

April 10, 2001

Mr. John H. Ferguson
Vice President
Nuclear Codes and Standards
American Society of Mechanical Engineers
Three Park Avenue
New York, NY 10016-5990

Subject: ASME Letter Dated January 12, 2001, Regarding NRC Endorsement of Code Cases

Dear Mr. Ferguson:

In a letter dated January 12, 2001, to William D. Travers, Executive Director of Operations, you expressed the concerns of the American Society of Mechanical Engineers regarding the delay in the NRC's endorsement of ASME Code Cases and the NRC's planned changes in the endorsement process. Dr. Travers has responded to you separately. The purpose of this letter is to describe and document specific actions that the staff and the ASME representatives have undertaken.

I was pleased with the results of the discussions between the NRC staff and ASME representatives at the February 21, 2001, meeting. We will continue our efforts to improve the efficiency of the process to minimize the time necessary to endorse new editions, addenda, and Code Cases. The staff is working to complete its review of Code Cases published through February 2001 and is planning to issue for public comment a proposed revision to the regulatory guides, along with the associated proposed rule by late summer 2001.

At the February 21, 2001, meeting, there was agreement on the following eight action items for improving the NRC endorsement processes for the ASME Code and Code Cases.

- (1) The Section XI Subgroup on Repairs, Replacements and Modifications will conduct a 1-year pilot program that provides analysis of the technical basis and reasons for the Section XI Code changes and Code Cases. A determination will be made whether the analysis could provide information to support the NRC regulatory analysis and prioritization.
- (2) ASME BPV Code Subcommittee XI will take appropriate action to evaluate the number of Code Cases with the understanding that some Code Cases will always be required (e.g., Code Cases which address specific topics and are not to be generically applied).
- (3) The ASME Main Committee Secretary will provide letter ballot results on Code changes and Code Cases associated with the 1997 Addenda through the 2000 Addenda to help expedite the ongoing NRC rulemaking effort to incorporate the recent edition and addenda to the ASME Code by reference into the NRC's regulations.

- (4) The ASME will make its newly developed database for tracking Code actions available to NRC committee representatives to assist the NRC with prioritization, technical reviews, and developing a basis for decisions.
- (5) NRC representatives on ASME committees will identify potential differences with ASME positions that may result in NRC limitations or exceptions to Code revisions and Code Cases as soon as practicable; NRC representatives will submit proposed changes through the consensus process to attempt to resolve the issues.
- (6) The NRC staff will continue to pursue changes to the rulemaking process so that the practice of addressing Code Cases in regulatory guides (for over 25 years) is maintained. The staff is in the process of obtaining Commission approval for an amendment to 10 CFR 50.55a that would use the regulatory guides to endorse Code Cases.
- (7) NRC staff and ASME representatives agreed to establish more frequent periodic communications to discuss potential ways to further enhance the NRC endorsement of the ASME Code and Code Cases. For example, it was suggested that efficiencies in the ASME and NRC processes may be gained if ways to better utilize ASME and NRC resources could be identified.
- (8) Michael Mayfield, NRC Standards Executive, will report NRC's status on the following items at the ASME Board on Nuclear Codes and Standards meetings: (a) NRC endorsement of Code edition/addenda and Code Cases, (b) NRC action items resulting from the February 21, 2001, meeting, and (c) NRC action items that may result from future public meetings between the NRC staff and the ASME.

It was evident from the discussion of the action items during the March 30, 2001, teleconference that efforts to improve the endorsement process are progressing satisfactorily. The minutes for the teleconference are under development and will be e-mailed to the participants.

I appreciate the ASME's willingness to work with the staff to enhance the endorsement process. By working together, I am confident that we will be able to make significant improvements.

Sincerely,

/RA/ by Michael E. Mayfield
Michael E. Mayfield
NRC Standards Executive

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Michael E. Mayfield
NRC Standards Executive

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NAME	W. Norris*	N. Chokshi*	M. Mayfield	J. Strosnider*	Matthews
DATE	03/20/01	03/21/01	04/10/01	04/01/01	04/10/01

ROUTING AND TRANSMITTAL SLIP

DATE: April 12, 2001

TO:	INITIALS	DATE
1. W. Norris - initial/concurrence	WEN	03/20/01
2. F. Cherny - initial		
3. N. Chokshi - initial/concurrence	NCC	03/21/01
4. M. Mayfield -initial/concurrence		
5. J. Strosnider, NRR/DE - initial/concurrence		
6. D. Matthews, NRR/DRIP		
7. R. Lambert/dispatch		
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	<i>Action</i>		<i>File</i>		<i>Note and Return</i>
	<i>Approval</i>		<i>For Clearance</i>		<i>Per Conversation</i>
	<i>As Requested</i>		<i>For Correction</i>		<i>Prepare Reply</i>
	<i>Circulate</i>		<i>For Your Info</i>		<i>See Me</i>
X	<i>Comment</i>		<i>Investigate</i>	X	<i>Signature</i>
	<i>Coordination</i>		<i>Justify</i>	X	<i>Concurrence</i>

LETTER TO: J. Ferguson, ASME
 FROM: M. Mayfield
 SUBJECT: ASME LETTER DATED JANUARY 12, 2001, REGARDING NRC
 ENDORSEMENT OF CODE CASES

FROM: R. Lambert	Room No. T-10-E-6 Phone No. x5686
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