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**Subject:** Questions re Order for Discussion at meeting on Monday

Suggested Questions for discussion at NRC's public meeting 2/24/2003:

1) Section IV.F of the Order states that, in the 20 day response required by Section V, licensees shall notify the Commission if. (1) they are unable to comply with any of the requirements of Section IV, or (2) compliance with any of the requirements of Section IV is unnecessary. Section IV.F also states that licensees proposing to deviate from any of the requirements of the Order shall seek relaxation of the Order by requesting that the Director, Office of Nuclear Reactor Regulation, relax or rescind the requirement in accordance with the process specified in Section IV.F.

It appears that these provisions require that the 20 day response identify those order requirements from which the licensee intends to subsequently request deviation. It appears that the 20 day response need only identify the requirements that cannot be met or that are unnecessary, and need not provide a detailed explanation or justification. The detailed explanation or justification would be contained in the separate request for relaxation subsequently submitted to the Director, Office of Nuclear Reactor Regulation. Is this understanding correct? Does the licensee need to provide in the answer to the Order an expected date for the separate submittal?

Would it also be acceptable to submit the request with the answer to the Order if a licensee already has the information needed to justify the request?

2) If a licensee discovers, subsequent to submitting the 20 day response required by Section V, that a requirement in the order cannot be met or is unnecessary, may the licensee still request relaxation from the Director, Office of Nuclear Reactor Regulation, in accordance with Section IV.F of the Order?

3) Because the Order specifies a process for requesting an alternative, it does not appear to require the submittal to be in the form of a license amendment request (10 CFR 50.90). Is this correct - that the submittal may be made in accordance with Section IV.F of the Order rather than 10 CFR 50.90?

4) Section IV.F of the order describes additional requirements (similar to those applied to 10 CFR 50.55a(a)(3) requests) that would be invoked for a relaxation regarding inspection of "specific nozzles." However, the additional requirements would also seem to be relevant to a relaxation request that affects inspection requirements for all nozzles on a reactor vessel head. Please explain the distinction intended by use of the term "specific nozzles."

Thanks,

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