

September 23, 2002

MEMORANDUM TO: Michael E. Mayfield, Director  
Division of Engineering Technology  
Office of Nuclear Regulatory Research

FROM Christopher I. Grimes, Program Director */RA/*  
Policy and Rulemaking Program  
Division of Regulatory Improvement Programs  
Office of Nuclear Reactor Regulation

SUBJECT: OFFICE REVIEW OF DRAFT FINAL REGULATORY GUIDES  
ENDORISING ASME CODE CASES

As requested in your August 27, 2002 memorandum the Policy and Rulemaking Program staff has reviewed the subject regulatory guides and supporting documents and concurs in its publication with the following comment. With respect to the Response to the Public Comments we believe that the response to the second administrative comment from Winston and Strawn should be modified to indicate that the NRC intends to conduct future rulemakings that incorporate by reference the regulatory guides that list acceptable ASME Code Cases through direct final rules where appropriate. In particular we recommend that the following sentences be added to the end of the first paragraph of the response on page R-2:

Also, when circumstances permit, the NRC will publish direct final rules to incorporate by reference future revisions of the regulatory guides. These circumstances would be cases in which the NRC determines that the rulemakings are not controversial and that significant adverse comment is not expected.

In addition, we have a number of minor corrections and editorial suggestions for your consideration. These have been provided to your staff by way of a marked-up copy of the comment resolution. Please address any questions you may have to Harry Tovmassian at 301-415-3015.

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