

November 6, 2001

Mr. Mark Reddemann
Site Vice President
Kewaunee and Point Beach Nuclear Plants
Nuclear Management Company, LLC
6610 Nuclear Road
Two Rivers, WI 54241

SUBJECT: POINT BEACH NUCLEAR POWER PLANT, UNITS 1 AND 2 - RELIEF
REQUESTS RR 1-24 (UNIT 1) AND RR-2-30 (UNIT 2) RE: USE OF ASME CODE,
SECTION XI, 1998 EDITION WITH ADDENDA THROUGH 2000
(TAC NOS. MB2230 AND MB2231)

Dear Mr. Reddemann:

By letter dated June 4, 2001, Nuclear Management Company, LLC (NMC), requested relief from the requirements of 10 CFR 50.55a(g)(4). The regulation at 10 CFR 50.55a(g)(4)(iv) provides a means by which a licensee may apply subsequent editions and addenda to the American Society of Mechanical Engineers' (ASME) *Boiler and Pressure Vessel Code* that are incorporated by reference in 10 CFR 50.55a(b). Specifically, NMC intends to apply ASME Code, Section XI, 1998 edition with addenda through 2000, "Rules for Inservice Inspection [ISI] of Nuclear Power Plant Components," to the fourth ISI interval for the Point Beach Nuclear Plant, Units 1 and 2.

The ASME Code, Section XI, 1998 edition with addenda through 2000, has not yet been incorporated by reference into 10 CFR 50.55a(b). The Nuclear Regulatory Commission (NRC) staff's position regarding the use of the above code has been published in the *Federal Register* (August 3, 2001, 66 FR 40626) for the purpose of soliciting comments from the public prior to rulemaking. The objective of the rulemaking is to incorporate the above code, by reference, into 10 CFR 50.55a(b).

By letter dated September 6, 2001, the NRC staff requested NMC to indicate:

- (1) whether it will commit to comply with the applicable limitations and modifications set forth in the staff's published position, until 10 CFR 50.55a(b) is revised; and
- (2) how its application of the above code, along with the staff's proposed limitations and modifications, would provide an acceptable level of quality and safety, as per the requirements of 10 CFR 50.55a(a)(3)(i).

M. Reddemann

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This information and NMC's agreement to comply with the NRC's position published in the *Federal Register* has been provided in NMC's response, dated September 19, 2001. Accordingly, NMC's Relief Requests RR 1-24 and RR 2-30 are granted for the fourth inservice inspection interval.

If you have any questions, please contact me at (301) 415-1355.

Sincerely,

/RA/

Beth Wetzel, Senior Project Manager, Section 1
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-266 and 50-301

Enclosure: Safety Evaluation

cc w/encl: See next page

M. Reddemann

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Beth Wetzel, Senior Project Manager, Section 1
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-266 and 50-301

Enclosure: Safety Evaluation

cc w/encl: See next page

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Point Beach Nuclear Plant, Units 1 and 2

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SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
REQUESTS FOR RELIEF RELATED TO FOURTH INSERVICE INSPECTION INTERVAL
USE OF ASME CODE, SECTION XI, 1998 EDITION WITH ADDENDA THROUGH 2000
NUCLEAR MANAGEMENT COMPANY, LLC
POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2
DOCKET NOS. 50-266 AND 50-301

1.0 INTRODUCTION

Inservice inspection (ISI) of the American Society of Mechanical Engineers (ASME) Code Class 1, 2, and 3 components is to be performed in accordance with Section XI of the ASME *Boiler and Pressure Vessel* (B&PV) Code and applicable addenda as required by 10 CFR 50.55a(g), except where specific relief has been granted by the Commission. The regulation at 10 CFR 50.55a(a)(3) states that alternatives to the requirements of 10 CFR 50.55a(g) may be used, when authorized by the Nuclear Regulatory Commission (NRC), if the licensee demonstrates that: (i) the proposed alternatives would provide an acceptable level of quality and safety or (ii) compliance with the specified requirements would result in hardship or unusual difficulty without a compensating increase in the level of quality and safety.

