

July 23, 1999

The Honorable Greta Joy Dicus  
Chairman  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Dear Chairman Dicus:

SUBJECT: PROPOSED FINAL AMENDMENT TO 10 CFR 50.55a, "CODES AND STANDARDS"

During the 464<sup>th</sup> meeting of the Advisory Committee on Reactor Safeguards, July 14-16, 1999, we reviewed the proposed final amendment to 10 CFR 50.55a. Our Subcommittee on Materials and Metallurgy also reviewed this matter on March 25, 1999. During these reviews, we had the benefit of discussions with representatives of the NRC staff and of the documents referenced.

### **Conclusions and Recommendations**

We recommend approval of the proposed final amendment to 10 CFR 50.55a. This amendment will: provide significant improvements in the effectiveness of inservice inspections through the expedited implementation of performance demonstration requirements for inspectors; update other requirements for inservice testing; and incorporate American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code Cases for assessment and temporary repair of Class 3 piping.

### **Discussion**

The staff issued the proposed amendment to 10 CFR 50.55a for public comment in December 1997 and has reconciled the comments it received from 65 separate sources. The proposed final amendment to 10 CFR 50.55a will:

- revise the requirements for the construction, inservice inspections, and inservice testing of nuclear power plant components;
- update 10 CFR 50.55a to endorse the 1995 Edition of the ASME Boiler and Pressure Vessel Code and the 1996 Addenda thereto, with modifications and limitations;
- incorporate by reference for the first time the ASME Code for Operation and Maintenance;
- implement performance demonstrations for ultrasonic examination systems;

- supplement motor-operated valve stroke time testing with programs for demonstrating design-basis capabilities; and
- implement check valve condition monitoring on a voluntary basis.

The proposed final amendment to 10CFR 50.55a includes a number of changes in response to public comments. We believe that the staff has adequately addressed these comments. The proposed rule also contains a number of modifications and limitations on the use of the ASME Code by licensees. We believe that the staff has provided sound arguments for the imposition of these restrictions. The number of restrictions is not excessive. These restrictions do not undermine the intent of the requirement to utilize consensus industry standards.

On April 27, 1999, the staff published a supplement to the proposed amendment to 10 CFR 50.55a requesting public comment on a proposal by the staff to eliminate the current requirement for licensees to update their inservice inspection and inservice testing programs to the latest approved edition of the ASME Code every 120 months. Subsequently, as directed by the Commission, the staff is addressing this proposal in a separate rulemaking. The staff is in the process of resolving public comments on this proposal and we expect to have further discussions on this matter after the staff has reconciled public comments.

Sincerely,

/s/

Dana A. Powers  
Chairman

#### References

1. U. S. Nuclear Regulatory Commission, Draft Final Rule, 10 CFR Part 50, RIN 3150-AE26, "Industry Codes and Standards; Amended Requirements," received July 1, 1999.
2. Memorandum dated June 24, 1999, from Annette L. Vietti-Cook, Secretary of the Commission, to NRC Commissioner McGaffigan, Subject: COMEXM-99-001 - Reconsideration of SECY-99-017 (Proposed Amendment to 10 CFR 50.55a).
3. Memorandum dated June 24, 1999, from Annette L. Vietti-Cook, Secretary of the Commission, to William D. Travers, Executive Director for Operations, NRC, Subject: Staff Requirements - COMEXM-99-001 - Reconsideration of SECY-99-017 (Proposed Amendment to 10 CFR 50.55a).
4. Letter dated October 30, 1998, from Gus C. Lainas, Office of Nuclear Reactor Regulation, to Robert L. Seale, Chairman, ACRS, Subject: Final Amendment to 10 CFR 50.55a, "Codes and standards."