



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

August 17, 2020

Mr. Ken J. Peters
Senior Vice President and
Chief Nuclear Officer
Attention: Regulatory Affairs
Vistra Operations Company LLC
Comanche Peak Nuclear Power Plant
6322 N FM 56
P.O. Box 1002
Glen Rose, TX 76043

SUBJECT: COMANCHE PEAK NUCLEAR POWER PLANT, UNITS NO. 1 AND 2 – USE OF
LATER CODE EDITION TO THE REQUIREMENTS OF THE ASME CODE
(EPID L-2020-LLR-0102)

Dear Mr. Peters:

By letter dated August 4, 2020, Vistra Operations Company LLC (Vistra OpCo, the licensee), submitted a request to the U.S. Nuclear Regulatory Commission (NRC) for the use of a later code edition to certain American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code (BPV) Code, Section XI requirements at Comanche Peak Nuclear Power Plant (Comanche Peak), Unit Nos. 1 and 2.

Specifically, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.55a(g)(4)(iv), the licensee requested to use a later code edition for inservice inspection (ISI) items subject to the conditions specified in 10 CFR 50.55a(b). The licensee requested to use subparagraph IWA-4540(b) of the 2017 Edition of the ASME BPV Code, Section XI.

The NRC staff has reviewed the subject request, as set forth in the enclosed safety evaluation, and finds that Vistra OpCo has adequately addressed all of the regulatory requirements set forth in 10 CFR 50.55a(g)(4)(iv). Therefore, the NRC staff approves the use of subparagraph IWA-4540(b) of the 2017 Edition of ASME BPV Code, Section, XI, at Comanche Peak, Unit No. 1, for the duration of the third and fourth ISI interval, or until such time as the licensee updates the unit's ISI program to the 2017 or later edition of ASME BPV Code, Section XI, and at Comanche Peak, Unit No. 2, for the duration of the third ISI interval.

All other ASME BPV Code, Section XI requirements, which are not modified by the NRC staff's approval of the licensee's request remain applicable, including third-party review by the Authorized Nuclear Inservice Inspector.

K. Peters

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If you have any questions, please contact the Project Manager, Dennis Galvin, at 301-415-6256 or Dennis.Galvin@nrc.gov.

Sincerely,

Jennifer L. Dixon-Herrity, Chief
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-445 and 50-446

Enclosure:
Safety Evaluation

cc: Listserv



UNITED STATES
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SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
REQUEST TO USE A PROVISION OF A LATER EDITION OF THE AMERICAN SOCIETY OF
MECHANICAL ENGINEERS BOILER AND PRESSURE VESSEL CODE, SECTION XI
FOR THE INSERVICE INSPECTION PROGRAM
VISTRA OPERATIONS COMPANY LLC
COMANCHE PEAK NUCLEAR POWER PLANT, UNIT NOS. 1 AND 2
DOCKET NO. 50-445 AND 50-446

1.0 INTRODUCTION

By letter dated August 4, 2020 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML20217L521), Vistra Operations Company LLC (Vistra OpCo, the licensee), submitted a proposal to the U.S. Nuclear Regulatory Commission (NRC) to use a portion of a later edition of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code (BPV) Code, Section XI, at Comanche Peak Nuclear Power Plant (Comanche Peak), Unit Nos. 1 and 2.

Specifically, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.55a(g)(4)(iv), "Applicable ISI [Inservice Inspection] Code: Use of subsequent Code editions and addenda," the licensee proposed to use subparagraph IWA-4540(b) of the 2017 Edition of the ASME BPV Code, Section XI, instead of the corresponding subparagraph from the current Code of Record. The time period applicable for the use of the requested subsequent ASME BPV Code, Section XI, edition and addenda is through the end of the third and fourth ISI intervals for Comanche Peak, Unit No. 1, and through the end of the third ISI interval for Comanche Peak, Unit No. 2. The licensee asserts that it meets all related requirements of the 2017 Edition of the ASME BPV Code, Section XI.

Enclosure

2.0 PROPOSED USE OF SUBSEQUENT CODE EDITION AND ADDENDA

2.1 Component(s) for Which the Subsequent Code Edition is Requested

All Class 1, 2, and 3 items located in the ASME BPV Code, Section XI boundaries.

2.2 Current Code Requirement

Subparagraph IWA-4540(b) provides items that are exempt from pressure testing after repair/replacement activities.

2.3 Current Code Edition and Addenda of Record

The ISI Code of Record for the third and fourth 10-year ISI interval at Comanche Peak, Unit No. 1 and the third 10-year ISI interval at Comanche Peak, Unit No. 2 is the ASME BPV Code, Section XI, 2007 Edition with the 2008 Addenda. The NRC staff notes that by letter dated June 8, 2020 (ADAMS Accession No. ML20156A325), the NRC authorized the delay of the updating of the ISI Code of Record at Comanche Peak, Unit No. 1, until the end of the third 10-year ISI interval at Comanche Peak, Unit No. 2, at which time the Comanche Peak, Unit Nos. 1 and 2 Codes of Record would both be updated.

2.4 Proposed Subsequent Code Edition and Addenda

The proposed subsequent Code edition and addenda to be used is subparagraph IWA-4540(b) of the 2017 Edition of the ASME BPV Code, Section XI.

