



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

August 14, 2019

Mr. Paul Fessler
Senior Vice President and
Chief Nuclear Officer
DTE Electric Company
Fermi 2 – 260 TAC
6400 North Dixie Highway
Newport, MI 48166

SUBJECT: FERMI 2 – WITHDRAWAL OF REQUESTED LICENSING ACTION RE:
SUBMITTAL OF VALVE RELIEF REQUESTS FOR THE INSERVICE TESTING
PROGRAM FOURTH 10-YEAR INTERVAL (EPID L-2019-LLR-0056 AND
L-2019-LLR-0058)

Dear Mr. Fessler:

By letter dated June 14, 2019, DTE Energy Company (DTE) submitted an application containing four relief requests (RRs) for Fermi 2 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML19165A134). The requested RRs are:

- VRR-004, “Relief to Utilize Diagnostic Testing to Confirm Obturator Verification”
- VRR-006, “Alternative for Preservice Testing of Butterfly Valves”
- VRR-007, “Relief from Conducting Obturator Verification for Certain Power Operated Valves
- VRR-009, “Alternative for Motor Operated Valve Preservice/Inservice Testing”

The acceptance review was performed to determine if there is sufficient technical information in scope and depth to allow the U.S. Nuclear Regulatory Commission (NRC) staff to complete its detailed technical review. The purpose of this letter is to provide the results of the staff's acceptance review which is intended to identify whether the application has any clear information insufficiencies in its characterization of the regulatory requirements or the licensing basis of the plant.

Pursuant to Sections 50.55a(z)(1) and 50.55a(z)(2) of Title 10 of the *Code of Federal Regulations* (10 CFR), the applicant shall demonstrate that the proposed alternatives would provide an acceptable level of quality and safety, or that compliance with the specified requirements of Section 50.55a would result in hardship or unusual difficulty without a compensating increase in the level of quality or safety.

By email dated, July 16, 2019, NRC staff notified you by email (ADAMs Accession No. ML19197A348) that VRR-006 and VRR-009 contained sufficient information to start the technical review.

By letter dated August 7, 2019, you requested the withdrawal of RRs VRR-004 and VRR-009 (ADAMS Accession No. ML19219A104). The NRC staff acknowledges your request and the associated Cost Activity Code number has been closed; however, if you decide to re-submit the request, it should include the following information:

RR VRR-004

DTE requested relief from the requirement in ASME OM Code [American Society of Mechanical Engineers Operation and Maintenance Code], ISTC-3700, "Position Verification Testing," and 10 CFR 50.55a(b)(3)(xi), "OM Condition: Valve Position Indication," for the 23 valves listed in the RR. DTE requested to use diagnostic testing instead of local observation and other indications of obturator movement, and to perform obturator verification every 10 years or less rather than the 2-year position indication test frequency of ISTC-3700.

- (a) The description of diagnostic testing to be performed and the methods used to complete the obturator verification requirement is not sufficiently described for the valves.
- (b) The application states that the diagnostic interval can reach a maximum frequency of 10 years based on the currently recommended ASME OM Code 2017 Edition Appendix IV for high safety significant valves.
 - i. It is not clear to the NRC staff if Fermi 2 will adopt the ASME OM Code 2017 Edition Mandatory Appendix IV requirements for the 23 valves listed. If so, Appendix IV still requires obturator verification per ISTC-3700 every 2 years. Explanation of exceeding this interval and the reasons why it is acceptable is needed.
 - ii. The maximum diagnostic test interval frequency in Appendix IV is 10 years. The RR contains no discussion of how the interval is established (e.g., are there two successful tests at a reduced interval before extending?). There is also no discussion of how a valve test failure will affect the test interval. Does the test interval consider valve risk and margin?
 - iii. The alternative request mixes portions of mandatory Appendix III requirements with Appendix IV. The request needs to be more specific regarding which Appendix is being requested.
- (c) The NRC staff considers the proposal to be an alternative to the ASME OM Code requirements. Please clarify if the request is an alternative request pursuant to 10 CFR 50.55a(z) or some other regulation.

RR VRR-007

DTE requested relief from 10 CFR 50.55a(b)(3)(xi) for obturator position verification for 63 valves listed in the RR. DTE proposed to supplement valve position indication with other indications to provide assurance of proper obturator position, except in those cases identified in the RR where obturator verification is not necessary or results in a hardship or unusual difficulty without a compensating increase in the level of quality and safety. In an attachment to the RR, DTE provided its description of the various bases for each valve to

exclude obturator position verification through other indications as required by 10 CFR 50.55a(b)(3)(xi).

The description of the alternative indications that will be used to provide assurance of proper obturator position and the methods used to complete the obturator verification requirement is not sufficiently described for the valves for the NRC staff to make complete its acceptance review.

If you have any questions, please contact the Project Manager, Sujata Goetz, at (301) 415-8004.

Sincerely,

/RA/

Sujata Goetz, Project Manager
Plant Licensing Branch III
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No.: 50-341

cc: Listserv

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L-2019-LLR-0058) DATED AUGUST 14, 2019

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ADAMS Accession No. ML19219A775

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