



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

December 1, 2020

LICENSEE: EXELON GENERATION COMPANY, LLC

FACILITIES: BRAIDWOOD STATION, UNITS 1 AND 2; BYRON STATION, UNIT NOS. 1 AND 2; CALVERT CLIFFS NUCLEAR POWER PLANT, UNITS 1 AND 2; CLINTON POWER STATION, UNIT NO. 1; DRESDEN NUCLEAR POWER STATION, UNITS 2 AND 3; JAMES A. FITZPATRICK NUCLEAR POWER PLANT; LASALLE COUNTY STATION, UNITS 1 AND 2; LIMERICK GENERATING STATION, UNITS 1 AND 2; NINE MILE POINT NUCLEAR STATION, UNITS 1 AND 2; PEACH BOTTOM ATOMIC POWER STATION, UNITS 2 AND 3; QUAD CITIES NUCLEAR POWER STATION, UNITS 1 AND 2; AND R. E. GINNA NUCLEAR POWER PLANT

SUBJECT: SUMMARY OF NOVEMBER 4, 2020, MEETING WITH EXELON GENERATION COMPANY, LLC REGARDING A PLANNED REQUEST FOR AN ALTERNATIVE TO REDUCE THE FREQUENCY OF UPDATES TO ITS INSERVICE TESTING AND INSPECTION PROGRAMS (EPID L-2020-LRM-0089)

On November 4, 2020, a Category 1 public meeting was held between the U.S. Nuclear Regulatory Commission (NRC or Commission) staff and representatives of Exelon Generation Company, LLC (Exelon). The purpose of the meeting was to discuss a proposed alternative to certain requirements in Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.55a, "Codes and standards," for the subject facilities. The meeting notice and agenda are available in the Agencywide Documents Access and Management System (ADAMS) at Accession No. ML20294A032. A copy of Exelon's presentation is available in ADAMS at Accession No. ML20261G732. A list of attendees is enclosed.

Background

The regulations in 10 CFR 50.55a include, in part, requirements for the use of Section XI of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code (BPV Code) and the ASME Code for Operation and Maintenance of Nuclear Power Plants (OM Code) for the inservice inspection (ISI) and inservice testing (IST) of nuclear power plants. Specific editions and addenda of these ASME Codes have been incorporated by reference into 10 CFR 50.55a, subject to certain limitations. Every 10 years, licensees are required to update their ISI and IST programs to the latest editions and addenda of the applicable ASME Code incorporated by reference in 10 CFR 50.55a.

Discussion

For the subject facilities, Exelon proposes to reduce the frequency of updates to the ISI and IST programs from every 10 years to every 24 years. Under this proposal, each facility would remain on the current code of record for two consecutive 12-year intervals. Exelon plans to submit this proposal as a fleetwide alternative request under 10 CFR 50.55a(z). Exelon stated

that it would be ready to submit in early December 2020. As part of this proposed alternative, Exelon would request an extension of the current and next ISI and IST intervals from 10 years to 12 years. Exelon would request the next ISI and IST intervals to start when the current extended intervals end. Specific details regarding the request are included in Exelon's presentation.

Exelon believes that its proposed alternative could be approved under 10 CFR 50.55a(z) based on a plain-language reading of the rule. The regulations in 10 CFR 50.55a(z) allow the NRC staff to approve alternatives to paragraphs (b) through (h) of 10 CFR 50.55a if the licensee demonstrates that (1) the proposed alternative provides an acceptable level of quality and safety or (2) the specific requirements in 10 CFR 50.55a result in a hardship without a compensating increase in quality and safety. Exelon stated that it could meet both criteria under 10 CFR 50.55a(z). In addition, Exelon believes that the Commission policy in the Staff Requirements Memorandum (ADAMS Accession No. ML003702722) for SECY-00-0011, "Evaluation of the Requirement for Licensees to Update Their Inservice Inspection and Inservice Testing Programs Every 120 Months" (ADAMS Accession No. ML003675659), does not preclude the NRC staff from approving its proposed alternative.

Exelon stated that the basis for its proposed alternative would be generic, rather than plant specific. The NRC staff stated that it would expect the application for the proposed alternative to include a comparison between the current code of record at each site and the specific edition or addenda of the applicable ASME Codes that will not be implemented or not implemented on schedule. Typically, the NRC staff reviews proposed alternatives against the requirements in 10 CFR 50.55a and the applicable ASME Codes. Exelon stated that it could not provide this information because it does not know which editions and addenda of the applicable ASME Codes will be incorporated into 10 CFR 50.55a in the future.

The NRC staff noted that the NRC Embark Venture Studios (Embark) recommended (ADAMS Accession No. ML20153A752) rulemaking to relax the requirement to update the ISI and IST programs every 10 years following the update to the 2019 or later edition of the ASME BPV Code and the 2020 or later edition of the ASME OM Code. The NRC staff asked if Exelon planned to update its current ISI and IST programs to support its proposed alternatives. Exelon stated that it planned to remain on the currently applicable ASME Code editions for each facility. Exelon stated it had considered creating a review process that would evaluate the need for potential program updates for the next interval, but this was not part of the proposed alternative presented. Exelon stated that the application could discuss its plan to update the ISI and IST programs after 24 years. However, the NRC staff noted that this would not be helpful since the update requirements in 10 CFR 50.55a would apply after the alternative had ended.

Exelon's presentation (Slide 6) provided a list of precedents that it had identified to support its proposed alternative. The NRC staff noted that the listed precedents relate to ISI and IST interval extensions or synchronization of these intervals. The NRC staff asked if Exelon had identified any precedents to support remaining on the same edition of the ASME Code for another interval. Exelon stated that they were not aware of any such precedents. The NRC staff also asked Exelon if it had identified any precedents for extending a future interval. Exelon stated that they were not aware of any such precedents.

