July 20, 2000

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

FROM: William D. Travers ***/RA/***
Executive Director for Operations

Subject: DIFFERING PROFESSIONAL OPINION ON STEAM GENERATOR TUBE INTEGRITY ISSUES

This memorandum is in response to your June 19, 2000, memorandum regarding the activities of the ad hoc review panel formed to address your Differing Professional Opinion (DPO) on Steam Generator Tube Integrity Issues.

Management Directive 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 to assist in reviewing the issues. The DPO panel is charged with providing recommendations to me for disposition of the DPO issues.

The scope of the DPO ad hoc review panel is defined in my November 1, 1999 memorandum to you and your response to me, dated December 16, 1999. The scope is defined as the issues addressed in the final DPO Consideration Document and your DPO Reply Document, including the attachments transmitted with these documents. Therefore, I believe the scope of the ad hoc panel review is not being arbitrarily limited. The scope includes all of the issues previously articulated in these memoranda.

It is my understanding that the schedule proposed by Mr. Wiggins was a preliminary plan which was created to provide a framework for the DPO review. Likewise, a tentative date for the completion of the review was set for planning purposes; however, all of the dates used to create the plan were projected dates, not firm commitments. Therefore, the preliminary plan was flexible and could have been modified to incorporate additional time needed to complete the pertinent technical issues.

Since February 8, 2000, several attempts have been made to convene an ad hoc panel to review the concerns raised in the DPO. Convening an ad hoc panel is the third step to resolving the DPO as defined in memorandum dated September 28, 1998. As you know, you played an important role in determining the composition of the most recent panel. However, most recently, Mr. Spence has requested to be relieved of his commitment to the ad hoc review

panel. It is important that we proceed with the review, therefore, I have requested that the Advisory Committee on Reactor Safeguards (ACRS) function as the equivalent of an ad hoc panel, under MD 10.159. The ACRS is an independent technical body composed of individuals who have broad expertise. Therefore, utilizing their expertise will provide an independent review by highly qualified technical individuals.

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*See previous concurrence

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