

EDO Principal Correspondence Control

FROM: DUE: 04/07/08

EDO CONTROL: G20080203

DOC DT: 03/23/08

FINAL REPLY:

Kenneth R. Balkey, Vice President  
ASME Nuclear Code and Standards

TO:

Luis A. Reyes, EDO

FOR SIGNATURE OF :

\*\* GRN \*\*

CRC NO:

Reyes, EDO

DESC:

ROUTING:

Request for NRC Staff Resources in Support of  
Rulemaking Associated with ASME Codes and  
Standards (EDATS: OEDO-2008-0248)

Reyes  
Virgilio  
Mallett  
Ash  
Ordaz  
Cyr/Burns  
Sheron, RES

DATE: 03/24/08

ASSIGNED TO:

CONTACT:

NRR

Dyer

SPECIAL INSTRUCTIONS OR REMARKS:

Coordinte with RES, as appropriate.

Template: EDO-001

E-RIDS: EDO-01

# EDATS

Electronic Document and Action Tracking System

**EDATS Number:** OEDO-2008-0248

**Source:** OEDO

## General Information

**Assigned To:** NRR

**OEDO Due Date:** 4/7/2008 5:00 PM

**Other Assignees:**

**SECY Due Date:** NONE

**Subject:** Request for NRC Staff Resources in Support of Rulemaking Associated with ASME Codes and Standards

**Description:**

**CC Routing:** RES

**ADAMS Accession Numbers - Incoming:** NONE

**Response/Package:** NONE

## Other Information

**Cross Reference Number:** G20080203

**Staff Initiated:** NO

**Related Task:**

**Recurring Item:** NO

**File Routing:** EDATS

**Agency Lesson Learned:** NO

**Roadmap Item:** NO

## Process Information

**Action Type:** Letter

**Priority:** Medium

**Signature Level:** EDO

**Sensitivity:** None

**Urgency:** NO

**OEDO Concurrence:** NO

**OCM Concurrence:** NO

**OCA Concurrence:** NO

**Special Instructions:** Coordinate with RES, as appropriate.

## Document Information

**Originator Name:** Kenneth R. Balkey

**Date of Incoming:** 3/23/2008

**Originating Organization:** ASME Nuclear Code and Standards

**Document Received by OEDO Date:** 3/24/2008

**Addressee:** Luis A. Reyes, EDO

**Date Response Requested by Originator:** NONE

**Incoming Task Received:** Letter



CODES & STANDARDS

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March 23, 2008

**U.S. Nuclear Regulatory Commission  
Executive Director for Operations  
Mail Stop 16-E15, One White Flint North  
11555 Rockville Pike,  
Rockville, MD 20852  
[Luis.Reyes@nrc.gov](mailto:Luis.Reyes@nrc.gov) / (301) 415-1700**

**Attention:** Mr. Luis A. Reyes

**Subject:** Request for NRC Staff Resources in Support of Rulemaking Associated with ASME Codes and Standards

**References:** ASME Letter From Mr. Kenneth R. Balkey, Vice President, Nuclear Codes and Standards to Mr. James Dyer, Director Office of Nuclear Reactor Regulation and Dr. Brian Sheron, Director Office of Nuclear Regulatory Research, U. S. Nuclear Regulatory Commission dated: July 16, 2007

Dear Mr. Reyes:

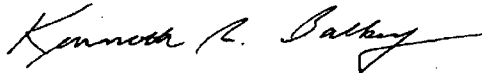
The notification of the most recent delay to May 2008 in the approval and publication of the Final Rule to 10 CFR 50.55a, which will endorse the 2004 Edition of the ASME Boiler and Pressure Vessel Code Section III - Division 1, Section XI - Division 1, and the ASME OM Code has caused some concern within ASME Nuclear Codes and Standards. We note that it is approaching 3-1/2 years since the last rulemaking was approved in November 2004. Before this latest rulemaking, NRC had a record of success that was making real progress in updating the endorsement of ASME Nuclear Codes and Standards. In our previous letter (Reference 1), ASME identified this recent slowdown in the endorsement of its Nuclear Codes and Standards and Code Cases.

It is our position that endorsement of and use of the latest ASME Nuclear Codes and Standards is in the best interest of protecting the health and safety of the public. We understand that the NRC has limited staff resources; however, ASME Nuclear Codes and Standards is concerned not only about the current delay but also that no NRC staff resources have been allocated for new proposed rulemaking to endorse the 2007 Edition of these same Codes until the current rulemaking becomes final.

As always, we appreciate the support of NRC staff in developing ASME Nuclear Codes and Standards and if there is something that ASME can do to be of assistance to NRC in the effort to update the reference to ASME Nuclear Codes and Standards, please let us know. If you have any questions regarding our comments on this issue, please direct them to Mr. Kevin Ennis, ASME Director, Nuclear Codes and Standards by telephone at (212) 591-7075 or by e-mail ([ennisk@asme.org](mailto:ennisk@asme.org)).

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Mr. Luis A. Reyes  
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Very Truly Yours,



Mr. Kenneth R. Balkey, PE  
Vice President, ASME Nuclear Code and Standards  
[balkeykr@westinghouse.com](mailto:balkeykr@westinghouse.com) / (412) 374-4633

cc: Mr. Kevin Ennis, Director, ASME Nuclear Codes and Standards  
Members, ASME Board on Nuclear Codes and Standards  
Mr. James Dyer, Director Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory  
Commission ([James.Dyer@nrc.gov](mailto:James.Dyer@nrc.gov))  
Dr. Brian Sheron, Director Office of Nuclear Regulatory Research, U.S. Nuclear  
Regulatory Commission ([Brian.Sheron@nrc.gov](mailto:Brian.Sheron@nrc.gov))  
Dr. Jennifer L. Uhle, NRC Standards Executive, Office of Nuclear Regulatory Research,  
U.S. Nuclear Regulatory Commission ([Jennifer.Uhle@nrc.gov](mailto:Jennifer.Uhle@nrc.gov))