



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

January 23, 1997

Mr. Roger Reedy  
Reedy Engineering, Inc.  
3425 S. Bascom Avenue, Suite 210  
Campbell, California 95008

SUBJECT: NRC GENERIC LETTER 96-06

Dear Mr. Reedy:

Thank you for your letters of December 20, 1996, and January 2, 1997, regarding U.S. Nuclear Regulatory Commission (NRC) Generic Letter (GL) 96-06, "Assurance of Equipment Operability and Containment Integrity During Design-Basis Accident Conditions," which was issued on September 30, 1996. In those letters you responded to the staff's December 4, 1996, reply to your letter of November 8, 1996. The staff is pleased that you agree with most of the statements in its letter of December 4, 1996. However, in your December 20, 1996 letter, you still maintain that the staff did not justify its use of the compliance exception to the backfit rule for GL 96-06. The staff does not agree with your argument and has concluded that your letter did not provide any information to change our position that issuance of GL 96-06 under the compliance exception to the backfit rule was appropriate, as discussed in our letter of December 4, 1996. Specific comments on issues discussed on the attachment to your December 20, 1996 letter are provided below.

In the attachment to your letter of December 20, 1996, you cited paragraphs from earlier editions of the ASME Code as providing the appropriate reference because piping systems in operating plants were designed to earlier code editions. With your letter of November 8, 1996, you had attached pages from later piping codes including interpretations from later ASME Code editions to support your arguments. The staff assumed you had attached pages from these later piping code editions (especially pages from the later ASME B31.1 and B31.3 piping code editions) to clarify the intent of the Code regarding the applicable requirements related to overpressure due to fluid expansion and water hammer. The staff also cited paragraphs from the later ASME Code editions to address the statements made in your first letter. Apparently, you now consider the code pages you previously submitted to be inappropriate references because piping systems in operating plants were not designed to those code editions. However, the staff notes that the explicit requirement to consider fluid expansion effects has been in the piping codes since U.S.A Standard (USAS) B31.1 (1967). In addition, the requirement pertaining to consideration of water hammer (internal impact forces) has also been in piping codes since USAS B31.1 (1967).

In the attachment to your letter, you state that there are differences in certain paragraphs of Section III of the ASME Code in the earlier and present editions. Because of these differences, you raise a concern regarding the

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clarity of the present edition of the ASME Code, which was issued while you were the chairman of Section III. The staff suggests that you pursue this concern with the ASME.

Finally, as you indicated in your December 20, 1996 letter, the NRC staff met with ASME officials on November 12, 1996. A copy of the meeting summary is enclosed. ASME agrees with NRC's position regarding the relationship between the ASME Code and NRC regulations, and NRC's responsibility to take whatever actions it deems necessary to protect the health and safety of the public.

Although the staff does not agree with several statements you made in the attachment to your letter of December 20, 1996, the staff does not believe a continuing debate with you regarding ASME Code interpretations is beneficial. The staff continues to conclude its statements in GL 96-06 are accurate and that the generic letter was properly issued in accordance with the staff's procedures and the Commission's regulations.

Sincerely,

ORIGINAL SIGNED BY

Brian W. Sheron, Acting Associate Director  
for Technical Review  
Office of Nuclear Reactor Regulation

Enclosure: As stated

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