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**ILLINOIS
POWER**

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RULES REVIEW & DIR. BR.
USNRC

Illinois Power Company
Clinton Power Station
P.O. Box 678
Clinton, IL 61727
Tel 217 935-8881

U-602699
8G.120

February 25, 1997

61 FR 69120

Dec. 31, 1996

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Chief, Rules Review and Directive Branch
U.S. Nuclear Regulatory Commission
Mail Stop T-6D-69
Washington, D.C. 20555-0001

Subject: Illinois Power's (IP's) Comments on Proposed Generic
Communication; GL 96-XX "Effectiveness of Ultrasonic
Testing Systems in Inservice Inspection Programs"

Dear Sir:

This letter is commenting on the proposed GL 96-XX, "Effectiveness of Ultrasonic Testing Systems in Inservice Inspection Programs." The Clinton Power Station (CPS) Inservice Inspection (ISI) Group has reviewed the proposed GL 96-XX, issued for public comment on December 31, 1996, and has the following comments:

Illinois Power does not believe there is a need to perform an evaluation in order to determine whether its current ISI Program Ultrasonic Examination Systems have the capability to reliably detect and size flaws in the reactor vessel and safety-related piping. This belief is based on the fact that IP has been using ultrasonic techniques that have met the requirements of codes, standards, specifications, and any additional augmented NRC requirements. An evaluation should not be needed since the NRC has stated there is defense in depth and no safety concern exists. In addition, IP concurs with the Nuclear Energy Institute (NEI) in that it is inappropriate not to perform a backfit when required per 10 CFR 109(a)(3) for a new regulatory position regarding Criterion II of Appendix B to 10 CFR Part 50.

This Generic Letter (GL) should not be issued as written or not issued at all. This is based on the NRC statement that, "... a safety concern does not exist..." Therefore, the NRC could use the rulemaking process for ASME code editions and addenda by amending 10 CFR 50.55a as referenced in the last paragraph of the *Background* section of the draft GL. If this GL does continue to be processed and issued it should specify that:

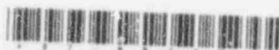
- The Performance Demonstration Initiative (PDI) program provides an acceptable level of quality and safety and would therefore be an acceptable alternative to ASME Section XI, Appendix VIII and any other augmented NRC requirements. The GL should be prefaced such that meeting the scope of qualification that the PDI is currently implementing would be sufficient. Therefore, implementation of Appendix VIII in its entirety would not be necessary until it becomes a requirement for all licensees (around July 1998 as stated in the draft GL).

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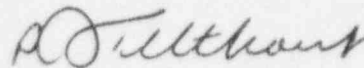


ID 96-5 Generic Letter

- It is suggested that wording be added to this GL, to wit: "Appendix VIII or the PDI can be implemented on a voluntary basis until an official rulemaking via 10 CFR 50.55a has occurred."
- Since a safety concern does not exist and there exists, "defense-in-depth measures," the 30-day *Required Response* and the 90-day *Requested Information* should be changed to 90-days and 180-days respectively.

In conclusion, the NRC is requesting information from licensees pursuant to 10 CFR 50.54(f) in this GL. Response by licensees would likely require their use of Appendix VIII to Section XI. This required use would bypass the preferred method of implementation; incorporating the new code rules via amendment to 10 CFR 50.55a. Lastly, IP believes and concurs with NEI that the issuance of this GL as presently written inappropriately bypasses the backfit rule.

Sincerely yours,



Paul J. Telthorst
Director - Licensing

JSP/krk

cc: NEI, Kurt Cozens