

March 21, 2000

MEMORANDUM TO: Joram Hopenfeld  
Engineering Research Applications Branch  
Division of Engineering Technology  
Office of Nuclear Regulatory Research

FROM: William D. Travers */RA by F. Miraglia Acting For/*  
Executive Director for Operations

Subject: AD HOC REVIEW PANEL FOR "DIFFERING PROFESSIONAL  
OPINION ON STEAM GENERATOR TUBE INTEGRITY ISSUES"

This memorandum is in response to your March 13, 2000, memorandum regarding the appointment of the third member of the ad hoc review panel being formed to address your Differing Professional Opinion (DPO) on Steam Generator Tube Integrity Issues.

Management Directive (MD) 10.159 was developed to provide a structured internal process for staff members to express their professional judgments when they differ from an agency position, policy, or decision concerning issues directly related to the mission of the NRC. The process allows the EDO or Commission to utilize technically qualified sources both inside and outside the NRC to assist in reviewing the issues.

The attached memoranda chronicle our dialogue concerning the membership of the DPO panel. I regret that we have been unsuccessful in reaching agreement; however, it is important that we proceed with the review. Consequently, consistent with the intent of MD 10.159, I have decided to appoint Mr. Joseph Murphy to the panel as its third member. Additionally, I continue to feel that the appointment of Mr. Wayne Hodges to the panel is consistent with the intent of the MD which maintains that panel members should not have directly or substantially participated in the formulation of the agency position, to the extent possible. The DPO panel is charged with providing recommendations to me for disposition of the DPO issues. I am confident of the competency of the three panel members and expect that they will conduct the panel deliberations objectively and professionally. I acknowledge your desire to have external expertise on the panel and have made provisions for an individual from your list to provide technical support to the panel.

In your March 13, 2000, memorandum you requested that we place your memoranda dated February 23, March 1, and March 13, 2000, in the Public Document Room. This memorandum and its attachments which encompass all the correspondence on this issue, including those you requested, will be placed in the PDR.

Attachments:

- Memorandum, W. Travers to J. Wiggins and M. W. Hodges, "Appointment to Ad Hoc Review Panel for Differing Professional Opinion on Steam Generator Tube Integrity Issues," February 8, 2000 (ML003681414)
- Memorandum, J. Hopenfeld to W. Travers, "Appointment to Ad Hoc Review Panel for Differing Professional Opinion on Steam Generator Tube Integrity Issues, February 8, 2000," February 14, 2000
- Memorandum, J. Wiggins to J. Hopenfeld, "Nominations for DPO Panel Members," February 17, 2000
- Memorandum, W. Travers to J. Hopenfeld, "Appointment to Ad Hoc Review Panel for Differing Professional Opinion on Steam Generator Tube Integrity Issues," February 23, 2000 (ML003684908)
- Memorandum, J. Hopenfeld to J. Wiggins, "Nomination for DPO Panel Member," February 23, 2000
- Memorandum, J. Hopenfeld to W. Travers, "Appointment to Ad Hoc Review Panel for Differing Professional Opinion on Steam Generator Tube Integrity Issues," March 1, 2000
- Memorandum, W. Travers to J. Hopenfeld, "March 1, 2000, Memorandum from Joram Hopenfeld to William D. Travers Expressing Continuing Concern Over an Appointment to Ad Hoc Review Panel for Differing Professional Opinion on Steam Generator Tube Integrity Issues," March 10, 2000
- Memorandum, J. Wiggins to J. Hopenfeld, "Nominations for DPO Panel Member," March 10, 2000 (ML003690012)
- Memorandum, J. Hopenfeld to W. Travers and J. Wiggins, "Appointment to the Ad Hoc Review Panel for Differing Professional Opinion on Steam Generator Tube Integrity Issues," March 13, 2000

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