

January 30, 2002

Mr. M. S. Tuckman
Executive Vice President
Nuclear Generation
Duke Energy Corporation
526 South Church St
Charlotte, NC 28201

SUBJECT: MCGUIRE NUCLEAR STATION, UNIT 1 RE: SAFETY EVALUATION OF
RELIEF REQUEST NO. 01-004 ALTERNATIVE FOR SNUBBER
EXAMINATIONS (TAC NO. MB2174)

Dear Mr. Tuckman:

By letter dated June 1, 2001, you submitted Relief Request 01-004, which requested U.S. Nuclear Regulatory Commission (NRC) approval, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.55a(a)(3)(i), for the use of the snubber operability program in the Selected Licensee Commitments (SLC) section of the McGuire, Unit 1 Updated Final Safety Analysis Report (UFSAR).

The NRC staff has reviewed Relief Request 01-004 and concludes that your request to use the snubber operability program in the SLC section of the McGuire UFSAR during the third 10-year inservice inspection interval, to begin on December 1, 2001, will provide an acceptable level of quality and safety. Therefore, the proposed alternative is authorized pursuant to 10 CFR 50.55.a(a)(3)(i). The staff's evaluation and conclusions are contained in the enclosed Safety Evaluation.

Sincerely,

/RA/

Richard Laufer, Acting Chief, Section 1
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-369 and 50-370

Enclosure: As stated

cc w/encl: See next page

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526 South Church St
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SUBJECT: MCGUIRE NUCLEAR STATION, UNIT 1 RE: SAFETY EVALUATION OF
RELIEF REQUEST NO. 01-004 ALTERNATIVE FOR SNUBBER
EXAMINATIONS (TAC NO. MB2174)

Dear Mr. Tuckman:

By letter dated June 1, 2001, you submitted Relief Request 01-004, which requested U.S. Nuclear Regulatory Commission (NRC) approval, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.55a(a)(3)(i), for the use of the snubber operability program in the Selected Licensee Commitments (SLC) section of the McGuire, Unit 1 Updated Final Safety Analysis Report (UFSAR).

The NRC staff has reviewed Relief Request 01-004 and concludes that your request to use the snubber operability program in the SLC section of the McGuire UFSAR during the third 10-year inservice inspection interval, to begin on December 1, 2001, will provide an acceptable level of quality and safety. Therefore, the proposed alternative is authorized pursuant to 10 CFR 50.55.a(a)(3)(i). The staff's evaluation and conclusions are contained in the enclosed Safety Evaluation.

Sincerely,

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Richard Laufer, Acting Chief, Section 1
Project Directorate II
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Office of Nuclear Reactor Regulation

Docket Nos. 50-369

Enclosure: As stated

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SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
OF RELIEF REQUESTS FROM ASME SECTION XI REQUIREMENTS
RELATED TO THE INSERVICE TESTING PROGRAM
DUKE ENERGY CORPORATION'S
MCGUIRE NUCLEAR STATION, UNIT 1
DOCKET NO. 50-369

1.0 INTRODUCTION

The *Code of Federal Regulations* (10 CFR) Section 50.55a, requires that inservice testing (IST) of certain American Society of Mechanical Engineers (ASME) Code Class 1, 2, and 3 components be performed in accordance with Section XI, "Rules for Inservice Inspection of Nuclear Power Plant Components," of the ASME *Boiler and Pressure Vessel Code* (the Code) and applicable addenda, except where alternatives have been authorized or relief has been requested by the licensee and granted by the Commission 10 CFR 50.55a(g)(6)(i). Section 50.55a(a)(3) states that alternatives to the requirements of paragraph (g) may be used, when authorized by the NRC, if: (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) will meet the requirements, except the design and access provisions and the preservice examination requirements, set forth in the ASME Code, Section XI, 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. The applicable edition of Section XI of the ASME Code for the McGuire Unit 1 third 10-year ISI interval, scheduled to begin on December 1, 2001, is the 1995 Edition through 1996 Addenda.

Pursuant to 10 CFR 50.55a(g)(5), if the licensee determines that conformance with an examination requirement of Section XI of the ASME Code is not practical for its facility, information will be submitted to the Commission in support of that determination and a request must be made for relief from the ASME Code requirement. After evaluation of the determination, pursuant to 10 CFR 50.55a(g)(6)(i), the Commission may grant relief and/or may impose alternative requirements that are determined to be authorized by law, will not endanger life, property, or the common defense and security, and are otherwise in the public interest,

giving due consideration to the burden upon the licensee that could result if the requirements were imposed.

