



Technical Session 3 – Rulemaking Process: NRC and Industry Perspectives on Improving Quality, Timeliness, and Consistency in 10 CFR 50.55a

The Need for Timely and Consistent Rulemaking An ASME Code User's Perspective

Presented By:

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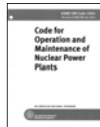
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The Need for Timely and Consistent Rulemaking An ASME Code User's Perspective – Currently Endorsed Codes

Three ASME Codes are currently endorsed for mandatory use in 10 CFR 50.55a that became effective on October 10, 2008 and this rule change took approximately 4 years from start to finish

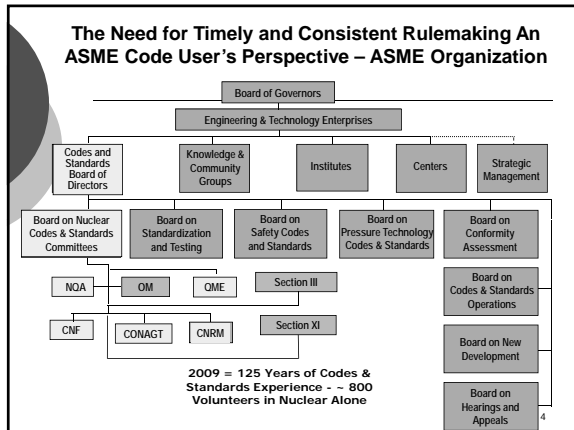
- 2004 Edition, ASME BPV Code Section III, Division 1, Rules for Construction of Nuclear Facility Components – (Construction)
- 2004 Edition, ASME BPV Code Section XI, Division 1, Rules for Inservice Inspection of Nuclear Plant Components - (ISI)
- ASME OM Code - 2004, Code for Operation and Maintenance of Nuclear Power plants room Operation and Maintenance OM Code – (IST)



Note: The 2007 Edition with the 2008 Addenda of Section III and Section XI are already published

The Need for Timely and Consistent Rulemaking An ASME Code User's Perspective - Background

- **What is A Code and What is a Standard?**
 - A **Code** is a Standard that has been adopted by a body of law and sets forth mandatory requirements
 - A **Standard** is a set of technical definitions, instructions, rules, guidelines, or characteristics and sets forth to provide consistent and comparable results
- **How Does ASME Work?**
 - The ASME Boiler and Pressure Vessel (BPV) Code Section III, Division 1 and Section XI, Division 1 publishes Code Editions every 3 years and Addenda once each year in July and the ASME Code for Operation and Maintenance (OM) Code follows a similar schedule
 - The ASME BPV Code meets 4 times per year
 - The ASME OM Code meets 2 times per year
 - It takes on average 2 ½ years for a Code change to be approved by ASME from start to finish
 - The ASME BPV Code implemented a new realignment of the ASME organization in February 2009 for Section III and Section XI and with this change 2 years is the expected new average



The Need for Timely and Consistent Rulemaking An ASME Code User's Perspective - Significance of Code Changes

- o The ASME Code exists for Safety
- o Proposed Changes to Nuclear Codes can be Prioritized into 4 Basic

Significance Categories:

- 1) **Safety (S)** - This category has two subcategories. Basically, **(High)** priority items are focused on improving safety in an expeditious manner to respond to an urgent industry need, while **(Normal)** priority items incrementally improve safety. These actions can result in increased requirements. Also this category includes the addition of new requirements, new materials, or new technologies.
- 2) **Reduced Radiation Exposure (RRE)** - Although this category could be considered a subset of "Safety," it has been specifically used for past Code changes and is treated as a stand alone category. As with the "Safety" category it is divided into two subcategories where **(High)** provides a significant level of dose reduction and **(Normal)** where the actions in general would reduce time spent in radiation fields.

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- 3) **Reduced Burden (RB)** – This category represents action items that primarily result in an elimination of unnecessary requirements (e.g., examinations, tests, reporting, or record keeping). Additionally, this category also has subcategories of **(High)**, which reflects that this action item provides a significant level of reduced burden to the industry and **(Normal)**, which reduces burden, but specific cost impact data is difficult to determine. These items change the Code in small increments.
- 4) **Maintenance (M)** - Maintenance of the Code includes general changes associated with maintaining the Code, minor changes, editorial changes, including and updating references to other standards, and errata. This category is used when the change is safety neutral. In other words, this category should not be used for corrections where the existing Code language could cause confusion for users. Changes to correct confusion would fall under the **RB** category.

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- o Why Use Newer Code Editions or Addenda?
 - New Code changes in the **S** category average about 10% to 20% of the total Code changes made and they provide Safety Enhancements, New Materials, or New Technology
 - New Code changes in the **RRE** category capture about 5% of the total Code changes and they result in Less Personnel Radiation Exposure
 - This category includes most of the New Code changes that make-up the remaining 75% of the total Code changes that occur and are either categorized as **RB** or **M**, but **RB** changes generally result in Less Costs with Less Requirements
 - These **M** Code changes are what I would call an Administrative Necessity and they are just required as part of publishing any document

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The Need for Timely and Consistent Rulemaking An ASME Code User's Perspective - Summary

- o Rulemakings to endorse ASME Code Editions or Addenda in 10 CFR 50.55a have taken anywhere from 2 - 5 years since the first approval in 1971 - (37 Years of Rulemaking with No Consistency)
- o Owners/Licensees must be able schedule their Code activities at least 1 year in advance of refueling outages, at least 1 year in advance for ISI or IST 10-year program updates, and be able to meet Construction schedules for new plants
- o ASME Code Users have to be able to plan what they are going to do and Rulemakings have to be done in a consistent time frame and manner to support all the Stakeholders

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