

Draft Regulatory Analysis For Current Proposed AmendmentRevision of 10 CFR §50.55a
Codes and Standards1. Statement of the Problem

The General Design Criteria (Appendix A of Part 50) of the NRC Regulations require that structures, systems, and components of light-water-reactors be designed, fabricated, erected, constructed, tested and inspected to quality standards commensurate with the importance of the safety function performed. Without a set of specific rules to implement these quality standards, it would be necessary for each applicant/licensee to develop its own program for submittal to the NRC. Each program would have to be reviewed by the staff on a case-by-case basis. This would increase significantly the licensing review time and would make inspections by the staff more difficult because of the nonstandard nature of each program.

To provide a consistent set of rules, which the industry has participated in developing, §50.55a mandates use of Section III of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code) for construction of Class 1, 2, 3 components, and Section XI of the ASME Code for inservice inspection of those components. Section III and Section XI are implemented by applicants/licensees of all light-water-cooled reactors. The NRC first endorsed the ASME Code by reference in 10 CFR §50.55a in 1971. The ASME publishes a new edition of the Code every three years and new addenda every 6 months. It has been a continuing policy of the Commission to update this section of the regulations to keep the references current. In those cases where an item in the ASME Code is inconsistent with NRC criteria, an exception may be taken to endorsing that portion of the Code, or supplementary criteria may be incorporated to make the item consistent with staff requirements.

Section 50.55a last endorsed the 1980 Edition and addenda through the Summer 1982 Addenda. Since then, the Winter 1982 Addenda, Summer 1983 Addenda, Winter 1983 Addenda, Summer 1984 Addenda, and 1983 Edition have been published by the ASME. The purpose of this proposed rule is to incorporate the new edition and addenda into the regulations.

The ASME Code is developed by the consensus process, which ensures that the various industry sectors (e.g., utility, NSSS suppliers, regulatory) are represented on the standards writing committees and that their viewpoints are considered in the standards writing process. Endorsement of the ASME Code by the NRC provides a method of incorporating rules into the regulatory process that are acceptable to the NRC and have received industry participation in their development.

If the NRC did not take action to endorse the ASME Code, the NRC position on the methods for construction and inservice inspection would have to be established on a case-by-case basis. If the NRC did not take action to update the ASME Code references, improved methods for construction and inservice inspection might not be implemented.

2. Objectives

The proposed rule would:

- o Incorporate by reference into §50.55a of the NRC's regulations the Winter 1982 Addenda, Summer 1983 Addenda, Winter 1983 Addenda, Summer 1984 Addenda, and 1983 Edition of Section III, Division 1, and the Winter 1982 Addenda, Summer 1983 Addenda, and 1983 Edition of Section XI, Division 1, of the ASME Code.
- o Incorporate revisions to correct certain existing footnote and paragraph references; to simplify the language of the rule; and to delete two obsolete provisions.

3. Alternatives

An alternative to incorporating by reference into NRC's regulations the latest requirements of Section III, Division 1, and Section XI, Division 1, and making certain editorial revisions would be to take no action. This would mean that the NRC position on the methods for construction and inservice inspection contained in the latest edition and addenda of the ASME Code would have to be provided on a case-by-case basis; certain incorrect footnote and paragraph references would remain in the present rule; and obsolete provisions would remain to clutter the rule.

A second alternative to incorporating by reference the latest requirements of Section III, Division 1, and Section XI, Division 1, is to incorporate the entire text of these sections of the ASME Code into the NRC regulations. Because of the volume of these sections, this approach is not practicable.

4. Consequences

Incorporating by reference the latest edition and addenda of the ASME Code will establish the NRC staff position on these Code rules on a generic basis for applicants/licensees thereby minimizing the need for case-by-case evaluations and reducing the time and effort required for submittal preparations and license reviews.

The cost/benefit of ASME Code revisions is balanced by the manner in which these revisions are achieved through the American National Standards Institute (ANSI) consensus process. The ANSI consensus process ensures that participation in ASME Code development is open to all persons and organizations that might reasonably be expected to be directly and materially affected by the activity, and ensures that such persons and organizations shall have the opportunity for fair and equitable participation without dominance by any single interest. Consensus is established when substantial agreement has been achieved by the interests involved. Consensus requires that all views and objectives be considered, and that a concerted effort be made toward resolution. ASME Code proposed revisions are published for public comment in the ASME Mechanical Engineering and ANSI Reporter publications prior to being submitted for final ASME and ANSI approval. Adverse public comments are referred to the appropriate technical committee for resolution.

The consensus process ensures a proper balance between utility, regulatory and other interests concerned with revisions to the ASME Code, and ensures that the cost of any Code revision is consistent with its benefit.

Implementation of the new ASME Code rules requires certain additional information collection requirements. The Supporting Statement for Information Collection Requirements in 10 CFR §50.55a is provided in Appendix A.

The proposed rule affects only the licensing and operation of nuclear power plants. The companies that own these plants do not fall within the scope of the definition of "small entities" set forth in the Regulatory Flexibility Act in the Small Business Size Standards set out in regulations issued by the Small Business Administration at 13 CFR Part 121. Since these companies are dominant in their service areas, this proposed rule does not fall in the province of this Act. The proposed rule will have no significant effect on a substantial number of small companies.

