

NUCLEAR REGULATORY COMMISSION

Proposed Generic Communication; Boiling Water Reactor Licensees Use of the BWRVIP-05 Report To Request Relief from Augmented Examination Requirements on Reactor Pressure Vessel Circumferential Shell Welds (MA1689)

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of opportunity for public comment.

SUMMARY: The Nuclear Regulatory Commission (NRC) is proposing to issue a generic letter to all holders of operating licenses for boiling-water reactors (BWRs), except those who have permanently ceased operations, and have certified that fuel has been permanently removed from the reactor vessel, to inform addressees that the NRC staff has completed its review of the "BWR Vessel and Internals Project (BWRVIP), BWR Reactor Pressure Vessel Shell Weld Inspection Recommendations (BWRVIP-05)," and that licensees of BWRs may request permanent (i.e., for the remaining term of operation under the existing, initial license) relief from the inservice inspection requirements of 10 CFR 50.55a(g) for the volumetric examination of circumferential reactor pressure vessel (RPV) welds. No specific action or written response is required.

The NRC is seeking comment from interested parties on both the technical and regulatory aspects of the proposed generic letter presented under the Supplementary Information heading.

The proposed generic letter has been endorsed by the Committee to Review Generic Requirements (CRGR). Relevant information that was sent to the CRGR will be placed in the NRC Public Document Room. The NRC will consider comments received from interested parties in the final evaluation of the proposed generic letter. The NRC's final evaluation will include a review of the technical position and, as appropriate, an analysis of the value/impact on licensees. Should this generic letter be issued by the NRC, it will become available for public inspection in the NRC Public Document Room.

DATES: Comment period expires September 8, 1998. Comments submitted after this date will be considered if it is practical to do so, but assurance of consideration cannot be given except for comments received on or before this date.

ADDRESSEES: Submit written comments to Chief, Rules and Directives Branch,

Division of Administrative Services, U.S. Nuclear Regulatory Commission, Mail Stop T6-D69, Washington, DC 20555-0001. Written comments may also be delivered to 11545 Rockville Pike, Rockville, Maryland, between 7:45 am to 4:15 pm, Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, 2120 L Street, NW (Lower Level), Washington, DC.

FOR FURTHER INFORMATION, CONTACT: Gene Carpenter, (301) 415-2169.

SUPPLEMENTARY INFORMATION:

Addresses

All holders of operating licenses for boiling-water reactors (BWRs), except those who have permanently ceased operations and have certified that fuel has been permanently removed from the reactor vessel.

Purpose

The U.S. Nuclear Regulatory Commission (NRC) is issuing this generic letter to inform addressees that the NRC staff has completed its review of the "BWR Vessel and Internals Project (BWRVIP), BWR Reactor Pressure Vessel Shell Weld Inspection Recommendations (BWRVIP-05)," and that licensees of BWRs may request permanent (i.e., for the remaining term of operation under the existing, initial, license) relief from the inservice inspection requirements of 10 CFR 50.55a(g) for the volumetric examination of circumferential reactor pressure vessel (RPV) welds. No specific action or written response is required.

Background

By letter dated September 28, 1995, as supplemented by letters dated June 24 and October 29, 1996, May 16, June 4, June 13, and December 18, 1997, and January 13, 1998, the BWRVIP submitted the Electric Power Research Institute (EPRI) proprietary report TR-105697, "BWR Vessel and Internals Project [BWRVIP], BWR Reactor Pressure Vessel Shell Weld Inspection Recommendations (BWRVIP-05)." The BWRVIP-05 report evaluates the current inspection requirements for the reactor pressure vessel shell welds in BWRs, formulates recommendations for alternative inspection requirements, and provides a technical basis for these recommended requirements. It initially proposed to reduce the scope of inspection of the BWR reactor pressure vessel (RPV) welds from essentially 100 percent of all RPV shell welds to 50 percent of the axial welds and zero percent of the circumferential welds; however, as modified, it proposes to perform inservice inspections (ISI) on

essentially 100 percent of the RPV axial shell welds, and essentially zero percent of the circumferential RPV shell welds, except for the intersections of the axial and circumferential welds.

Approximately 2-3 percent of the circumferential welds will be inspected under this proposal.

