

November 7, 2006

MEMORANDUM TO: Luis A. Reyes
Executive Director for Operations

FROM: Renée Pedersen, Differing Professional Opinions /RA/
Program Manager
Office of Enforcement

SUBJECT: EXTENSION REQUEST FOR DIFFERING PROFESSIONAL OPINIONS
INVOLVING OCONEE ECCS SUMP SCREENS (DPO-2006-002) AND
OCONEE USE OF LEAK BEFORE BREAK IN ECCS (DPO-2006-003)

The purpose of this memorandum is to inform and advise you about an extension request that I received from Jack Grobe, the DPO Panel Chair for the subject Differing Professional Opinions (DPOs). In a memorandum dated August 18, 2006, you approved new timeliness goals that were recommended in the 2005 DPO Program Review (ML061980069). The EDO-approved timeliness goal to disposition a DPO is 130 - 190 calendar days. You also directed that the staff continue to submit extension requests aligned with the new timeliness goals to the Executive Director for Operations (EDO) in accordance with Management Directive (MD) 10.159, "The NRC Differing Professional Opinions Program." The current Milestones and Timeliness Goals for these DPOs are included as Enclosure 1 and Enclosure 2.

The DPO Panel seeks an extension to disposition DPO-2006-002 to December 18, 2006, and DPO-2006-003 to December 4, 2006. This extension request has been reviewed and approved by Jim Dyer, NRR, Office Director (OD). A detailed explanation of scheduling issues is included in the extension request (Enclosure 3). In summary, the schedule has been impacted by several factors: (1) the initiation of work by the DPO Panel was delayed due to competing priorities and travel schedules, (2) the review was more complex due to reviewing two DPOs, (3) the age of the issues, and (4) the need for legal assistance.

I have reviewed the extension requests and recommend that you approve the extension requests for the disposition of DPO-2006-002 to December 18, 2006, and DPO-2006-003 to December 4, 2006.

If you approve the extension requests, I will revise the Milestones and Timeliness Goals and provide them to Jim Dyer, NRR, OD, the DPO Panel, and the submitter.

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

Enclosures:

1. Milestones and Timeliness Goals for DPO-2006-002: Oconee ECCS Sump Screens
2. Milestones and Timeliness Goals for DPO-2006-003: Oconee Use of Leak Before Break in ECCS

B-12

L. Reyes

3. Email from J. Grobe DPO Panel Chair: Extension Requests for DPO-2006-002 and DPO-2006-003 dated 10/30/2006

cc: M. Virgilio, DEDMRS

DISTRIBUTION:

M. Johnson, AO

W. Kane, DEDR

J. Dyer, NRR

J. Grobe, NRR (DPO Panel Chair)

DPO Panel members

DPO Submitter

DPO-2006-002 file

DPO-2006-003 file

DPO Day File

ADAMS-Non public, DPO Staff=Owner

L. Reyes

3. Email from J. Grobe DPO Panel Chair: Extension Requests for DPO-2006-002 and DPO-2006-003 dated 10/30/2006

cc: M. Virgilio, DEDMRS

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DPO Day File

ADAMS-Non public, DPO Staff=Owner

FILE NAME: G:\DPO Program\DPO-2006-002\DPO Extension Request to EDO.wpd

ADAMS ACN: ML063100334

OFFICE	DPOPM/OE	DD/OE	OE
NAME	R. Pedersen	J. Luehman	C. Carpenter
DATE	11 /06/06	11/ 07/06	11/ 07/06

OFFICIAL RECORD COPY

DPO-2006-002: Oconee ECCS Sump Screens

Subject: This DPO raises concerns about new ECCS sump screens at the Oconee facility. The submitter contends that the new sump screens can be impacted by jet impingement from an RCS cold leg break (LOCA) and that the licensee should be required to perform an analysis (per GDC-4) prior to installation.

Assigned to: Jim Dyer, NRR OD
 DPO Panel: Jack Grobe, NRR, Panel Chair/Mark Caruso, NRR/ Aladar Csontos, RES/
 Joe Lenahan, RII

DPO Milestones and Timeliness Goals

DPO Milestone	Timeliness Goals	Actual Date
Individual submits DPO (NRC Form 680)	None	05/12/2006
DPOPM screens and accepts DPO	8 CDs	05/12/2006
DPOPM assigns DPO to OD or RA	5 CDs	05/22/2006
OD or RA establishes DPO Panel ¹	14 CDs	06/02/2006
DPO Panel meets with submitter ²	8 CDs	07/20/2006
DPO Panel collects, reviews, and evaluates information ³ (date when DPO Panel completes review)	30 – 90 CDs	08/15/2006
DPO Panel writes report	30 CDs	
OD or RA comments on DPO Panel report submitter comments on DPO Panel report	10 CDs	
DPO Panel evaluates comments and either revises report or declares original report final	7 CDs	
OD or RA issues DPO Decision	21 CDs	
TOTAL CDs (from acceptance of DPO) Initial Goal = 08/19/2006 - 11/18/2006	130 – 190 CDs	

¹Given the scope of the concerns, the NRR, OD established one DPO Panel to address DPO-2006-002 and DPO-2006-003.