5. Decision Rationale

From the above analysis it is concluded that the proposed revision to incorporate the latest edition and addenda of the ASME Code will save applicants/licensees and the NRC staff both time and effort by providing uniform detailed criteria against which the staff can review any single submission. No significant additional cost to the applicants/licensees is expected as a result of NRC endorsement of the new ASME Code edition and addenda.

6. Implementation

No implementation problems are anticipated. The framework for implementation is already established in both the industry and the NRC.

Appendix A

Supporting Statement for Information Collection Requirements in 10 CFR §50.55a

1. Justification

a. Need for the Information Collection

NRC Regulations in 10 CFR §50.55a incorporate by reference Section III, Division 1, and Section XI, Division 1, of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code). These sections of the ASME Code set forth the requirements to which nuclear power plant components are designed, constructed, tested and inspected. Inherent in these requirements are certain recordkeeping functions.

Incorporation of the Winter 1982 Addenda, Summer 1983 Addenda, Winter 1983 Addenda, Summer 1984 Addenda, and 1983 Edition for Section III, Division 1, of the ASME Code would add the following recordkeeping requirements.

Section III

- o Winter 1982 Addenda
NB-2125, Fabricated Hubbed Flanges - New provision for surface examination requires documentation of examination results.
- o Summer 1983 Addenda
No additional recordkeeping
- o Winter 1983 Addenda
NCA-3650, Design Documents for Appurtenances - Requires Design Document for each appurtenance that is to be attached to a component unless it is already included in the component Design Documents.
- o Summer 1984 Addenda
NB/NC-7240, Review of (Overpressure Protection) Report After Installation - Addendum to report required to document any modification of the installation from that used for preparation of the Overpressure Protection Report.
ND-7200, Overpressure Protection Report - Requires overpressure protection report for Class 3 components to define the protected systems and the integrated overpressure protection provided, and (ND-7240) documentation of any modification of the installation from that used for preparation of the Overpressure Protection Report.
- o 1983 Edition¹
All requirements, except those for Winter 1982 Addenda, previously incorporated in separate amendments to 10 CFR §50.55a.

¹The 1983 Edition of Section III is equivalent to the 1980 Edition, as modified by the Summer 1980 Addenda, Winter 1980 Addenda, Summer 1981 Addenda, Winter 1981 Addenda, Summer 1982 Addenda, and the Winter 1982 Addenda.

Incorporation of the Winter 1982 Addenda, Summer 1983 Addenda, and the 1983 Edition of Section XI, Division 1, of the ASME Code would add the following recordkeeping requirements.

Section XI

- o Winter 1982 Addenda
IWA-6220(b), Preparation (of Records and Reports) - Requires preparation of Owner's Report for Repairs or Replacements (Form NIS-2).
- o Summer 1983 Addenda
No additional recordkeeping
- o 1983 Edition²
ATI requirements, except those for Winter 1982 Addenda, previously incorporated in separate amendments to 10 CFR §50.55a.

The Winter 1982 Addenda of the ASME Code references ANSI/ASME NQA-1-1979, "Quality Assurance Program Requirements for Nuclear Power Plants." NQA-1-1979 is based upon the contents of ANSI/ASME N45.2-1979, "Quality Assurance Program Requirements for Nuclear Facilities" and seven daughter standards. These standards are referenced in Regulatory Guides 1.28, 1.58, 1.64, 1.74, 1.88, 1.123, 1.144, and 1.146 as providing methods acceptable for implementing certain NRC quality assurance program requirements. NQA-1-1979 incorporates no recordkeeping beyond that originally required by the N45 standards upon which it is based. There is, therefore, no additional recordkeeping burden associated with the endorsement of NQA-1-1979.

b. Practical Utility of the Information Collection

These records are used by the licensees, National Board inspectors, insurance companies, and the NRC in the review of a variety of activities, many of which affect safety. The records are generally historical in nature and provide data on which future activities can be based. NRC Inspection and Enforcement personnel can spot check the records required by the ASME Code to determine, for example, if proper inservice examination test methods were utilized.

c. Duplication With Other Collections of Information

ASME requirements are incorporated to avoid the need for writing equivalent NRC requirements. The final rule will not duplicate the information collection requirements contained in any other generic regulatory requirement.

d. Consultations Outside the NRC

No consultations.

²The 1983 Edition of Section XI is equivalent to the 1980 Edition, as modified by the Winter 1980 Addenda, Winter 1981 Addenda, and the Winter 1982 Addenda.

e. Other Supporting Information

NRC applicants and licensees have been complying with the information collection requirements of the ASME Code since 1971. No problems with these information collection requirements have been identified to the NRC by the applicants or licensees.

