

June 2, 2006

MEMORANDUM TO: John A. Grobe, Director
Division of Component Integrity
Office of Nuclear Reactor Regulation

Mark A. Caruso, Senior Risk Reliability Analyst
Nuclear Security Special Projects
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

Aladar A. Csontos, Materials Engineer
Component Integrity Branch
Division of Fuel, Engineering, and Radiological Research
Office of Nuclear Regulatory Research

Joseph J. Lenahan, Senior Reactor Inspector
Engineering Branch 3
Division of Reactor Safety,
Region II

FROM: J. E. Dyer, Director **/RA/**
Office of Nuclear Reactor Regulation

SUBJECT: AD HOC REVIEW PANEL - DIFFERING PROFESSIONAL OPINION
INVOLVING OCONEE EMERGENCY CORE COOLING SYSTEM
(ECCS) SUMP SCREEN (DPO-2006-002) AND USE OF LEAK
BEFORE BREAK IN ECCS (DPO-2006-003)

In accordance with Management Directive (MD) 10.159, "The NRC Differing Professional Opinions Program," I am appointing you as members of a Differing Professional Opinion (DPO) Ad Hoc Review Panel to review two DPOs regarding Oconee Emergency Core Cooling System (ECCS) sump screen and use of leak before break in ECCS. A copy of the DPOs are enclosed.

I have designated John A. Grobe Chairman of this Panel and Mark A. Caruso and Aladar A. Csontos as additional Panel members. Joseph J. Lenahan was proposed by the DPO submitter and serves as the fourth member of the Panel. In accordance with the guidance included in MD 10.159 and consistent with the revised DPO Program objectives, I task the DPO Panel to do the following:

- Review the DPOs to determine if there is enough information for a detailed review of the issues.
- Schedule and conduct a meeting with the submitter to discuss the scope of the issues. The scope of the DPO Panel's review should remain fully focused on the issues as defined in the original written DPOs, and will not exceed those issues.

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- Consult with me after meeting with the submitter to establish a timeliness goal for the disposition of the DPOs that is based on the significance and complexity of the issues and the priority of other agency work. Provide a copy of the milestones and timeliness goals (and any revised goals) to the DPO Program Manager (DPOPM) and the submitter.
- Document the DPO Panel's understanding of the submitter's issues following the meeting and send the submitter a copy of the documented Statements of Concern for the submitter's review and comment. This process will ensure that the DPO Panel understands the submitter's concerns and reviews the appropriate issues.
- Request technical assistance through me, if necessary.
- Perform a detailed review of the issues and conduct any record reviews, interviews, and discussions you deem necessary for a complete, objective, independent, and impartial review. The review should include periodic discussions between the full panel and the submitter to provide the submitter the opportunity to further clarify the submitter's views and to facilitate the exchange of information. However, there should be no separate communication between individual DPO Panel members and the submitter or key staff members on these issues during the review, except with the knowledge and agreement of all DPO Panel members. In other words, all DPO Panel members should be equally informed on the issues to ensure a thorough, impartial, and independent review.
- Provide monthly status updates on your activities via email to the DPOPM no later than noon the last day of the month. This information will be included in the Monthly Status Report on the DPO Program that is forwarded to the Commission. Please provide a copy of email status updates to me and the submitter.
- Issue separate DPO Panel reports, including conclusions and recommendations to me regarding the disposition of the issues presented in both of the DPOs. The reports should be consensus products and include all DPO Panel members' concurrence. Follow the specific Agencywide Documents Access and Management System processing instructions for DPO documents. Two hard copies of the reports should be provided to the DPOPM who will provide a copy of the reports to the submitter.
- Consider comments from myself and the submitter (if applicable) based on our review to ensure that the reports completely and accurately characterize the existing staff position and DPO issues, respectively. Subsequent to the DPO Panel's review, either: (1) notify me that the original reports are final, or (2) issue revised reports (only if the DPO Panel believes it is warranted).
- Consult with me as soon as you determine that a schedule extension is necessary to disposition the DPOs. Disposition of these DPOs should be considered an important and time sensitive activity. The DPO process begins on the day that the DPOPM accepts the DPOs and concludes on the day that I issue the DPO Decision memoranda.

In accordance with the goals in MD 10.159, all routine DPO cases are expected to be completed within 60 days and all complex cases within 120 days. In this case, the

timeliness goals based on working days are August 8, 2006, and November 2, 2006, respectively. Please note that the 120-day time frame may only be extended with the approval of the Executive Director for Operations through the DPOPM. Although timeliness is an important DPO Program objective, the DPO Program also sets out to ensure that issues receive a thorough and independent review. Therefore, if you determine that you require an extension in order to ensure that you have sufficient time to perform a complete review, please send the DPOPM an email with your reason for the extension request.

Note that DPO-related time should be charged to Activity Code ZG0007.

Although the submitter has not filed these DPOs confidentially, the matter should be treated as though the submitter had. The submitter's name should not be used in discussions (the person may be referred to as the "DPO submitter"), documents should be distributed on an "as-needed" basis, and managers and staff should be counseled against "hallway talk" on the matter.

I appreciate your willingness to serve and your dedication to completing an independent and objective review of these DPOs. Successful resolution of the issues is important for NRC and its stakeholders. Since the DPO process has been undergoing revision, as you conduct your review, please note any changes you would recommend. If you have any questions, you may contact me or the Renée Pedersen, DPOPM, in the Office of Enforcement at (301) 415-2741 or email DPOPM@nrc.gov.

I look forward to receiving your independent review results and recommendations.

Enclosures:

1. DPO-2006-002
2. DPO-2006-003

cc w/o Enclosures:

Submitter
DPOPM
B. Sheron, RES
W. Travers, RII
J. Strosnider, NMSS

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I look forward to receiving your independent review results and recommendations.

Enclosures:

- 1. DPO-2006-002
- 2. DPO-2006-003

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OFFICE	DCI	NRR
NAME	JGrobe	JDyer
DATE	6/2/06	6/2/06

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