

R. Meyer, RES

From: "Joyce, Donald" <donjoyce@anl.gov>
To: <ROM@nrc.gov>
Date: 1/26/06 3:07PM
Subject: Re: A Little More on Background

Ralph,

Releasing the letter likely set us back quite a bit

Gee whiz

Don

-----Original Message-----

From: Ralph Meyer
To: Joyce, Donald
Sent: Thu Jan 26 07:36:30 2006
Subject: A Little More on Background

Don,

In the category of "I wish I had done a better job," here is a little more information on the background comments about M5 and the rule.

This effort to write M5 into 10 CFR 50.46 was in response to a petition for rulemaking from NEI (PRM 50-71). In the paper (SECY-03-0219) that informed the Commission of the staff's decision to terminate that rulemaking, the reason for cancellation was given as follows: "However, the staff is now planning to develop a performance-based rule that will grant PRM 50-71 in its entirety, by replacing the list of trademarked cladding materials in 10 CFR 50.46 with the words 'zirconium-based cladding materials,' as soon as the necessary technical basis can be developed to support the change." This paper, written in late December 2003, went on to say that the results would be available in FY05 and that the rulemaking would be in FY06. This is, of course, the Argonne program that is being talked about. So you see that we are going to go to rulemaking based on the Argonne program, and we will either go with a half a loaf or a full loaf.

Ralph

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