2. Description of the Information Collection

a. Number and Type of Respondents

In general, the information collection requirements incurred by §50.55a through endorsement of the Code apply to the owners of the 34 nuclear power plants under construction and to the owners of the 93 nuclear power plants in operation. The actual number of plants that would implement the edition and addenda addressed by the proposed revision, and thereby be affected by their information collection requirements, is dependent on a variety of factors. These factors include whether the application is for Section III or Section XI, the class and type of components involved, the dates of the construction permit and construction permit application, the schedule of the inservice inspection program, and whether the plant voluntarily elects to implement updated editions and addenda of the ASME Code.

b. Reasonableness of the Schedule for Collecting Information

The information is generally not collected, but is retained by the licensee to be made available to the NRC in the event of an NRC inspection or audit.

c. Method of Collecting the Information

See Item 2(b).

d. Adequacy of the Description of the Information

The ASME Code provides listings of information required and specific forms to assist, where necessary, in documenting required information.

e. Record Retention Period

The retention period for information is in accordance with a schedule provided in Table NCA-4134.17-1 of the ASME Code. The retention periods for information keeping requirements specified in Item 1.a above are:

<u>Information</u>	<u>Retention Period</u> ⁽³⁾
Design document for appurtenances	Lifetime
Overpressure protection report	Lifetime
Reports for repair and replacement	Lifetime
Final nondestructive examination report	Lifetime

Lifetime retention of the above records is necessary to ensure adequate historical information on the design and examination of components and systems to provide a basis for evaluating degradation of these components and systems at any time during their service lifetime.

3. Estimate of Burden

a. Estimated Hours

The information collection requirements inherent in incorporating by reference the latest edition and addenda of Section III, Division 1, and Section XI, Division 1, of the ASME Code are identified in Item 1.a above. These requirements may be categorized in terms of Section III requirements that document component/system design and the results of construction examinations, and Section XI requirements that document repairs and replacements.

The additional Section III requirements incur a one-time burden on plants under construction. The information collection requirements associated with the proposed edition and addenda are generation of the design documents for appurtenances and the overpressure protection report. Section 50.55a specifies that the Code Edition, Addenda, and optional Code Cases to be applied to reactor coolant pressure boundary, and Quality Group B and Quality Group C components must be determined by the provisions of paragraph NCA-1140 of Subsection NCA of Section III of the ASME Code. NCA-1140 specifies that the owner (or his designee) shall establish the ASME Code edition and addenda to be included in the Design Specifications, but that in no case shall the Code edition and addenda dates established in the Design Specifications be earlier than three years prior to the date that the nuclear power plant construction permit is docketed. NCA-1140 further states that later ASME Code editions and addenda may be used by mutual consent of the Owner (or his designee) and Certificate Holder. The earliest Section III addenda being addressed in the proposed rule is the Winter 1982 Addenda. Since the last plant to be docketed that is still under construction was docketed in October 1974 (Palo Verde Units 1, 2, 3), there is no plant under construction for which implementation of the Section III edition and addenda specified in the proposed rule is a requirement. Plants may implement these improved rules on a voluntary basis, but unless they make that choice, there is no additional paperwork burden associated with incorporating the proposed Section III edition and addenda.

³Service lifetime of the component or system.

The additional Section XI requirements incur a burden associated with the documentation of component repairs and replacements. To facilitate this documentation, Section XI provides Form NIS-2, "Owners' Report for Repairs or Replacements." Information required by this form relates to identifying the owner and facility; identifying the components repaired or replaced and replacement components; identifying the type of work, the repair organization and by whom the work was performed; and identifying the type of tests conducted. A portion of this information, such as that to identify the owner, facility and components is already required by Form NIS-1, "Owners' Data Report for Inservice Inspections," (Form NIS-1 was part of an addenda previously incorporated by reference into §50.55a). Most of the remaining information required by Form NIS-2 can be obtained from the previously prepared component work/repair order. It is estimated that the time required to complete the required documentation on Form NIS-2 is ten hours.

Nuclear power plants are required to update their inservice inspection programs by incorporating into their initial 120-month inspection interval requirements of the latest edition and addenda of Section XI, Division 1, that have been incorporated by reference into §50.55a as of 12 months prior to the date of issuance of the operating license; and by incorporating into successive 120-month inspection intervals requirements of the latest edition and addenda of Section XI that have been incorporated by reference as of 12 months prior to the start of a 120-month inspection interval. On this basis, many plants will at one time be required to implement the Section XI, Division 1, edition and addenda specified in the proposed rule. The number of plants that will be implementing the specified edition and addenda will grow gradually as each plant updates its inservice inspection program at the 10-year interval. Therefore, conservatively, the total number of plants that may ultimately be required to implement the specified edition and addenda is 127 (i.e., 93 operating plants and 34 plants under construction).

Inservice inspections are typically performed at the time of refueling (i.e., approximately every 18 months). The need to complete an NIS-2 form would occur as a result of a repair required by the results of an inservice inspection, or as a result of an unanticipated repair between refuelings. It is estimated that 2 NIS-2 forms are completed for repairs resulting from the inspection and 2 for repairs required during operation. Assuming applicability to 127 plants, and the completion of 4 NIS-2 forms by each plant every 18 months, with ten hours required to collect information and complete each form, it is estimated that the total time required by all utilities to complete the NIS-2 form is approximately 3400 hours/year (i.e., $4 \text{ forms} \times 127 \text{ plants} = 508 \text{ forms per 18 months}$, $508 \text{ forms} \times 2 = 1016 \text{ forms per 3 years}$, $1016 \text{ forms} / 3 = 339 \text{ forms per year}$, $339 \text{ forms} \times 10 \text{ hours per form} = 3390 \text{ hours per year}$). The time required to maintain these repair and replacement records for

the period noted in Item 2.e is estimated to be 1 hour/year for each plant. Thus, the total time required by all utilities to complete and maintain the NIS-2 form is approximately 3517 hours/year.

b. Estimated Cost Required to Respond to the Collection

Based upon the hours specified in Item 3.a, it is estimated that the cost of responding to the information collection required by the Section III, Division 1, and Section XI, Division 1, edition and addenda specified in the proposed amendment to §50.55a is a total of \$211,020/year (3517 hrs x \$60/hr) for 127 plants.

c. Source of Burden Data and Method for Estimating Burden

Estimates of the number of NIS-2 forms that are completed during a year and the time required to collect the necessary information and to complete the forms, were obtained from utility staff inservice inspection specialists and NRC staff in the Office of Inspection and Enforcement (regional and headquarters) engaged in inservice inspection activities.

d. Reasonableness of Burden Estimate

The estimate of the burden is considered reasonable because of the reliable source of the burden data.

