

MEMORANDUM FOR: William D. Travers
Executive Director for Operations

FROM: Samuel J. Collins, Director
Office of Nuclear Reactor Regulation

SUBJECT: DIFFERING PROFESSIONAL OPINION REGARDING THE
SIGNIFICANCE DETERMINATION PROCESS

On March 15, 2002, Mr. Troy Pruett, Region IV, submitted a memorandum to you requesting that the issues he raised regarding the significance determination process be further reviewed under the formal Differing Professional Opinion (DPO) procedures. The issues identified by Mr. Pruett were initially processed through the Differing Professional View (DPV) procedure by Region IV. This DPV was subsequently transferred to the Office of Nuclear Reactor Regulation (NRR) on January 24, 2002, as NRR-02-DPV-02, since the DPV raised issues that are programmatic and within the responsibility of NRR. The NRR Office Director's decision on the DPV was provided to Mr. Pruett in a memorandum dated January 24, 2002.

In accordance with Management Directive (MD) 10.159, the office director is to provide the Executive Director for Operations a statement of views on unresolved issues for consideration as a formal DPO. After reviewing the Mr. Pruett's submittal dated March 15, 2002, and applying the criteria of MD 10.159, it is not clear that any new significant information or unresolved issues are identified which were not already considered, addressed, or rejected pursuant to the DPV process.

It is recommended that, prior to a determination as to whether the submittal by Mr. Pruett meets the requirements of a DPO, a meeting with Mr. Pruett be conducted with a member of the working level staff within the program office and a member of the EDO staff. The purpose of the meeting is to clarify any issues that may remain subsequent to the DPV process that merit the formal consideration under the DPO process.

The original case file has been provided to the EDO office separately.

cc: W. Kane, EDO
J. Craig, EDO
E. Merschhoff, RIV

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