²Unanticipated scheduling issues delayed the meeting with the submitter.

³DPO Panel requested OGC interpretation of GDC 4.

DPO-2006-003: Oconee Use of Leak Before Break in ECCS

Subject: This DPO raises concerns about the installation of an ECCS LPI cross tie header at the Oconee facility. The submitter contends that the licensee should not have been allowed to use Leak Before Break technology for ECCS.

Assigned to: Jim Dyer, NRR OD

DPO Panel: Jack Grobe, NRR, Panel Chair/Mark Caruso, NRR/ Aladar Csontos, RES/
Joe Lenahan, RII

DPO Milestones and Timeliness Goals

DPO Milestone	Timeliness Goals	Actual Date
Individual submits DPO (NRC Form 680)	None	05/12/2006
DPOPM screens and accepts DPO	8 CDs	05/12/2006
DPOPM assigns DPO to OD or RA	5 CDs	05/22/2006
OD or RA establishes DPO Panel ⁴	14 CDs	06/02/2006
DPO Panel meets with submitter ⁵	8 CDs	07/20/2006
DPO Panel collects, reviews, and evaluates information ⁶ (date when DPO Panel completes review)	30 – 90 CDs	08/15/2006
DPO Panel writes report	30 CDs	10/26/2006
OD or RA comments on DPO Panel report submitter comments on DPO Panel report	10 CDs	
DPO Panel evaluates comments and either revises report or declares original report final	7 CDs	
OD or RA issues DPO Decision	21 CDs	
TOTAL CDs (from acceptance of DPO) Initial Goal = 08/18/2006 - 11/17/2006	130 – 190 CDs	

⁴Given the scope of the concerns, the NRR, OD established one DPO Panel to address DPO-2006-002 and DPO-2006-003.

⁵Unanticipated scheduling issues delayed the meeting with the submitter.

⁶DPO Panel requested OGC interpretation of GDC 4.

Enclosure 3

From: John Grobe *ADES/NRR*
To: Renee Pedersen *DPO PM*
Date: 10/30/2006 11:55:17 AM
Subject: DPOs 2006-002 and -003 Extension Request

Renee,

See the enclosed schedule/justification for extended closure of the subject DPOs. Jim Dyer supports this schedule extension. If there is anything that I can do to facilitate your generation of the memo to the OEDO, please let me know.

Note that one of the due dates for -002 (7 days for the Panel to resolve comments on the report) spans Thanksgiving week. I will be very comfortable with the report before it goes forward, so I do not anticipate significant comments, but in the event that there are, this may be a challenge.

Thanks.

Jack

CC: DPO Panel; Jim Dyer; Michael Weber

RESOLUTION SCHEDULE FOR DPOs 2006-002 AND 2006-003

Below is listed the projected schedules for resolution of the two subject DPOs.

The delays have been related to several factors:

- The initiation of Panel work and scheduling the first Panel meeting was delayed due to several other competing priorities and travel schedules of various Panel members (approximately one and one-half month delay).
- The review was more complex than normal DPO Panel activities due to the assignment of two DPOs to one Panel. This assignment was appropriate due to the similarities between the DPOs, but increased the Panel workload handling the two issues simultaneously.
- The issues involved in the DPOs had their root in actions taken by the NRC approximately 20 years ago with multiple revisions of GDC-4. Due to age of the background materials, reconstruction of the history was complicated and time consuming.
- Because the matter involved in resolving the DPOs concerned an interpretation of the revisions to GDC-4, the Panel determined that it desired a review of its conclusions by the Office of General Counsel (approximately two week delay).

<u>DPO Milestone</u>	<u>DPO-2006-002</u>	<u>DPO-2006-003</u>
Panel issues report	11/09/2006	10/26/2006 (complete)
OD/Submitter comments on Panel Report (10 calendar days)	11/19/2006	11/06/2006
Panel evaluates comments and issues final report (7 calendar days)	11/27/2006	11/13/2006
OD issues DPO decision (21 calendar days)	12/18/2006	12/04/2006
Total (target 130-190 calendar days)	220 calendar days	206 calendar days