4. Estimate of Cost to the Federal Government

NRC inspection personnel who audit plant quality assurance records would include in their audit verification of the proper implementation of the NIS-2 form. The time associated with NRC inspectors verifying use of the NIS-2 form would be extremely small when the activity is performed as part of a normal quality assurance audit.

Monday
April 29, 1985

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NRC

Current and Projected Rulemakings

imposed by license conditions, the net increase in cost would be about \$350,000 per year for the industry or about \$2000 per licensee. The proposed rule would establish a consistent, comprehensive set of requirements that would minimize the effort required to obtain reciprocity for NRC licensees to operate (cont)

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Additional Information: ABSTRACT CONT: In Agreement States or vice versa. The proposed rule would require about one professional staff-year effort by NRC.

Agency Contact: Anthony N. Tse, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7991

RIN: 3150-AB35

69. 6 + MATERIAL BALANCE REPORTS

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 40; 10 CFR 70; 10 CFR 150

Abstract: The proposed rule would amend the requirements applicable to the submission of source material and special nuclear material inventory reports. The proposed rule would eliminate the requirement to report inventories on Form 742 for all licensees except those reporting under the US/IAEA Safeguards Agreement. The proposed rule would also eliminate the requirement to report inventories for all licensees except those for nuclear reactors and those reporting under the agreement. The NRC would generate an equivalent inventory report, based on the data submitted by each affected licensee; and the licensee would verify the accuracy of the report. This amendment would reduce the reporting burden imposed on the licensee without adversely affecting the domestic safeguards program on the ability to satisfy international commitments. The proposed reduction would result in a total cost savings of \$39,000 for affected licensees.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	

Small Entity: No

Agency Contact: Juna Robertson, Nuclear Regulatory Commission, Office of Nuclear Material Safety, and Safeguards, Washington, DC, 301 427-6004

RIN: 3150-AB62

70. EXTENSION OF CRIMINAL PENALTIES

Legal Authority: 42 USC 2201

CFR Citation: 10 CFR 50

Abstract: The proposed rule, in accordance with the provisions of the NRC Authorization Act for Fiscal Year 1980, would extend the application of the criminal penalties provision of the Atomic Energy Act (AEA) of 1954, as amended, to any individual director, officer, or employee of a firm constructing or supplying the components of a nuclear power plant who knowingly and willfully violates any NRC regulation, order, or license condition during construction of a nuclear power plant. Section 223(b) of the AEA essentially directs the Commission to establish a limit for potential unplanned off-site releases of radioactive material which would trigger consideration of possible criminal penalties. As directed in Section 223(b)(3), the proposed rule establishes, in its definition of a "basic component," the limits for potential unplanned releases of radioactive material that could trigger application of criminal penalties.

Timetable:

Action	Date	FR Cite
NPRM	01/00/86	

Small Entity: No

Agency Contact: Donald R. Hopkins, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7878

RIN: 3150-AA80

71. + CODES AND STANDARDS FOR NUCLEAR POWER PLANTS (1983 EDITION, WINTER 1982 THROUGH SUMMER 1984 ADDENDA)

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 50

Abstract: The proposed rule would incorporate by reference the Winter 1982 Addenda, Summer 1983 Addenda, Winter 1983 Addenda, Summer 1984 Addenda, and the 1983 Edition of Section III, Division I, of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code), and the Winter 1982 Addenda, Summer 1983 Addenda, and the 1983 Edition of Section XI, Division I, of the ASME Code. The ASME Code sets standards for the construction of light-water-reactor nuclear power plant components in Section III, Division 1, and specifies requirements for the inservice inspection of those components in Section XI, Division I. The proposed rule would update the existing reference to the ASME Code and would thereby permit the use of improved methods for the construction and inservice inspection of nuclear power plant components.

Incorporating by reference the latest edition and addenda of the ASME Code will save applicants/licensees and the NRC staff both time and effort by providing uniform detailed criteria against which the staff can review any single submission. Revisions to the ASME code are achieved through the (cont)

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Additional Information: ABSTRACT CONT: process to which the NRC contributes. This consensus process ensures a proper balance between utility, regulatory, and other interests concerned with the code and ensures that the value of any revisions to the code is consistent with its impact.

