update of the various codes such as ASME Code, Section III, Division 5, should identify areas in which the staff dissents from the industry during the conduct of the code meetings when productive dialogue might occur instead of issuing new or proposed revisions to existing guidance after the fact. It is anticipated that better engagement and recognition of differences during code meetings would yield closer</p>	<p>Consider revising internal guidance to stress to NRC staff the importance of identifying and addressing consensus gaps during code meetings.</p>

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TerraPower, LLC Comments and Review of DG-1436 Proposed Revision 3 to RG 1.87

Comment	Section	Comments/Basis	Recommendation
		consensus, thereby gaining efficiencies over the current process and possibly reducing the scope of exceptions and limitations in lieu of the creation of additional exceptions and limitations as this proposed revision contains.	