The NRC staff described two relevant precedents which would not support Exelon's proposed fleet alternative to skip the next update to its ISI and IST programs. In October 1993 (ADAMS Accession No. ML20059A516), Entergy Operations, Inc. (Entergy) submitted a proposed alternative for its fleet to indefinitely remain on the ASME Code editions and addenda applicable

at the time of its submittal. Subsequently, the NRC staff informed Entergy that its proposed alternative had generic implications that would be addressed through rulemaking and the review of the request was suspended. As discussed in SECY-00-0011, the Commission ultimately disapproved this rulemaking.

In January 1996 (ADAMS Accession No. ML20096B393), Entergy submitted a proposed alternative to the update requirements in 10 CFR 50.55a that would allow its plants to remain on the current code of record for IST for the next interval. At the time of its submittal, the required edition of the ASME BPV Code, Section XI, for the next interval was known. The NRC staff denied Entergy's January 1996 request due to insufficient plant-specific information (ADAMS Package Accession No. ML20107F554). During the meeting with Exelon, the staff stated that the NRC safety evaluation for this denial described the plant-specific information that licensees would need to provide to support future requests of this type. Specifically, licensees would need to provide a comparison between the current code of record and the latest edition of the ASME BPV Code, Section XI, incorporated by reference in 10 CFR 50.55a.

The NRC staff asked if Exelon had considered requesting an exemption. Exelon stated it had considered using an exemption, but an alternative request appeared to be easier. Specifically, Exelon indicated that it considered using the hardship provision in 10 CFR 50.12, "Specific exemptions." The NRC staff asked Exelon to explain the hardship and identify what has changed. Exelon noted that the process of updating its ISI and IST programs results in significant financial burden due to the need to update plant documents and perform training.

The NRC staff stated that it would review and respond, as appropriate, to any licensing action that Exelon submitted. However, the staff believes the changes that Exelon is seeking should be implemented through a revision of 10 CFR 50.55a. The reasons provided in the presentation do not appear to be unique to Exelon. Therefore, it would be beneficial to consider the views of the broader industry and other stakeholders regarding Exelon's proposed changes. Additionally, the staff stated that Exelon should consider working through the ASME consensus committees to revise the ISI and IST intervals.

The NRC staff stated that it is in the process of obtaining the necessary alignment and approvals to pursue a rulemaking action based on the Embark recommendations. If approved, the staff intends to implement such a rule change as soon as feasible. To the extent allowed by NRC processes, the staff would keep stakeholders informed of the progress of any such rulemaking.

Two people provided comments during the public comment period. An official from the Pennsylvania Department of Environmental Quality asked if Exelon had received any significant violations related to ISI or IST. The NRC staff noted that it was not prepared to discuss specific violations at this meeting due to the large size of the Exelon fleet. The official also noted that plant safety should be preserved when considering the proposed alternative. An Exelon representative at the Nuclear Energy Institute stated that current levels of safety would be preserved under the proposed alternative.

Public meeting feedback forms were not received. Please direct any inquiries to me at 301-415-1380 or Blake.Purnell@nrc.gov.

/RA/

Blake Purnell, Project Manager
Plant Licensing Branch III
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. STN 50-456, STN 50-457,
STN 50-454, STN 50-455, 50-317, 50-318,
50-461, 50-237, 50-249, 50-333, 50-373,
50-374, 50-352, 50-353, 50-220, 50-410,
50-277, 50-278, 50-254, 50-265, and 50-244

Enclosure:
List of Attendees

cc: Listserv

LIST OF ATTENDEES

NOVEMBER 4, 2020, MEETING WITH EXELON GENERATION COMPANY, LLC

Name	Affiliation
Blake Purnell	NRC
Matthew Mitchell	NRC
Angela Buford	NRC
Anna Bradford	NRC
Tom Scarbrough	NRC
David Rudland	NRC
David Wrona	NRC
Rob Kuntz	NRC
Michael Benson	NRC
Mary Woods	NRC
Sheldon Clark	NRC
Keith Hoffman	NRC
Hipo Gonzalez	NRC
Tania Martinez Navedo	NRC
Matthew Domke	NRC
Thomas Loomis	Exelon
Jason Zorn	Exelon
David Gudger	Exelon
Shannon Rafferty-Czincila	Exelon
Glenn Weiss	Exelon
Mark DiRado	Exelon
Darani Reddick	Exelon
Josh Sarrafian	Exelon
Brendan Casey	Exelon
Ramon Cruz	Exelon
Michael Gillin	Exelon
Thomas Basso	Exelon/Nuclear Energy Institute
Scott Chesworth	Structural Integrity Associates, Inc.
Daniel Lamond	True North Consulting
Rich Janati	Pennsylvania Department of Environmental Protection
Brad Fuller	Pennsylvania Department of Environmental Protection
David Lafleur	Pennsylvania Department of Environmental Protection

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 RidsNrrPMLaSalle Resource
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 SClark, OGC
 BHarris, OGC
 TCampbell, OGC
 MWoods, OGC
 JScro, OGC
 MDomke, RIII

ADAMS Accession No. ML20323A033

***via e-mail**

OFFICE	NRR/DORL/LPL3/PM*	NRR/DORL/LPL3/LA*	NRR/DNRL/NPHP/BC*
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DATE	11/30/2020	11/18/2020	11/30/2020
OFFICE	NRR/DORL/LPL3/BC*	NRR/DORL/LPL3/PM*	
NAME	NSalgado	BPurnell	
DATE	12/01/2020	12/01/2020	

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