

February 10, 2000

Mr. Guy G. Campbell, Vice President - Nuclear
FirstEnergy Nuclear Operating Company
5501 North State Route 2
Oak Harbor, OH 43449-9760

SUBJECT: AUTHORIZATION OF AN ALTERNATIVE TO 10 CFR 50.55a(f)(4)(ii)
REGARDING SCHEDULE FOR SUBMITTING AN INSERVICE TESTING
PROGRAM PLAN UPDATE - DAVIS-BESSE NUCLEAR POWER STATION
(TAC NO. MA7958)

Dear Mr. Campbell:

By letter dated January 5, 2000 (Serial Number 2632), the FirstEnergy Nuclear Operating Company (FENOC or the licensee) requested the NRC to authorize an alternative to the regulations pursuant to 10 CFR 50.55a(a)(3)(i) that would revise the start of its third 120-month inservice test (IST) interval for the Davis-Besse Nuclear Power Station. The regulations in 10 CFR 50.55a(f)(4)(ii) require that inservice tests comply with the requirements of the latest Edition and Addenda of the Code incorporated by reference in 10 CFR 50.55a(b) 12 months prior to the start of the 120-month interval subject to the limitations and modifications listed therein.

The current second 120-month interval for the Davis-Besse plant ends on September 12, 2000. The effective Code Edition and Addenda on September 12, 1999, was the 1989 Edition (no Addenda) of the ASME Boiler and Pressure Vessel Code, Section XI. It should be noted that shortly thereafter on September 22, 1999, the 1995 Edition including the 1996 Addenda of the ASME Code for the Operation and Maintenance of Nuclear Power Plants (OM Code) was incorporated by reference into 10 CFR 50.55a for the inservice testing of pumps and valves. The licensee requested authorization pursuant to 10 CFR 50.55a(a)(3)(i) to begin its third 120-month IST interval no later than February 1, 2002. The extra time is needed for the development and approval of a risk-informed inservice testing (RI-IST) program. During this extension period, the licensee plans to incrementally convert its IST Program Plan to the 1995 Edition including the 1996 Addenda of the ASME OM Code. The licensee plans to develop and submit its RI-IST plan to the NRC in a staggered manner on approximately a six-month interval. The licensee plans to submit its RI-IST program for air-operated valves during the first quarter of 2000, followed by its RI-IST programs for motor-operated valves and possibly check valves and other components at approximately six-month intervals. By January 2002, the licensee plans to complete its third 120-month interval IST program update for the Davis-Besse Nuclear Power Station to the 1995 Edition including the 1996 Addenda of the ASME OM Code for any components not included in the RI-IST Program Plan.

During this extended period, the licensee will continue to test its pumps and valves to the Code requirements approved for the second 120-month interval. The Davis-Besse IST program is

currently based on the 1986 Edition (no Addenda) of the ASME Boiler and Pressure Vessel Code, Section XI. The NRC staff finds that the use of the current Code of Record for IST (i.e., 1986 Edition of the ASME Code, Section XI) for an additional 17 months from September 12, 2000, to February 1, 2002, will continue to provide assurance of the operational readiness of safety-related pumps and valves in the Davis-Besse plant. The licensee's proposed delay in updating its Code of Record is needed to support development of a RI-IST program which is consistent with NRC's policy statement on use of probabilistic risk assessment (60 FR 42622) and would not cause undue risk to the health and safety of the public. Because the 1995 Edition including the 1996 Addenda of the ASME OM Code was incorporated by reference into the regulations in 10 CFR 50.55a(b) on September 22, 1999 (64 FR 51370), its use is acceptable. The staff also notes that if a later Edition and/or Addenda of the ASME OM Code is incorporated by reference into the regulations prior to February 1, 2001, the licensee may continue to use the 1995 Edition including the 1996 Addenda of the ASME OM Code for developing its third 120-month interval IST program.

Therefore, the staff concludes that the licensee's proposal to delay start of its third 120-month interval for IST for the Davis-Besse plant to no later than February 1, 2002, and to use the 1995 Edition including the 1996 Addenda of the OM Code for its third 120-month interval IST program update is authorized pursuant to 10 CFR 50.55a(a)(3)(i) on the basis that the alternative provides an acceptable level of quality and safety.

Sincerely,

/RA/

Anthony J. Mendiola, Chief, Section 2
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

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cc: See next page

currently based on the 1986 Edition (no Addenda) of the ASME Boiler and Pressure Vessel Code, Section XI. The NRC staff finds that the use of the current Code of Record for IST (i.e., 1986 Edition of the ASME Code, Section XI) for an additional 17 months from September 12, 2000, to February 1, 2002, will continue to provide assurance of the operational readiness of safety-related pumps and valves in the Davis-Besse plant. The licensee's proposed delay in updating its Code of Record is needed to support development of a RI-IST program which is consistent with NRC's policy statement on use of probabilistic risk assessment (60 FR 42622) and would not cause undue risk to the health and safety of the public. Because the 1995 Edition including the 1996 Addenda of the ASME OM Code was incorporated by reference into the regulations in 10 CFR 50.55a(b) on September 22, 1999 (64 FR 51370), its use is acceptable. The staff also notes that if a later Edition and/or Addenda of the ASME OM Code is incorporated by reference into the regulations prior to February 1, 2001, the licensee may continue to use the 1995 Edition including the 1996 Addenda of the ASME OM Code for developing its third 120-month interval IST program.

Therefore, the staff concludes that the licensee's proposal to delay start of its third 120-month interval for IST for the Davis-Besse plant to no later than February 1, 2002, and to use the 1995 Edition including the 1996 Addenda of the OM Code for its third 120-month interval IST program update is authorized pursuant to 10 CFR 50.55a(a)(3)(i) on the basis that the alternative provides an acceptable level of quality and safety.

Sincerely,
/RA/
 Anthony J. Mendiola, Chief, Section 2
 Project Directorate III
 Division of Licensing Project Management
 Office of Nuclear Reactor Regulation

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*See 1/18/00 memo from DTerao to AMendiola

**See previous concurrence

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