Pursuant to 10 CFR 50.55a(g)(4), ASME Code Class 1, 2, and 3 components (including supports) shall meet the requirements, except the design and access provisions and the pre-service examination requirements, set forth in the ASME Code, Section XI, "Rules for Inservice Inspection (ISI) of Nuclear Power Plant Components," to the extent practical within the limitations of design, geometry, and materials of construction of the components. The regulations require that inservice examination of components and system pressure tests conducted during the first 10-year interval and subsequent intervals comply with the requirements in the latest edition and addenda of Section XI of the ASME Code incorporated by reference in 10 CFR 50.55a(b) 12 months prior to the start of the 120-month interval, subject to the limitations and modifications listed therein.

By letter dated June 4, 2001, NMC forwarded Relief Requests RR-1-24 (for Unit 1) and RR-2-30 (for Unit 2), which requested NRC approval, under the terms of 10 CFR 50.55a(g)(4), to apply the ASME Code, Section XI, 1998 edition with addenda through 2000, to the fourth ISI interval for Point Beach, Units 1 and 2.

2.0 EVALUATION

The NRC staff has reviewed NMC's relief requests, and noted that while 10 CFR 50.55a(g)(4)(iv) allows for the use of subsequent editions of the ASME code that are incorporated by reference into 10 CFR 50.55a(b), NMC's selected code edition, ASME Code, Section XI, 1998 edition with addenda through 2000, has not yet been incorporated by reference into 10 CFR 50.55a(b).

Independent of NMC's relief requests, the staff has been reviewing the ASME Code, Section XI, 1998 edition with addenda through 2000, in preparation for rulemaking, which has as its objective incorporation of this code edition into 10 CFR 50.55a(b). The NRC staff's proposed position regarding the use of the above code edition has been published for comment in the *Federal Register* (August 3, 2001, 66 FR 40626).

By letter dated September 6, 2001, the NRC staff referred NMC to the staff's proposed position, as published in the *Federal Register*, and requested NMC to indicate:

- (1) whether it will commit to comply with the applicable limitations and modifications set forth in the staff's published position, until 10 CFR 50.55a(b) is revised; and
- (2) how its application of the above code, along with the staff's proposed limitations and modifications, would provide an acceptable level of quality and safety, as per the requirements of 10 CFR 50.55a(a)(3)(i).

NMC responded by letter dated September 19, 2001, with the requested information. After reviewing NMC's response, the staff has concluded that NMC's Relief Requests RR 1-24 and RR 2-30, to apply the ASME Code, Section XI, 1998 edition with addenda through 2000, are acceptable, provided that all the applicable limitations and modifications published in the *Federal Register* are also observed. When the rulemaking process is completed, and this code edition and addenda are incorporated by reference into 10 CFR 50.55a(b), then NMC will comply with 10 CFR 50.55a(b), as revised. Any exceptions from the revised regulation at 10 CFR 50.55a(b) will be addressed by means of new relief requests, pursuant to the terms of 10 CFR 50.55a(a)(3) or 10 CFR 50.55a(g)(5)(iii) or (iv).

3.0 CONCLUSION

The NRC staff has reviewed the information in the licensee's letter dated June 4, 2001, and the additional information provided in the licensee's letter of September 19, 2001, regarding Relief Requests RR-1-24 and RR-2-30.

For both units' fourth 10-year ISI interval, the licensee intends to use the ASME Code, Section XI, 1998 edition with addenda through 2000, along with all the limitations and modifications proposed by the staff in the *Federal Register* (August 3, 2001, 66 FR 40626), until this code edition and addenda can be incorporated by reference into 10 CFR 50.55a(b). Therefore, the staff concludes that the licensee's proposed code edition application provides an acceptable level of quality and safety and is authorized pursuant to 10 CFR 50.55a(a)(3)(i) for the fourth 10-year interval ISI program plans for Point Beach, Units 1 and 2.

Principal Contributor: S. Miranda

Date: November 6, 2001