By letter dated June 1, 2001, the licensee requested relief from the requirements of ASME Code Section XI, 1995 Edition through 1996 Addenda, Article IWF-5000, with regard to visual examination and functional testing of snubbers. Article IWF-5000 references first Addenda to the American Society of Mechanical Engineers/American National Standards Institute (ASME/ANSI) OM-1987, Part 4 (OMa-4). The licensee proposed to perform the snubber examinations and tests under the Updated Final Safety Analysis (UFSAR), Chapter 16, Selected Licensee Commitment (SLC) section 16.9.15.

2.0 BACKGROUND

The snubber requirements of SLC 16.9.15 were originally located in McGuire Technical Specification (TS) 3/4.7.8. During the McGuire second 10-year ISI interval Request for Relief No. 97-005, the NRC authorized, in its letter of May 27, 1998, the use of these requirements, while located in TSs, as an acceptable alternative to the requirements of the ASME Code, 1989 Edition, Section XI, Article IWF-5000. Both the 1989 Edition and 1995 Edition through 1996 Addenda of the ASME Code, Subsection IWF-5000, invoke the first addenda to ASME/ANSI OM-1987, Part 4 (OMa-4) for snubber activities.

3.0 EVALUATION

The licensee stated in its letter of June 1, 2001, that, for the third inspection interval of the ISI program, the snubber visual examinations and functional testing are required to be performed in accordance with the requirements of ASME Code, Section XI, 1995 Edition through 1996 Addenda.

The licensee stated that, in lieu of using Article IWF-5000 of the ASME Code, Section XI, the ongoing visual examination and functional testing of all Unit 1 safety-related ASME Code Class 1, 2, and 3 snubbers will be performed in accordance with McGuire SLC 16.9.15. The licensee requested relief from the requirements of ASME Code, Section XI, Article IWF-5000, Subsection IWF-5300(a), (b), and (c).

McGuire SLC 16.9.15 incorporates Generic Letter 90-09, "Alternative Requirements for Snubber Visual Inspection Intervals and Corrective Actions," dated December 11, 1990, which has been approved for use by the NRC. The licensee stated, therefore, that SLC 16.9.15 provides adequate requirements for visual examination of all safety-related snubbers, and that it maintains an acceptable level of quality and safety that is equal to or greater than that of the OM Code. In addition, the licensee stated that the SLC 16.9.15 visual examination, which is compatible with the VT-3 requirements of ASME Code, Section XI, shall verify that (1) there are no visible indications of damage or impaired operability, and (2) attachments to the foundation or supporting structure are secure. This is acceptable to the staff.

The licensee stated that the functional testing requirements as described in SLC 16.9.15 are technically identical to those previously required per TS 3/4.7.8. The same acceptable level of quality and safety exists as from the time of the previously approved Request for Relief No. 97-005, by letter from NRC dated May 27, 1998. This is acceptable to the staff.

The licensee also stated, in SLC 16.9.15, that the expected service life for the various seals, and seal materials shall be determined and established based on engineering information, and the seals shall be replaced so that the expected service life will not be exceeded during a period when the snubber is required to be operable. This is acceptable to the staff.

Based on the above, the staff finds that snubber visual examinations and functional testing, conducted in accordance with SLC section 16.9.15, meets the intent of the ASME Code, Section XI, requirements and provides reasonable assurance of snubber operability and component integrity. Therefore, the staff finds that the alternative proposed in the relief request provides an acceptable level of quality and safety that is equal to or greater than would otherwise be achieved from the ASME Code, 1995 Edition through 1996 Addenda, Section XI, Article IWF-5000 requirements, which references OM-1987, Part 4 (OMa-4).

4.0 CONCLUSION

Based on the information provided, the staff concludes that the licensee has presented an adequate justification for the relief request from the requirements of ASME Code, 1995 Edition through 1996 Addenda, Section XI, Article IWF-5000 (which references the first Addenda to OM-1987, Part 4), with regard to visual examination and functional testing of McGuire, Unit 1 snubbers. The staff determined that the proposed alternative use of the McGuire SLC section 16.9.15 for snubber activities will provide an acceptable level of quality and safety. Therefore, the proposed alternative is authorized pursuant to 10 CFR 50.55.a(a)(3)(i).

Principal Contributor: A. J. Lee

Date: January 30, 2002

McGuire Nuclear Station

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