



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

October 21, 1996

Mr. Roger F. Reedy
Reedy Engineering, Inc.
Engineering Management Consultants
3425 S. Bascom Avenue, Suite 210
Campbell, California 95008

SUBJECT: AUGUST 20 AND SEPTEMBER 23, 1996 LETTERS TO DR. SHIRLEY ANN JACKSON,
CHAIRMAN

Dear Mr. Reedy:

Chairman Jackson has requested that I respond to your letters of August 20 and September 23, 1996. I have reviewed your letters and find no new information that would cause a change in the positions previously sent to you in the letter from William T. Russell, dated July 30, 1996. It is clear that our view with regard to these issues continues to differ from yours. However, I have reconsidered this matter and find our position remains unchanged.

You said on the last page of your August 20, 1996, letter that you know of a provision in the ASME code that has never been met for any code stamped component. You described it as an administrative "Catch 22." You should identify the provision and the instances of non-compliance you know of to the NRC. In addition, you noted a concern about the manner in which a utility had been cited for an ASME code violation. You should identify the utility and the violation to the NRC. Please respond at your earliest convenience.

Experience shows that NRC's interaction with the ASME and NRC's implementation of the ASME Code have contributed substantially to ensuring safe operation of nuclear plants. In order to ensure effective cooperation between the two organizations, senior NRC and ASME representatives meet periodically to discuss issues of mutual interest. To this effect, we have scheduled a meeting with senior ASME officials to discuss the requirements of the Code of Federal Regulations and NRC's implementation of the ASME Code including the use of engineering judgement, ASME Code interpretations and other issues you have raised. We believe this discussion is appropriate in order to ensure a continued clear understanding of the relationship between the two organizations and their respective authorities and responsibilities. We will inform you of the results of that discussion.

Your September 23, 1996, letter stated that the new inspection guidance contained in Part 9900 of the NRC Inspection Manual could be misleading. In response to this concern, we reviewed the guidance and agree that it could be misleading. It was not our intent to suggest that IWB-3500 and IWB-3600 are applicable to class 2 and 3 components. However, because the discussion of the three subjects of the guidance, code interpretations, engineering judgement, and timeliness of flaw evaluations, were not clearly delineated, this point could be confusing. Therefore, we intend to provide clarification

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Oct 17 - 6 Commission

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Mr. Roger F. Reedy

-2-

to the guidance by providing headings that clearly separate the discussion of the three topics. We believe that these changes, along with some editorial changes, will clarify the guidance.

Sincerely,

Frank J. Miraglia, Acting Director
Office of Nuclear Reactor Regulation

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SAJackson

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10/16/96

October 21, 1996

EDO -

The Commissioners have reviewed and concurred in the proposed response to Roger Reedy's August 20, 1996 letter. Commissioner Diaz's office believes the letter would benefit from syntax/editing.

Doris Mossburg, SECY

415-1964

Mr. Roger F. Reedy
Reedy Engineering, Inc.
Engineering Management Consultants
3425 S. Bascom Avenue, Suite 210
Campbell, California 95008

SUBJECT: AUGUST 20, 1996 LETTER TO DR. SHIRLEY ANN JACKSON, CHAIRMAN

Dear Mr. Reedy:

Chairman Jackson has requested that I respond to your letter of August 20, 1996. I have reviewed your letter and find no new information that would cause a change in the positions previously sent to you in my letter dated July 30, 1996. It is clear that our view with regard to these issues continues to differ from yours. However, I have reconsidered this matter and find our position remains unchanged.

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Experience shows that NRC's interaction with the ASME and NRC's implementation of the ASME Code have contributed substantially to ensuring safe operation of nuclear plants. In order to ensure effective cooperation between the two organizations, senior NRC and ASME representatives meet periodically to discuss issues of mutual interest. The agenda for the next meeting will include a discussion of the requirements of the Code of Federal Regulations and NRC's implementation of the ASME Code including the use of engineering judgement, ASME Code interpretations and other issues you have raised. We believe this discussion is appropriate in order to ensure a continued clear understanding of the relationship between the two organizations and their respective authorities and responsibilities. We will inform you of the results of that discussion.

