

Duke Power Company
P.O. Box 1006
Charlotte, NC 28201-1006



DUKE POWER

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S. Hoffman

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M. S. TUCKMAN
Senior Vice President
Nuclear Generation
(704)382-2200 Office
(704)382-4360 Fax

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U.S. Nuclear Regulatory Commission
Washington, DC 20555

Subject: Comments on Draft Regulatory Guide DG-1047
"Standard Format and Content for Applications to Renew Nuclear Power
Plant Operating Licenses,"
(61 Federal Register 43792 dated August 26, 1996)

Duke Power appreciates the opportunity to provide comments on the draft Regulatory Guide, DG-1047, "Standard Format and Content for Applications to Renew Nuclear Power Plant Operating Licenses," which was published in the Federal Register on August 26, 1996. As you know, Duke Power has been an active participant in several industry organizations involved in the process to develop a stable and predictable license renewal process. The comments we are providing are based on the experience that we have gained to date in using NEI 95-10, Revision 0, which is incorporated into DG-1047. We continue to believe that the experience gained during the Oconee site demonstration during April 1996, as well as the current activities associated with NRC review of our submittal of July 31, 1996 and follow-up meetings, have been very beneficial in gaining a further understanding of the license renewal process as reflected in NEI 95-10 and DG-1047.

Duke Power has two general comments to make. First, we have confidence in the existing regulatory process and strongly support the affirmation provided by the Commission in endorsing the first principle of license renewal, particularly with respect to the statement that "the regulatory process is adequate." It appears, however, that in some instances, there seems to be less support of the existing regulatory process by the NRC staff. Second, we believe that based on the experience with using NEI 95-10, more guidance should be contained in the document and more examples need to be provided to demonstrate the guidance. We will continue supporting the NEI activities in this area to make NEI 95-10 an even more effective guidance document.

Comment #1 - Implementation Plan (DG-1047, Section C.1, on page 7)

The following comments are provided on the description of an implementation plan:

Item #1 should be deleted because the statement 'list of commitments described in the license renewal application' is overly broad. It seems to overlap the request

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contained in Item #3, which requests a list of tasks and it seems to overlap that information which will be contained in the Updated Final Safety Analysis Supplement (UFSAR), which is required to contain summary descriptions of programs and activities needed to manage the effects of aging.

Item # 2 seems to apply to existing activities and should be reflected in the document where the commitments reside. The administrative controls for these aging management programs may already be included in the UFSAR or could be added as part of the supplement provided with the application. It is recommended that Item #2 be deleted but that the intent be reflected in Section 6.3 of NEI 95-10.

Item #3 should be revised to read: 'A list of tasks pertaining to ...

Item #4 should be revised to read: 'A schedule for the specific tasks listed in #3 above...

By making the above suggested changes, the implementation plan would become a valuable document for both the licensee and the NRC and not overlap commitments contained in the UFSAR.

Comment #2 - Generic Safety Issues

The NRC has an existing regulatory process which is described in NUREG-0933, "A Prioritization Generic Safety Issues." NUREG-0933 documents both the process and the results of NRC review of many generic issues. These reviews determine actions required by operating plants when appropriate based on rigorous review and cost-benefit analysis. The staff has recently expanded the generic safety issue review process to explicitly evaluate the prioritization of generic issues for the period of extended operation to determine if the priority should be changed.

Yet in draft regulatory guide, DG-1047, an activity is included (Section 3.2) where the NUREG-0933 process is circumvented for generic issues that are known but not yet in NUREG-0933. These generic issues would only need to be addressed by applicants for a renewal license. The staff has not provided a justification as to why the existing process to handle generic safety issues is not adequate and why certain items which are not of high priority today are of concern only for the period of extended operation. It seems that additional discussion is needed in DG-1047 to clarify under what conditions an issue must be addressed only by a renewal license applicant, and not by current operating plants.

We support the industry comment that Section 1.5 of NEI 95-10 should be revised to identify those generic issues which must be addressed by renewal license applicants. Providing this additional detail in Section 1.5 of NEI 95-10 will improve the effectiveness of the guidance.

Comment #3 - Identification of Applicable Aging Effects

Additional guidance is required in Section 4.2 of NEI 95-10 to address the appropriate process to identify the aging effects applicable for license renewal. In some instances, the staff has been using operating experience as the primary means to identify aging effects applicable to license renewal. There are existing regulatory processes to identify operating experience events that are of concern to operating nuclear power plants. The Events Assessment and Generic Communications Branch has programs and activities that assess and screen power reactor operating experience to identify significant events; interfaces with the Analysis and Evaluation of Operational Data; and develops generic guidance from analysis of operating and vendor reports. Details of this existing regulatory process are contained in NRR office Letter No. 503, dated December 27, 1995. Duke believes that this regulatory process is an effective process to identify all matters that may be of concern to operating nuclear power plants.