Agency Contact: Gilbert C. Millman, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7869

RIN: 3150-AA83

72. PRIMARY REACTOR CONTAINMENT LEAKAGE TESTING FOR WATER-COOLED POWER REACTORS

Legal Authority: 42 USC 2133; 42 USC 2134; 42 USC 5841

CFR Citation: 10 CFR 50

action is not taken. State agencies shall not enter into an agreement with any institution included on this list of ineligible institutions and shall terminate any participating institution included on the list within 15 days of the receipt of notification by FNS of the institution's ineligible status. Once included on this list, an institution shall be ineligible to participate in the program until such time as FNS, in consultation with the appropriate State agency, determines that the serious deficiency which resulted in the ineligible status has been corrected. Any institution which is identifiable with a seriously deficient institution through its corporate organization, officers, employees, or otherwise shall also be considered to be ineligible unless it is demonstrated to the satisfaction of the State agency, with FNS concurrence, that good cause exists for considering the institution distinct from the seriously deficient institution. Denial or termination actions taken on the basis of FNS notification of ineligible status shall not be subject to administrative review as provided in § 226.6(j). However, an institution which FNS determined to be seriously deficient and which has not taken acceptable corrective action may request an administrative review of this determination by an FNS review official in accordance with the appeal procedures set forth in § 226.6(j) and will not be included on the list of ineligible institutions unless FNS' determination is upheld by the review official. * * *

Dated: May 14, 1985.

Robert E. Leard,
Administrator, Food and Nutrition Service.
[FR Doc. 85-12002 Filed 5-16-85; 8:45 am]
BILLING CODE 3410-30-M

NUCLEAR REGULATORY COMMISSION

10 CFR Part 50

Codes and Standards for Nuclear Power Plants

AGENCY: Nuclear Regulatory Commission.

ACTION: Proposed rule.

SUMMARY: The Commission proposes to amend its regulations to incorporate by reference the Winter 1982 Addenda, Summer 1983 Addenda, Winter 1983 Addenda, Summer 1984 Addenda and 1983 Edition of Section III, Division 1, of the American Society of Mechanical Engineers Boiler and Pressure Vessel

Code (ASME Code), and the Winter 1982 Addenda, Summer 1983 Addenda, and 1983 Edition of Section XI, Division 1, of the ASME Code. The sections of the ASME Code being incorporated provide rules for the construction of light-water-cooled nuclear power plant components and specify requirements for inservice inspection of those components. Adoption of these amendments would permit the use of improved methods for construction and inservice inspection of nuclear power plants.

DATES: Comment period expires July 16, 1985. Comments received after this date will be considered if it is practical to do so, but assurance of consideration cannot be given except as to comments received on or before this date.

ADDRESSES: Written comments or suggestions may be submitted to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch. Copies of comments received may be examined in the Commission's Public Document Room at 1717 H Street NW., Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Mr. G.C. Millman, Division of Engineering Technology, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Telephone (301) 443-7860.

SUPPLEMENTARY INFORMATION: On February 7, 1983, the Nuclear Regulatory Commission published in the *Federal Register* (48 FR 5532) amendments to its regulation, 10 CFR Part 50, "Domestic Licensing of Production and Utilization Facilities," which incorporated by reference new addenda to the American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code). The amendment revised § 50.55a to incorporate by reference the Winter 1981 Addenda to Division 1 rules of Section III, "Rules for the Construction of Nuclear Power Plant Components," and Division 1 rules of Section XI, "Rules for Inservice Inspection of Nuclear Power Plant Components," of the ASME Code. On November 4, 1983, the Commission published in the *Federal Register* (48 FR 50878) an amendment to § 50.55a to incorporate by reference the Summer 1982 Addenda to Section III, Division 1, of the ASME Code. The ASME did not publish a Summer 1982 Addenda to Section XI. On March 15, 1984, the Commission published in the *Federal Register* (49 FR 9711) an amendment to § 50.55a to, among other things, incorporate by reference those subsections of Section III which apply to

the construction of Class 2 and Class-3 components.

Since publication of the last ASME Code addenda incorporated by reference in § 50.55a, the Winter 1982 Addenda, Summer 1983 Addenda, Winter 1983 Addenda, Summer 1984 Addenda, and 1983 Edition, to the ASME Code have been issued. The 1983 Edition is equivalent to the 1980 Edition, as modified by the Summer 1980 Addenda, Winter 1980 Addenda, Summer 1981 Addenda, Winter 1981 Addenda, Summer 1982 Addenda, and Winter 1982 Addenda. The Commission proposes to amend § 50.55a to incorporate by reference all editions through the 1983 Edition and all addenda through the Summer 1984 Addenda that modify Section III, Division 1, and all editions through the 1983 Edition and all addenda through the Summer 1983 Addenda that modify Section XI, Division 1, of the ASME Code. The Summer 1983 Addenda for Section XI does not include any technical requirements related to Division 1, but is being included in the reference to avoid confusion that might occur with a lack of continuity in the addenda references.

Editorial revisions are proposed to correct certain existing footnote and paragraph references that are inconsistent with the last amendment (49 FR 9711) to this rule and to simplify the language. These editorial revisions are contained entirely in § 50.55a(g).

For facilities whose operating licenses were issued prior to March 1, 1976, this rule provides the effective date for implementing the inservice inspection requirements and for defining the effective edition and addenda of the Code for the start of the next one-third of a 120-month inspection interval after September 1, 1976. Since this one-third of an inspection interval has already been completed for all applicable facilities, it is proposed that the part of the rule addressing it in § 50.55a(g)(4)(iii) be deleted.

