



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

August 31, 2005

MEMORANDUM TO: Luis A. Reyes
Executive Director for Operations

FROM: *Renée Pedersen*
Renée Pedersen, Acting Differing Professional
Opinions Program Manager
Office of Enforcement

SUBJECT: DIFFERING PROFESSIONAL OPINION INVOLVING
OCONEE PIPE WHIP RESTRAINT ISSUE (DPO-2005-003)

The purpose of this memorandum is to inform and advise you about an extension request that I received from William Travers, Region II Regional Administrator (RA) for the subject Differing Professional Opinion (DPO). In accordance with Section (D)(5)(b) of the Handbook for Management Directive (MD) 10.159, "The NRC Differing Professional Opinions Program," all routine DPO cases are expected to be completed within 60 days of acceptance of the issue as a DPO, and all complex cases within 120 days. In accordance with Section 10.159-032(c) of MD 10.159, the 120-day time frame for dispositioning DPO cases may only be extended with the approval of the Executive Director for Operations (EDO) through the DPOPM. I informed the submitter of the acceptance of this DPO on January 22, 2005. On August 10, 2005, I informed and advised you about an extension request that I received on behalf of the Region II RA for the subject DPO. On August 15, 2005, you approved the extension request to September 1, 2005. The Chronology & Status on this DPO from the July 2005 DPO Monthly Status Report is included as Attachment 1.

The Region II RA seeks an extension in order to ensure that he has sufficient time to develop and issue a DPO Decision (including a rationale for the decision). The Region II RA was notified on August 19, 2005, that the Panel report previously provided to the Region II RA should be considered final. The Region II RA was also provided with comments from the submitter in helping him to make an informed decision.

I have reviewed the extension request (Attachment 2), the circumstances of the case, and recommend that you approve the extension request for the disposition of this DPO to September 15, 2005.

In accordance with Section (D)(4) of the Handbook for MD 10.159, I will advise the submitter if the time frame is extended.

L. Reyes

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Please feel free to contact me if you have any questions or require any additional information (415-2742, email rmp@nrc.gov).

Attachments:

1. DPO-2005-003 Chronology & Status Oconee Pipe Whip Restraint Issue from July 2005 DPO Monthly Status Report
2. Email from W. Travers, Region II RA: Extension Request for DPO-2005-003 dated 8/29/05

cc: M. Virgilio, DEDMRS

Approved: _____


Luis A. Reyes, Executive Director for Operations

9/2/05
Date