On August 7, 1997, the NRC issued Information Notice (IN) 97-63, "Status of NRC Staff's Review of BWRVIP-05," regarding licensee requests for relief. IN 97-63 stated that the staff would "* * * consider technically-justified requests for reliefs from the augmented examination in accordance with 10 CFR 50.55a(a)(3)(i), 10 CFR 50.55a(a)(3)(ii), and 50.55a(g)(6)(ii)A(5) from BWR licensees who are scheduled to perform inspections of the BWR RPV circumferential shell welds during the fall 1997 or spring 1998 outage seasons". The staff issued schedular reliefs for inspections of the BWR RPV circumferential shell welds due during the fall 1997 outage season for four units who submitted technically-justified requests, and has issued schedular reliefs for two units during the spring 1998 outage season.

On May 7, 1998, the staff issued IN 97-63, Supplement 1, which informed BWR licensees that the staff was extending the period in which it would "* * * consider technically justified requests for relief from the augmented examination in accordance with 10 CFR 50.55a(a)(3)(i), 50.55a(a)(3)(ii), and 50.55a(g)(6)(ii)A(5) from BWR licensees who are scheduled to perform inspections of the BWR RPV circumferential shell welds during the fall 1998 or spring 1999 outage seasons. Acceptably justified relief would be considered for inspection delays of up to two operating cycles for BWR RPV circumferential shell welds only. Licensees will still need to perform their required inspections of "essentially 100 percent" of all axial welds."

Discussion

The staff has completed its final review of the information submitted by the BWRVIP and the staff's safety evaluation (SE) was transmitted to Carl Terry, Chairman of the BWRVIP, in a letter dated July 28, 1998.

The staff previously concluded that beyond design-basis events occurring during plant shutdown could lead to cold over-pressure events that could challenge vessel integrity. The industry's response concluded that condensate and control rod drive pumps could cause conditions that could lead to cold over-pressure events that could challenge vessel integrity. The BWRVIP's estimate of the frequency of

over-pressurization events that could challenge the RPV is $9.5 \times 10^{-4}/\text{yr}$ for BWR-4 facilities and $9 \times 10^{-4}/\text{yr}$ for other than BWR-4 facilities. After accounting for actual injections which were not included in the BWRVIP analysis, the staff conservatively estimates that the total frequency could be as high as $1 \times 10^{-3}/\text{yr}$ (a point estimate).

The initial industry review determined that the failure frequency of circumferential welds was $2.2 \times 10^{-41}/\text{yr}$. This frequency was determined using importance sampling, generic weld variables and design basis events. Subsequent analyses using "Monte Carlo" calculation methods, plant-specific weld variables and pressures and temperatures associated with cold over-pressure events, determined that the limiting plant-specific conditional probability of vessel failure, $P(F|E)$ for circumferential welds at 32 effective full power years (EFPY) were 1×10^{-6} from the BWRVIP's re-analysis and 8.2×10^{-6} from the NRC staff's analysis. Combining the frequency of cold over-pressure events with the $P(F|E)$, the BWRVIP failure frequency for the limiting circumferential welds was $9.0 \times 10^{-10}/\text{yr}$ [$(9 \times 10^{-4}/\text{yr}$ event frequency for a BWR-3) \times (1.0×10^{-6} conditional probability of failure)]. The limiting plant-specific failure frequency for circumferential welds at 32 EFPY was determined by the staff to be $8.2 \times 10^{-8}/\text{yr}$ [$(1 \times 10^{-3}/\text{yr}$ event frequency) \times (8.2×10^{-5} $P(F|E)$)]. As depicted in NUREG 1560, Vol. I, core damage frequencies (CDF) for BWR plants were reported to be approximately $10^{-7}/\text{yr}$ to $10^{-4}/\text{yr}$. In addition, Regulatory Guide (RG) 1.154 indicates that PWR plants are acceptable for operation if the plant-specific analyses predict the mean frequency of through-wall crack penetration for pressurized thermal shock events is less than $5 \times 10^{-6}/\text{yr}$. The failure frequencies of circumferential welds in BWR vessels are significantly below the criteria specified in RG 1.154.