Power reactors for which a notice of hearing on an application for a provisional construction permit or a construction permit had been published on or before December 31, 1970, were permitted to use the rules for construction required by power reactors that had received their construction permits prior to January 1, 1971. It is proposed that § 50.55a(1) which covers this provision be deleted because it is no longer necessary. Section 50.55a(c)(4) provides that for these and other facilities that received a construction permit prior to May 14, 1984, the applicable Code Edition and Addenda

for a component of the reactor coolant pressure boundary continue to be that Code Edition and Addenda that were required by Commission regulations for the component at the time of issuance of the construction permit.

Regulatory Analysis

The Commission has prepared a draft regulatory analysis on this proposed regulation. The analysis examines the cost and benefits of the alternatives considered by the Commission. The draft analysis is available for inspection in the NRC Public Document Room, 1717 H Street NW., Washington, DC. Single copies of the analysis may be obtained from Mr. C. C. Millman, Division of Engineering Technology, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, D.C., 20555, Telephone (301) 433-7800.

The Commission requests public comment on the draft regulatory analysis. Comments on the draft analysis may be submitted to the NRC as indicated under the ADDRESSES heading.

Paperwork Reduction Act Statement

This proposed rule amends information collection requirements that are subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). This rule has been submitted to the Office of Management and Budget for review and approval of the paperwork requirements.

Regulatory Flexibility Certification

In accordance with the Regulatory Flexibility Act of 1980, 5 U.S.C. 606(b), the Commission hereby certifies that this rule will not, if promulgated, have significant economic impact on a substantial number of small entities. This proposed rule affects only the licensing and operation of nuclear power plants. The companies that own these plants do not fall within the scope of the definition of "small entities" set forth in the Regulatory Flexibility Act or the Small Business Size Standards set out in regulations issued by the Small Business Administration at 13 CFR Part 121.

Since these companies are dominant in their service areas, this proposed rule

does not fall within the purview of the Act.

List of Subjects in 10 CFR Part 50

Antitrust, Classified information, Fire prevention, Incorporation by reference, Intergovernmental relations, Nuclear power plants and reactors, Penalty, Radiation protection, Reactor siting criteria, Reporting and recordkeeping requirements.

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and 5 U.S.C. 553, the NRC is proposing to adopt the following amendments to 10 CFR Part 50.

PART 50—DOMESTIC LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

1. The authority citation for Part 50 continues to read as follows:

Authority: Secs. 103, 104, 161, 162, 163, 166, 169, 66 Stat. 936, 937, 948, 954, 955, 956, as amended, sec. 234, 83 Stat. 1244, as amended (42 U.S.C. 2133, 2134, 2201, 2232, 2233, 2236, 2239, 2282); secs. 201, 202, 206, 88 Stat. 1242, 1244, 1246, as amended (42 U.S.C. 5841, 5842, 5846), unless otherwise noted.

Section 50.7 also issued under Pub. L. 95-601, sec. 10, 92 Stat. 2951 (42 U.S.C. 5851). Sections 50.57(d), 50.58, 50.91 and 50.92 also issued under Pub. L. 97-415, 96 Stat. 2071, 2073 (42 U.S.C. 2133, 2239). Section 50.58 also issued under sec. 122, 66 Stat. 939 (42 U.S.C. 2152). Sections 50.80-50.81 also issued under sec. 184, 66 Stat. 954, as amended (42 U.S.C. 2234). Sections 50.100-50.102 also issued under sec. 186, 66 Stat. 955 (42 U.S.C. 2236).

For the purposes of sec. 223, 66 Stat. 958, as amended (42 U.S.C. 2273), §§ 50.10(a), (b), and (c), 50.44, 50.46, 50.48, 50.54, and 50.80(a) are issued under sec. 161b, 66 Stat. 948, as amended (42 U.S.C. 2201(b)); §§ 50.10 (b) and (c) and 50.54 are issued under sec. 161i, 66 Stat. 949, as amended (42 U.S.C. 2201(i)); and §§ 50.55(e), 50.59(b), 50.70, 50.71, 50.72, 50.73 and 50.78 are issued under 161o, 66 Stat. 950, as amended (42 U.S.C. 2201(o)).

2. Section 50.55a is amended as follows:

Paragraph (b)(1) and the introductory text of paragraph (b)(2) are revised;

Reference to footnote 2 in paragraph (g)(1) is deleted;

References to footnote 3 in paragraph (g)(2) and in paragraphs (g)(3) (ii) and (iv) are removed;

Paragraphs (g)(3) (i) and (iii) are revised;

Paragraph (g)(4)(iii) is removed and reserved; and

Paragraph (i) is removed.

§ 50.55a Codes and standards.

(b) * * *

(1) As used in this section, references to Section III of the ASME Boiler and Pressure Vessel Code refer to Section III, Division 1, and include editions through the 1983 Edition and Addenda through the Summer 1984 Addenda.

(2) As used in this section, references to Section XI of the ASME Boiler and Pressure Vessel Code refer to Section XI, Division 1, and include editions through the 1983 Edition and Addenda through the Summer 1983 Addenda, subject to the following limitations and modifications:

(g) * * *

(3) * * *

(i) Components which are classified as ASME Code Class 1 shall be designed and be provided with access to enable the performance of inservice examination of such components and shall meet the preservice examination requirements set forth in Section XI of editions of the ASME Boiler and Pressure Vessel Code and Addenda * applied to the construction of the particular component.

