

APR 1 1981

MEMORANDUM FOR: Victor Stello, Jr., Director
Office of Inspection & Enforcement

FROM: Harold R. Denton, Director
Office of Nuclear Reactor Regulation

SUBJECT: DIFFERING PROFESSIONAL OPINION

Reference: V. Stello's Memorandum to H. Denton, "Differing Professional Opinion", dated February 18, 1981

We have examined your memorandum dated February 18, 1981, and have concluded that, in a technical sense, there is no differing professional opinion. We share your central concern that improvements to the compressed air systems in operating plants may be warranted. However, it is apparent that differences of opinion may exist as to the extent of any needed improvements, the criteria upon which any improvements must be based, and the licensing mechanism for implementing improvements, should such a need exist.

It is important to note that the purpose of the Standard Review Plan (SRP) is to provide Staff guidance during licensing reviews for those plants which have applied for CPs and OLs. Likewise, it is also important to note that, even though the SRP sets a standard which NRR considers acceptable for licensing purposes, the licensees may propose equivalent standards which also meet the licensing requirements of 10 CFR Part 50. Therefore, the SRP is not a justifiable mechanism for requiring backfits to operating plants which have already been approved through the licensing process.

To resolve our shared (not differing) central concern, the following measures have already been initiated by the Operating Experience Evaluation Branch (OEEB) of the Division of Safety Technology (DST):

1. Under an existing technical assistance contract, "Special Studies of Reactor Operating Experience" (FIN B0755), with ORNL, OEEB is initiating a case study on the loss, or impairment, of compressed air systems in operating reactors.
2. Because of IE's shared interest in the compressed air systems, Mr. Riggs (OEEB) has contacted R. Kessel of your staff. Mr. Kiessel has assured us that IE will cooperate with our contractor and assist them in obtaining information that may not be available in the LERs.

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After results of the contractor's study are available, OEEB will recommend a risk assessment by the Reliability & Risk Assessment Branch (RRAB) of DST. The results from the RRAB will then be factored into an overall prioritization method being developed by the Safety Program Evaluation Branch (SPEB) of DST to discern the relative worth of various potential efforts to reduce the risk in nuclear reactors.

We believe the above actions provide a systematic engineering, and licensing, approach toward establishing realistic criteria upon which the need for improvements to the compressed air systems can be based. In addition, the above approach will help NRR establish the priority of any backfit requirement, and thereby assist in determining a realistic schedule for implementation of any subsequent backfits to the compressed air systems in all phases of the licensing process for nuclear power plants.

The above discussion should help clarify the purpose and intent of the SRP, and also provide your staff with information on the measures already being taken within NRR as to your staff's specific concerns on the compressed air systems in nuclear power plants. We trust that this reply will also resolve those concerns expressed in your memorandum dated February 18, 1981 regarding the "Differing Professional Opinion".

Original Signed by
H. R. Denton

Harold R. Denton, Director
Office of Nuclear Reactor Regulation

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