Yet during the review of the BWOG / GLRP Pressurizer Topical Report, the staff determined that clad cracking of the pressurizer was an aging effect of concern for the period of extended operation because clad cracking had been found in 1990 as a result of an event that occurred at an operating plant. Our reviews of NRC generic communications found nothing associated with this plant operating event. The staff believes that a visual inspection of the clad of the pressurizer should be performed near or prior to the period of extended operation. The staff has not provided the basis for the decision that this event is only of concern for license renewal, but not of concern today.

We continue to believe that the existing regulatory process that reviews operating experience is effective and that as events occur, they will be properly assessed and communicated to all operating plants for appropriate actions. We believe that NEI 95-10 should be revised to further clarify the use of operating experience in the identification of aging effects applicable for license renewal.

Comment #4 - Existing Aging Management Programs

Section 4.2 of NEI 95-10 describes the general approach for performing aging management reviews. Based on our experience with NEI 95-10, we believe that there are three types of aging management programs: preclusionary, condition monitoring, and performance monitoring. Preclusionary programs include those programs that by design preclude an aging effect from occurring and include chemistry programs and coating programs. Condition monitoring programs include visual inspections and non-destructive examinations such as inservice inspections and erosion-corrosion monitoring. Performance monitoring programs look at the ability of the system or structure to perform its intended function and include ventilation testing programs and heat balances on heat exchangers. We believe that NEI 95-10 needs to be revised to specifically recognize these different types of aging management programs.

There are several existing regulatory processes that oversee these existing operating plant programs. NRC Inspection and Enforcement programs and activities cover a substantial

number of aging management programs that have been in existence for many years. The staff has stated that in order to provide a demonstration that these programs are effective, objective evidence needs to be provided. In many cases, this review for license renewal constitutes a re-licensing of these existing programs and activities. Many of these programs are required by regulations, Commission Orders, Operating License Conditions or Technical Specifications. In addition, there are several programs and activities that have been implemented at operating nuclear power plants in response to NRC Generic Communications such as bulletins and generic letters.

Duke Power believes that the existing regulatory process that oversees our implementation of many of these programs is effective today, and should be considered effective for the period of extended operation, unless there is some aging effect that is of concern only during the period of extended operation. By performing a detailed review of existing programs, the staff seems to be calling into question the adequacy of the existing regulatory oversight process providing inspection and enforcement.

The guidance in NEI 95-10 should be revised in Section 6.2 to clarify the level of detail to be contained in the application for those aging management programs that are well established and have effective regulator oversight. In addition, specific examples need to be included that are considered to be at an acceptable level of detail.

In addition, Section 6.3 of NEI 95-10 should be revised to provide additional guidance for the summary descriptions that are required to be included in the UFSAR Supplement. Examples of summary descriptions at an acceptable level of detail for several programs should also be provided in NEI 95-10.

Comment #5 - Establishing Requirements Beyond ASME Boiler & Pressure Vessel Code, Section XI

The NRC has a regulatory process that periodically reviews and endorses a version of the ASME Code Section XI for use by operating plants. In addition, the staff participates in the code development process. Yet, the staff has determined that in some instances the Code does not fully cover certain items. For example, the staff believes that hydrostatic testing of small bore piping is not enough and that volumetric examinations of some piping should be performed only by renewal license applicants.

Duke Power is concerned that the staff has not utilized the existing regulatory processes to pursue changes to the ASME Code in this instance. Duke Power believes that the existing regulatory oversight process is effective. No justification has been provided to support that this is only an aging concern for renewal license applicants.

We believe that DG-1047 should be revised to clarify the process to be used when existing aging management programs, that are required by regulations, Commission Orders, Operating License Conditions or Technical Specifications, need to be revised to address aging effects that are applicable during the license renewal period.

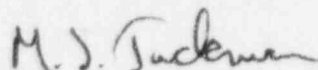
Comment #6 - Applications of Inspections for License Renewal

Section 4.3 of NEI 95-10 provides guidance for the application of new inspections for license renewal. Duke Power believes that additional guidance is necessary to clarify the level detail required at the time of application as compared to the level of detail that may be appropriate at the time the actual inspection is to be performed. For example, using specific requirements from the ASME Code version approved for use today by NRC may not be applicable for inspections to be performed 10-15 years in the future when a more current version of the ASME Code may be approved. We believe that additional guidance is required in this section and that an example should be provided in NEI 95-10 of an acceptable description of a new inspection which would be included in an application for a renewal license.

Conclusion

In conclusion, Duke Power commends the efforts of the NRC for its development of this draft regulatory guide. We believe that substantial progress has been made over the past several years in reducing that uncertainty associated license renewal. Much has been accomplished and we need to continue our efforts to further clarify the expectations associated with the license renewal review process.

Very truly yours,



M. S. Tuckman

cc:

Director, Rule Review and Directives Branch
Division of Freedom of Information and Publications Services
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Doug Walters
Nuclear Energy Institute
Suite 400
1776 I Street
Washington, DC 20006-3708