(iii) Pumps and valves which are classified as ASME Code Class 1 shall be designed and be provided with access to enable the performance of inservice testing of the pumps and valves for assessing operational readiness set forth in Section XI of editions of the ASME Boiler and Pressure Vessel Code and Addenda * applied to the construction of the particular pump or valve or the Summer 1973 Addenda, whichever is later.

(4) * * *

(iii) [Reserved]

Dated at Bethesda, MD this 19th day of April 1985.

For the Nuclear Regulatory Commission.

Jack W. Roe,

Acting Executive Director for Operations.

[FR Doc. 85-11996 Filed 5-16-85; 8:45 am]

BILLING CODE 7560-01-M

Orders of the Commission now or hereafter in effect.

The facility comprises two pressurized water reactors at the licensee's site located in Goodhue County, Minnesota.

II

By letters dated December 21, 1984 and January 30, 1985, the licensee requested an exemption from the schedular requirements of 10 CFR 50.48(c), which establishes deadlines for the completion of fire protection modifications required by Appendix R to 10 CFR Part 50. Specifically, the licensee requested that the current deadline of December 31, 1984 for the installation of one-hour barriers pursuant to section III.G.2(c) and the exemption issued by letter dated April 28, 1984, be extended to June 1, 1985, for both Prairie Island units. The request applies to Fire Areas 31, 32, 58, 59, 73 and 74, in which areas certain shutdown-related cables are being wrapped to provide the requisite one-hour barrier.

III

The licensee states that the installation of cable wrapping in these fire areas is the only remaining Appendix R modification for the Prairie Island units. In the fire areas mentioned, all other Appendix R measures have been taken to the extent required, i.e., suppression and detection capabilities. Specifically, in Fire Areas 31 and 32 the shutdown related systems are protected by automatic fire detection and fire suppression systems. If a fire should occur in these areas, it would be detected in its initial stages and suppressed by the suppression systems to allow time for the fire brigade to attend the fire during its infancy, before significant propagation occurs. If a rapid temperature rise occurs before the arrival of the fire brigade, the fire suppression system would actuate to control the fire and protect the shutdown systems. We therefore have reasonable assurance that, pending completion of the licensee's Appendix R related modification, a fire in either of these two areas will not result in disabling the shutdown systems to the extent that the safe shutdown could not be achieved and maintained.

In the remaining areas (i.e., 58, 59, 73, and 74) that do not have a fire suppression system, the licensee committed by letter dated January 30, 1985 to implement a roving fire watch patrol in the remaining fire areas for which the schedular relief has been requested. The fire watch will continue until all fire protection related work

associated with Appendix R has been completed. The routing of the fire watch will be established so that the patrol observes each area at a frequency of about every 20 minutes to ensure that a fire could not damage redundant safe shutdown related equipment. If a fire were to occur, the control room will be immediately notified and the fire brigade response initiated. Pending the arrival of the fire brigade, the fire watch patrol will be trained in the proper use of portable fire extinguishers in suppressing the fire before significant damage could occur. On this basis, if a fire would occur within an area provided with a fire watch, there is reasonable assurance that it will be detected in its incipient stage before significant flame or temperature rise occurs.

The licensee's efforts to complete the one-hour barrier installation have been delayed somewhat by the late delivery of wrapping material and unforeseen interface problems between environmental qualification work going on at the same time as Appendix R efforts were being planned. The delay in material delivery was due to the large influx of orders which the manufacturer received after approval of the material by the NRC staff. A design hold was placed on the associated cable wrapping in Fire Areas 31 & 32 until the potential issue of relocating the auxiliary feedwater pumps related to environmental qualification was resolved.

The only remaining activity in fire protection at the Prairie Island Nuclear Generating Plant is the installation of the cable wrapping in the affected fire areas. Moreover the staff has judged that the delays encountered by the licensee were unforeseen and could not be avoided. In addition, the interim compensatory measures committed to by the licensee for the extended period will result in maintaining an adequate level of safety that is equivalent to that intended by Appendix R.

The staff finds that the licensee has proceeded diligently to implement Appendix R at the Prairie Island units and that the fire protection measures required by Appendix R have been installed with the sole exception of the cable wrap for which the extension is requested. Under these circumstances, the public health and safety will not be adversely affected by the extension of the deadline for a period of 5 months, especially considering that the work will be accomplished steadily throughout this period.

IV

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, an exemption is authorized by law and will not endanger life or property or the common defense and security and is otherwise in the public interest and hereby grants the following exemption with respect to the requirements of subsection III.G. of Appendix R to 10 CFR Part 50:

Extend the implementation date in 10 CFR 50.48 (c)(2) for installation of modification in Fire Areas 31, 32, 58, 59, 73 and 74 required by Appendix R subsection III.G. for both units, from December 31, 1984 to June 1, 1985.

Pursuant to 10 CFR 51.32, the Commission has determined that the issuance of the Exemption will have no significant impact on the environment (50 FR 18333).

Dated at Bethesda, Maryland this 7th day of May, 1985.

For the Nuclear Regulatory Commission,
Harold R. Denton,
Director, Office of Nuclear Reactor Regulation.

