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DOCKET NUMBER  
PROPOSED RULE **PR 50**



(56FR03796)

NRC-91-051

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EASYLINK 62891993

DOCKETED  
USNRC

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BRANCH

April 15, 1991

Secretary of the Commission  
Attention Docketing and Service Branch  
U. S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Gentlemen:

Docket 50-305  
Operating License DPR-43  
Kewaunee Nuclear Power Plant  
Comments on Proposed Amendment to 10 CFR 50.55a

Reference: Federal Register, Vol. 56, No. 21, Thursday, January 31, 1991, pp. 3796-3804

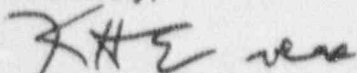
In the January 31, 1991 Federal Register (Reference 1), the Nuclear Regulatory Commission (NRC) proposed an amendment to 10 CFR 50.55a. This amendment would incorporate by reference the 1986-1988 Addenda and 1989 Edition of Section III and Section XI (with a specified modification) of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code into regulation. The resulting regulation would impose augmented examination of reactor vessel shell welds. In addition, it would also separate in the regulations the inservice testing requirements from the inservice inspection requirements by placing the inservice testing requirements in a separate paragraph. Wisconsin Public Service Corporation (WPSC), the licensee for the Kewaunee Nuclear Power Plant (KNPP), reviewed comments submitted to the NRC by the Nuclear Management and Resources Council (NUMARC) regarding the proposed amendment to 10 CFR 50.55a. Although WPSC is in general support of NUMARC's comments, we offer the attached additional comments to stress our most significant areas of concern. WPSC requests that the NRC consider these comments prior to final issuance of the regulation.

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Secretary of the Commission  
April 15, 1991  
Page 2

Sincerely,

A handwritten signature in dark ink, appearing to be 'KHE' followed by a flourish.

K. H. Evers  
Manager - Nuclear Power

SLC/jms

Attach.

cc - US NRC - Region III  
Mr. Patrick Castleman, US NRC  
US NRC Document Control Desk

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ATTACHMENT

To

Letter from K. H. Evers (WPSC) to Docketing and Service Branch (NRC)

Dated

April 15, 1991

Secretary of the Commission  
April 15, 1991  
Attachment Page 1

Endorsing ASME Codes

NUMARC has supported the proposed endorsement of later addenda and editions of the ASME Boiler and Pressure Vessel Code, Sections III and XI. Wisconsin Public Service Corporation (WPSC) generally concurs that this is a positive step on the part of the NRC and that endorsing new code editions and addenda is necessary as new technologies and testing methods are developed. However, implementing new requirements carries with it a significant burden. Therefore, WPSC does not agree with the NRC's conclusion that endorsing later editions and addenda of section XI of the ASME Code is not a backfit simply because updated section XI requirements are an integral part of the longstanding 10 CFR 50.55a(g)(4)(ii) requirements. While the regulations require that licensees update their program to the latest edition endorsed by the NRC, the regulations do not require the Commission to update their endorsed code. Clearly, specifying new code editions imposes new requirements on licensees and therefore is subject to the provisions of 10 CFR 50.109. Therefore, prior to endorsing a new edition of the code, a backfit analysis should be performed to determine if the direct and indirect costs of implementation would be justified in view of the potential increased protection of the public health and safety.



Secretary of the Commission  
April 15, 1991  
Attachment Page 2

#### Inservice Testing Requirements

WPSC concurs with the proposed amendment to separate the requirements for inservice inspection (ISI) and inservice testing (IST). Separating the regulations would more clearly distinguish the requirements for ISI and IST. In addition, since the requirements for IST are currently a subset of the ISI Requirements, the IST program could be viewed as less important. Placing ISI and IST requirements in separate sections places equal emphasis on the importance of both programs. WPSC recognized that it was prudent to separate the ISI Plan from the IST Plan prior to entering the KNPP second inspection interval. As a result, each program is its own entity and responsibility for implementation of inservice testing and inservice inspections are assigned independently.

WPSC does not agree with the proposed regulation in 10 CFR 50.55a(f)(6)(ii). This allows the Commission to require the licensee to follow an augmented inservice test program for pumps and valves for which the Commission deems that added assurance of operational readiness is necessary. WPSC contends that this rule allows the Commission too much latitude in imposing additional testing requirements and bypasses the controls provided in 10 CFR 50.109. To justify the proposed augmented reactor vessel exams, a backfit analysis was performed although the current regulation does not require it. To ensure consistency, the regulations should state that the provisions of 10 CFR 50.109 will be implemented prior to imposing any augmented tests or inspections.

Secretary of the Commission  
April 15, 1991  
Attachment Page 3

Containment Isolation Valve Tests

WPSC agrees with the NUMARC position that 10 CFR 50, Appendix J provides an adequate basis for testing containment isolation valves (CIVs). The Kewaunee Appendix J testing program has established advisory action levels and mandatory action levels, based on effective penetration size, for each type C tested penetration. The ability of containment isolation valves or groups of containment isolation valves to perform their intended function is demonstrated by this testing method. If the Commission determines that it is necessary to retain the requirements of leakage rate analysis and corrective action for CIVs, it is more appropriate to incorporate these requirements into Appendix J of 10 CFR 50. Therefore, it is WPSC's opinion that retaining the requirements of Subsection IWV for leakage rate analysis and corrective action for specific valves is not necessary.

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