RG 1.174 provides guidelines as to how defense-in-depth and safety margins are maintained, and states that a risk assessment should be used to address the principle that proposed increases in risk, and their cumulative effect, are small and do not cause the NRC Safety Goals to be exceeded. The estimated failure frequency of the BWR RPV circumferential welds is well below the acceptable core damage frequency (CDF) and large early release frequency (LERF) criteria discussed in RG 1.174. Although the frequency of RPV weld failure can not be directly compared to the frequencies of core damage or large early release, the staff

believes that the estimated frequency of RPV circumferential weld failure bounds the corresponding CDF and LERF that may result from a vessel weld failure. On the above bases, the staff has concluded that the BWRVIP-05 proposal, as modified, to eliminate BWR vessel circumferential weld examinations, is acceptable.

Permitted Action

BWR licensees may request permanent (i.e., for the remaining term of operation under the existing, initial, license) relief from the inservice inspection requirements of 10 CFR 50.55a(g) for the volumetric examination of circumferential reactor pressure vessel welds (ASME Code Section XI, Table IWB-2500-1, Examination Category B-A, Item 1.11, Circumferential Shell Welds) by demonstrating that: (1) At the expiration of their license, the circumferential welds will continue to satisfy the limiting conditional failure probability for circumferential welds in the staff's July 28, 1998, safety evaluation, and (2) licensees have implemented operator training and established procedures that limit the frequency of cold over-pressure events to the amount specified in the staff's July 28, 1998, safety evaluation. Licensees will still need to perform their required inspections of "essentially 100 percent" of all axial welds.

This generic letter requires no specific action or written response. Any action on the part of addressees to request relief from the inservice inspection requirements of 10 CFR 50.55a(g) for the volumetric examination of the circumferential reactor pressure vessel welds, in accordance with the guidance of this generic letter, is strictly voluntary.

Dated at Rockville, Maryland, this 31st day of July 1998.

For the Nuclear Regulatory Commission,
Jack W. Roe,
Acting Director, Division of Reactor Program Management, Office of Nuclear Reactor Regulation.

[FR Doc. 98-21166 Filed 8-6-98; 8:45 am]
BILLING CODE 7590-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. IC-23370, 812-10800]

Bankers Trust Company, et al.; Notice of Application

July 31, 1998.

AGENCY: Securities and Exchange Commission ("SEC").

ACTION: Notice of application for an order under sections 6(c) and 17(b) of the Investment Company Act of 1940 (the "Act") for an exemption from sections 17(a) and 17(e) of the Act, under section 12(d)(1)(J) of the Act for an exemption from section 12(d)(1) of the Act, and under section 17(d) of the Act and rule 17d-1 under the Act to permit certain joint transactions.

SUMMARY OF APPLICATION: Applicants request an order to permit certain registered management investment companies to use cash collateral from securities lending transactions ("Cash Collateral") to purchase shares of an affiliated registered management investment company (the "Trust"), and to pay fees based on a share of the revenue generated from securities lending transactions to Bankers Trust Company ("Bankers Trust"). The order also would permit Bankers Trust and certain of its affiliates to engage in principal securities transactions with, and receive brokerage commissions from, certain other registered investment companies that are affiliated with Bankers Trust solely as a result of investing Cash Collateral in the Trust.

Applicants: Bankers Trust; Cash Management Portfolio, Treasury Money Portfolio, Tax Free Money Portfolio, NY Tax Free Money Portfolio, International Equity Portfolio, Equity 500 Index Portfolio, Short/Intermediate U.S. Government Securities Portfolio, Asset Management Portfolio, Capital Appreciation Portfolio, Intermediate Tax Free Portfolio, BT Investment Portfolios and future series of the foregoing; the Trust, BT Investment Funds, BT Insurance Funds Trust, BT Pyramid Mutual Funds, BT Advisor Funds and future series of the foregoing; Fidelity Commonwealth Trust in respect of its Spartan Market Index Fund, Fidelity Concord Street Trust in respect of its Spartan extended Market Index Fund, Spartan International Index Fund, Spartan Total Market Index Fund, and Spartan US Equity Index Fund, and Fidelity Variable Insurance Products Fund II in respect of its Index 500 Portfolio, and any other registered open-end or closed-end management investment company advised or sub-advised, or that invests substantially all of its assets in a registered investment company advised or subadvised, by bankers Trust or an entity controlling, controlled by or under common control with bankers Trust (each a "BT Entity") (collectively, "Affiliated Lending Funds"); and Institutional Daily Assets Fund (the "Money Fund"), and any series of the Trust or other registered management investment companies