2.5 Duration of the Use of the Later Code Edition and Addenda

The duration of this request is for the Comanche Peak, Unit No. 1, third ISI interval that started on August 13, 2010, and ends on August 12, 2022. The third ISI interval for Comanche Peak, Unit No. 1 was originally scheduled to end on August 12, 2020. The licensee has implemented the 1-year ISI interval extension allowed by the ASME BPV Code, Section XI, subparagraph IWA-2430(c)(1), to extend the Comanche Peak, Unit No. 1 third ISI interval until no later than August 12, 2021. By verbal authorization dated August 10, 2020 (ADAMS Accession No. ML20224A055), the NRC staff authorized the extension of the Comanche Peak, Unit No. 1 third ISI interval for an additional 12 months to August 12, 2022, for specific examinations in response to Comanche Peak, Unit No. 1, Proposed Alternative 1A3-2, dated July 14, 2020 (ADAMS Package Accession No. ML20196L875).

The duration of this request is also for the Comanche Peak, Unit No. 1 fourth ISI interval that started on August 13, 2020, and ends on August 12, 2030, and the Comanche Peak, Unit No. 2 third ISI interval that started on August 3, 2014, and ends on August 3, 2023.

3.0 REGULATORY EVALUATION

This section of the safety evaluation considers only the regulatory basis for the licensee's request. The technical merits of the licensee's submission are addressed in later sections of this safety evaluation.

The licensee is proposing to use a section of a later edition and addenda of the ASME BPV Code, Section XI, in accordance with 10 CFR 50.55a(g)(4)(iv), which states:

Inservice examination of components and system pressure tests may meet the requirements set forth in subsequent editions and addenda that are incorporated by reference in paragraph (a) of this section, subject to the conditions listed in paragraph (b) of this section, and subject to Commission approval. Portions of editions or addenda may be used, provided that all related requirements of the respective editions or addenda are met.

Given that 10 CFR 50.55(g)(4)(iv) permits the NRC staff to approve the use of a subsequent ASME BPV Code edition and addenda, the NRC staff finds that, subject to the following technical evaluation, the licensee may propose to use a section of a later edition and addenda of the ASME BPV Code, Section XI, and the NRC staff has the regulatory authority to approve the later edition and addenda of the ASME BPV Code, Section XI.

4.0 TECHNICAL EVALUATION

As previously stated in Section 3.0 of this safety evaluation, prior to approving the use of a subsequent edition and addenda of the ASME BPV Code under 10 CFR 50.55a(g)(4)(iv), the NRC staff must find that (1) the proposed subsequent edition and addenda are incorporated by reference in 10 CFR 50.55a(a), "Documents approved for incorporation by reference"; (2) the licensee has identified any conditions listed in 10 CFR 50.55a(b), "Use and conditions on the use of standards," appropriate to the request and will comply with those conditions; (3) the licensee has requested approval to use the subsequent edition and addenda; and (4) if only portions of the edition or addenda are to be used, all related requirements of the respective edition or addenda are met. If these criteria are met, the NRC staff finds the use of the subsequent edition and addenda of the ASME BPV Code, Section XI, to be acceptable.

4.1 Incorporation by Reference

In evaluating the first criterion, 10 CFR 50.55a(a) incorporates by reference the ASME BPV Code, Section XI, from the 1970 Edition through the 1976 Winter Addenda, and the 1977 Edition through the 2017 Edition. The licensee proposed to use the 2017 Edition, which is included in the list of editions and addenda incorporated by reference in the current edition of 10 CFR 50.55a(a). Therefore, the NRC finds that the first criterion has been satisfied.

4.2 Subject to Conditions Listed in 10 CFR 50.55a(b)

In evaluating the second criterion, the NRC staff finds that 10 CFR 50.55a(b) contains no conditions relevant to this request. Therefore, the NRC staff finds that the second criterion has been satisfied.

4.3 Requesting Commission Approval

In evaluating the third criterion, the licensee's request dated August 4, 2020, constitutes a request to the Commission for approval to use a subsequent edition/addendum of the ASME BPV Code. Therefore, the NRC staff finds that the third criterion has been satisfied.

4.4 All Related Requirements

In evaluating the fourth criterion, the NRC staff finds that there are no related requirements relevant to this request. Therefore, the NRC staff finds that the fourth criterion has been satisfied.

4.5 Summary

Based on the review above, the NRC staff finds that the licensee has adequately addressed all the regulatory requirements set forth in 10 CFR 50.55a(g)(4)(iv).

5.0 CONCLUSION

As set forth above, NRC staff finds that the licensee has adequately addressed all of the regulatory requirements set forth in 10 CFR 50.55a(g)(4)(iv). Therefore, the NRC staff concludes that the use of subparagraph IWA-4540(b) of the 2017 Edition of the ASME BPV Code, Section XI, is acceptable. The NRC staff approves the use of subparagraph IWA-4540(b) of the 2017 Edition of the ASME BPV Code, Section XI, at Comanche Peak, Unit No. 1 for the third and fourth ISI interval, or until such time as the licensee updates the Comanche Peak, Unit No. 1 ISI program to the 2017 or later Edition of ASME Code, Section XI, and at Comanche Peak, Unit No. 2, for the third ISI interval.

All other ASME BPV Code, Section XI requirements which are not modified by the NRC staff's approval of the licensee's request remain applicable, including third-party review by the Authorized Nuclear Inservice Inspector.

Principal Contributor: Dennis Galvin

Date: August 17, 2020

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ADAMS Accession No. ML20226A013***via e-mail**

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