[FR Doc. 85-11908 Filed 5-15-85; 8:45 am]

BILLING CODE 7590-01-20

Documents Containing Reporting or Recordkeeping Requirements; Office of Management and Budget Review

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of the Office of Management and Budget review of information collection.

SUMMARY: The Nuclear Regulatory Commission has recently submitted to the Office of Management and Budget (OMB) for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

1. Type of submission, new, revision, or extension: Revision.
2. The title of the information collection: 10 CFR Part 50, Domestic Licensing of Production and Utilization Facilities.
3. The form number if applicable: Not applicable.
4. How often the collection is required: 3 times/year.
5. Who will be required or asked to report: Owners of nuclear power plants.
6. An estimate of the number of responses: 339 per year.
7. An estimate of the total number of hours needed to complete the requirement or request: 3517 hours/year.

50 FR 20513

8. An indication of whether section 3504(b), Pub. L. 96-511 applies: Not applicable.

9. Abstract: The proposed rulemaking updates existing references to specific sections of the ASME Boiler and Pressure Vessel Code that set forth requirements by which nuclear power plant components are constructed and inspected. These requirements provide that plant owners maintain records of certain safety related activities. The records can be used by NRC to audit the performance of these activities. The recordkeeping applies to the owners of nuclear power plants and does not affect the general public.

Copies of the submittal may be inspected or obtained for a fee from the NRC Public Document Room, 1717 H Street NW., Washington, D.C. 20555.

Comments and questions should be directed to the OMB reviewer Jefferson B. Hill, (202) 395-7340.

NRC Clearance Officer is R. Stephen Scott, (301) 492-8585.

Dated at Bethesda, Maryland this 13th day of May 1985.

For the Nuclear Regulatory Commission.

Patricia G. Norry,

Director, Office of Administration.

[FR Doc. 11907 Filed 5-15-15; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-312]

Sacramento Municipal Utility District; Consideration of Issuance of Amendment to Facility Operating License and Proposed No Significant Hazards Consideration Determination and Opportunity for Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-54, issued to Sacramento Municipal Utility District (the licensee), for operation of the Rancho Seco Nuclear Generating Station located in Sacramento, California.

To satisfy the habitability requirements of NUREG-0737, Item III.D.3.4, the Control Room Emergency Heating, Ventilating and Air Conditioning (HVAC) System was changed from a single train system into a two-loop redundant full-flow system. In addition, the Control Room Emergency HVAC System was expanded to include the Emergency HVAC requirements for the Technical Support Center (TSC). The new Control Room/TSC Emergency HVAC System is designed to satisfy the habitability requirements of both the Control Room and the TSC.

In accordance with the licensee's application dated February 14, 1985, the proposed amendment would revise the Technical Specifications to incorporate design changes to the Control Room/TSC Emergency Filtering System and the Air Supply System which are subsystems of the new Control Room/TSC Emergency HVAC System. Specifically, the amendment would: (1) Change the name of the Emergency Control Room Filtering System to Control Room/TSC Emergency Filtering System, (2) change the Limiting Condition for Operation (LCO) for the Filtering System to reflect the new design, (3) revise the surveillance testing of the Air Makeup System to reflect new design flow rates and Control Room/TSC positive pressure requirements, and (4) revise surveillance testing of the filtering system to reflect proposed reduced removal efficiencies for testing of the charcoal and HEPA filters and to reflect new design flow rates. The NRC staff earlier reviewed the proposed Technical Specifications for these four items and found the proposed reduced removal efficiencies for testing charcoal and HEPA unacceptable. Subsequently, by letter dated May 8, 1985, the licensee revised the February 14, 1985 application to delete the proposed change of the reduced charcoal and HEPA filter testing (i.e., so that the original tech specs remain unchanged.)

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

The Commission has made a proposed determination that the amendment request involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety.

The Commission has provided guidance concerning the application of the standards in 10 CFR 50.92 by providing certain example (48 FR 14870). Examples of actions likely to involve no significant hazards considerations are Example (i), a purely administrative change to the Technical Specifications; for example, a change to achieve consistency throughout the Technical Specifications, correction of an error, or a change in nomenclature; and Example

(vi), a change which either may result in some increase to the probability or consequence of a previously-analyzed accident or may reduce in some way a safety margin, but where the results of the change are clearly within all acceptable criteria with respect to the system or component specified in the Standard Review Plan (SRP); for example, a change resulting from the application of a small refinement of a previously used calculational model or design method.

The change in name of the Emergency Control Room Filtering System to Control Room/TSC Emergency Filtering System is the same as example (i) of an administrative change because it involves only a nomenclature change.

The modified Control Room/TSC Emergency HVAC System including the Control Room/TSC Emergency Filtering System and the Air Makeup System satisfy the acceptance criteria of SRP Section 6.4 and General Design Criterion 19 of Appendix A to 10 CFR Part 50. Since the changes proposed to the Technical Specifications are necessary to reflect design changes to the Control Room/TSC Emergency HVAC System, this change is similar to Example vi.

Therefore, since the application for amendment involves proposed changes that are similar to examples for which no significant hazards considerations exist, the Commission's staff has made a proposed determination that the application involves no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination. The Commission will not normally make a final determination unless it receives a request for a hearing.

Comments should be addressed to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attn: Docketing and Service Branch.

By June 17, 1985, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written petition for leave to intervene. Request for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. If a