

From: Theresa Sutter <tsutter@scientech.com>
To: <foia@nrc.gov>
Date: Sun, Mar 25, 2007 11:39 AM
Subject: FOIA Request: DPOs

FOIA/PA REQUEST
Case No.: 2007-0162
Date Rec'd: 3-26-07
Specialist: WINTERS
Related Case:

Requesting that documents related to the two DPOs discussed below be made publicly available.

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Source: NRC Weekly Information Report (Week of March 9, 2007, SECY-2007-053)

Office Director Decision on a Differing Professional Opinion,
DPO-2006-003

On January 20, 2007, the NRR Director, issued a decision on a Differing Professional Opinion (DPO) regarding the use of leak-before-break (LBB) technology in the design of a facility modification involving the emergency core cooling system (ECCS) at Oconee, Units 1, 2 and 3(DPO-2006-003).

On May 3, 2006, an NRC employee submitted a DPO that focused on the concern that the cross-connect modification between the redundant discharge lines of the low pressure injection (LPI) system inside the containment building should not have been approved by the NRC nor implemented by the licensee because the LPI system, as modified, would not meet requirements in 10 CFR Part 50. This contention stemmed from the submitter's interpretation of Commission policy that LBB cannot be used if the dynamic effects of the pipe rupture adversely affect the ECCS. On December 5, 2006, an Ad Hoc Review Panel provided the results of its independent review to the Director of NRR. The panel concluded that the submitter's concern regarding inappropriate application of LBB technology in the LPI crossconnect modification at Oconee, Units 1, 2 and 3 was based on an incorrect understanding of the Commission's regulations and policy on the use of LBB technology in the design of the ECCS. The staff's decision to authorize the application of LBB technology to this modification was appropriate and conforming to NRC's policy and regulations. The panel also recommended that the staff should develop a knowledge management document clearly describing the NRC's policy and practice on the application of LBB. Based on a review of the panel's report and additional comments from the DPO submitter, including those when the panel met with the submitter on July 20, 2006 to obtain clarification on certain details of his concerns and his confirmation on the panel's summary of the issues, the NRR Director agreed with the panel's conclusions and recommendations.

Source: NRC Weekly Information Report (Week of March 9, 2007, SECY-2007-053)

Office Director Decision on a Differing Professional Opinion

On February 17, 2007, the NRR Director issued his decision on a Differing Professional Opinion (DPO) regarding the use of leak-before-break (LBB)

technology in the design of a facility modification involving installation of new emergency core cooling system (ECCS) recirculation sump strainers at Oconee, Units 1 and 2 (DPO-2006-002).

On May 3, 2006, an NRC employee submitted a DPO that focused on the concern that ECCS sump strainer modification should not have been approved by the NRC nor implemented by the licensee. This contention stemmed from the submitter's interpretation of Commission policy that LBB technology cannot be used if the dynamic effects of the pipe rupture adversely affect ECCS and containment. On November 13, 2006, an Ad Hoc Review Panel provided the results of its independent review to the NRR Director. The panel concluded that the submitter's concern regarding inappropriate application of LBB technology in the ECCS recirculation sump strainer modification at Oconee, Units 1 and 2, was based on an incorrect understanding of the Commission's regulations and policy on the use of LBB technology in the design of the ECCS.

The regulations and policy support the staff's decision to authorize the application of LBB technology to this modification. The panel also recommended that the staff should develop a knowledge management document clearly describing the NRC's policy and practice on the application of LBB. The submitter did not have any comments with regards to the panel's report issued on November 13, 2006. Based on the review of the panel's report and other background information, including the submitter's comments when the panel met with the submitter on July 20, 2006, to obtain clarification on certain details of his concerns and his confirmation on the panel's summary of the issues, the NRR Director agreed with the panel's conclusions and recommendations.