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March 23, 2008

Chief Rules, Editing and Directives Branch  
Division of Administrative Services  
Mail Stop T6-D59  
Office of Administration  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
Michael.Lesar@nrc.gov / (301) 415-7163

Attention: Mr. Michael T. Lesar

Subject: U.S. Nuclear Regulatory Commission Strategic Plan

- References:
1. U.S. NRC FY 2007 – FY 2012, Draft Strategic Plan, NRC's Web Site, <http://www.nrc.gov>, July 2007
  2. NUREG-1614, Vol. 4, U.S. Nuclear Regulatory Commission Strategic Plan Fiscal Years 2008–2013
  3. FY 2008-2013 Strategic Plan Comment Resolution Matrix, <http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1614/v4/comment-resolution-matrix-tt.pdf>
  4. Letter from Mr. Kenneth R. Balkey, P.E., Vice President, ASME Board on Nuclear Codes and Standards to Mr. Michael T. Lesar, Chief, Rules and Directives Branch, U.S. Nuclear Regulatory Commission, dated September 6, 2007.

Dear Mr. Lesar:-

ASME submitted comments to the NRC in support of your Strategic Plan, as noted in Reference 4. The NRC FY 2008-2013 Strategic Plan is now published in NUREG-1614, Volume 4. ASME had recommended that the NRC seek endorsement of the latest versions of all recognized standards development organization's nuclear codes and standards including ASME Nuclear Codes and Standards. These codes and standards promote public health and safety worldwide. Unfortunately, the NRC did not accept ASME's comment, indicating that "While NRC participates in the development of consensus standards, endorsement would be contrary to NRC's charter of not promoting the nuclear industry." Resolution of ASME's comment (Comment Number 179) and other public comments received on the Strategic Plan are documented in Reference 3.

We understand that the NRC's charter does not allow "promotion of the nuclear industry," but the endorsement of ASME Nuclear Codes and Standards should not be considered promotion of the nuclear industry. Rather, such endorsement is a longstanding NRC practice, as reflected in 10 CFR 50.55a and Regulatory Guides 1.84, 1.147, and 1.192, to establish acceptable engineering practices. Use of the latest approved consensus codes and standards will improve

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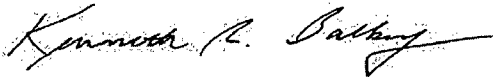
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public health and safety by requiring the use of the latest technology for the construction, operation, maintenance, and inspection of nuclear power plants. Endorsement of ASME Nuclear Codes and Standards is actually in line with the NRC charter to protect the public and the environment. We continue to encourage the NRC to permit the use of the latest ASME Nuclear Codes and Standards by incorporating these documents by reference into 10 CFR 50.55a at the earliest opportunity.

It is our desire to continue working with the NRC to enhance the process by which these latest codes and standards are incorporated by reference into 10 CFR 50.55a through continued cooperation with the ASME Board on Nuclear Codes and Standards and its Task Group on Regulatory Endorsement. Use of these latest approved consensus codes and standards will serve the interests of improving public health and safety and should not be confused with promoting the nuclear industry. ASME, along with many other standards development organizations, is a professional engineering society and not an industry group.

If you have any questions regarding the purpose of this letter, 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)).

Very Truly Yours,



Mr. Kenneth R. Balkey, PE  
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cc: Mr. Kevin Ennis, Director, ASME Nuclear Codes and Standards  
Members, ASME Board on Nuclear Codes and Standards  
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))