

July 21, 2003

MEMORANDUM TO: John R. Fair, Senior Mechanical Engineer  
Mechanical and Civil Engineering Branch, DE/NRR

Thomas G. Scarbrough, Senior Mechanical Engineer  
Mechanical and Civil Engineering Branch, DE/NRR

David C. Fischer, Senior Mechanical Engineer  
Mechanical and Civil Engineering Branch, DE/NRR

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

SUBJECT: CLOSURE OF DIFFERING PROFESSIONAL VIEWS (DPVs) NO.  
NRR-02-DPV-03, -04 and -05, REGARDING THE PROPOSED  
10 CFR 50.69 RULEMAKING

Thank you for meeting with me again on May 1 and July 16, 2003, to discuss your DPVs regarding the proposed rulemaking for 10 CFR 50.69, "Risk Informed Categorization and Treatment of Structures, Systems, and Components." After we received the DPVs last September, we forwarded them to the Commission on October 2, 2002, for consideration along with the proposed rulemaking, which had been submitted to the Commission on September 30, 2002 (SECY-02-0176).

As agreed upon in our meeting of October 7, 2002, we determined that the best approach for handling the DPVs would be for you to have direct access to the Commission, so that they could hear your views and specifically address them while they prepared future guidance and direction to the staff regarding whether and how to proceed with the rulemaking effort. As a result, you met with the Commission technical assistants on October 21 and 23, 2002; and with EDO-level management on October 29, 2002, to discuss your concerns. You also gave a formal presentation as a separate panel at a public Commission briefing on November 21, 2002. On March 28, 2003, the Commission issued its final Staff Requirements Memorandum (SRM), which directed the staff to issue the proposed rulemaking for public comment. In response to comments contained in the SRM, the staff revised the statement of considerations for the proposed rule and the proposed rulemaking was published in the Federal Register (FR) for public comment on May 16, 2003. The original 75-day comment period was extended by 30 days and now expires on August 30, 2003.

As I committed to you, I believe we have addressed your concerns in the best way possible by facilitating complete and direct access to the Commission on this matter. I believe our actions are complete for the DPVs, and this memorandum closes them for the record.

Again, I thank you for your contribution to NRR office goals and your willingness to express differing views.

As I committed to you, I believe we have addressed your concerns in the best way possible by facilitating complete and direct access to the Commission on this matter. I believe our actions are complete for the DPVs, and this memorandum closes them for the record.

Again, I thank you for your contribution to NRR office goals and your willingness to express differing views.

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DPV File

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