Sincerely,

Frank J. Miraglia, Acting Director
Office of Nuclear Reactor Regulation

IDENT NAME: A:\REEDY.2 * See previous concurrence **concur w/edits

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09/24/96

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	RHermann:adl		BSheron		ATHadani		WRussell		SBurns		JTaylor
	9/06/96		9/06/96		9/06/96		9/11/96		9/ /96		9/13/96

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September 24, 1996

EDO -

Attached is the proposed response to Roger Reedy. I have made the edits suggested by the Chairman and Commissioner McGaffigan. There is no need for further Commission review.

Doris Mossburg
415-1964

Att.

Mr. Roger F. Reedy
Reedy Engineering, Inc.
Engineering Management Consultants
3425 S. Bascom Avenue, Suite 210
Campbell, California 95032

SUBJECT: AUGUST 20, 1996 LETTER TO DR. SHIRLEY ANN JACKSON, CHAIRMAN

Dear Mr. Reedy:

Chairman Jackson has requested that I respond to your letter of August 20, 1996. I have reviewed your letter and find no new information that would cause a change in the positions previously sent to you in my letter dated July 30, 1996. It is clear that our view with regard to these issues continues to differ from yours. However, I have reconsidered this matter and find our position remains unchanged.

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Sincerely,

William T. Russell, Director
Office of Nuclear Reactor Regulation

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DATE	9/06/96		9/06/96		9/06/96		9/11/96		9/ /96		9/1/96	

ADDITIONALLY, REGARDING YOUR CONCERNS
OVER THE NRC CITING A VIOLATION FOR A
CODE VIOLATION, AND THE EXISTENCE OF AN
ADMINISTRATIVE PROVISION OF THE ASME
CODE THAT HAS NEVER BEEN
MET, ADDITIONAL DETAIL
WOULD NEED TO BE
PROVIDED FOR THE
NRC TO RESPOND.

Mr. Roger F. Reedy
Reedy Associates, Inc.
15951 Los Gatos Blvd., Suite 1
Los Gatos, California 95032

SUBJECT: AUGUST 20, 1996 LETTER TO DR. SHIRLEY ANN JACKSON, CHAIRMAN

Dear Mr. Reedy:

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Sincerely,

William T. Russell, Director
Office of Nuclear Reactor Regulation

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DATE	9/6/96		9/6/96		9/6/96		9/ /96		9/ /96		9/ /96	

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Miraglia -
Is it time
to meet
with Reedy?
JT

EDO Principal Correspondence Control

FROM:

DUE: 10/10/96

EDO CONTROL: GT96742

DOC DT: 09/23/96

FINAL REPLY:

Roger F. Reedy
Reedy Engineering, Inc.

TO:

Chairman Jackson

FOR SIGNATURE OF :

** PRI **

CRC NO: 96-1030

Miraglia

DESC:

ASME CODE INTERPRETATION

ROUTING:

(Taylor
Milhoan
Thompson
Blaha

DATE: 09/30/96

ASSIGNED TO:

CONTACT:

NRR

Miraglia

SPECIAL INSTRUCTIONS OR REMARKS:

Put EDO and Chairman on for concurrence.
Chairman's Office to review response prior
to disptach.
Ref. GT96671.

Ret'd from Chairman's
Office Changes made -
Resign

attch
A check - See latest
Should
we get in
one full sweep?

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

PAPER NUMBER: CRC-96-1030 LOGGING DATE: Sep 27 96

ACTION OFFICE: EDO

AUTHOR: ROGER REEDY
AFFILIATION: CALIFORNIA

ADDRESSEE: CHAIRMAN JACKSON

LETTER DATE: Sep 23 96 FILE CODE:

SUBJECT: ASME CODE INTERPRETATION

ACTION: Direct Reply

DISTRIBUTION: CHAIRMAN, COMRS

SPECIAL HANDLING: SECY TO ACK

CONSTITUENT:

NOTES: CHAIRMAN SHOULD REVIEW RESPONSE PRIOR TO DISPATCH
"REF CRC 96-0932"

DATE DUE: Oct 11 96

SIGNATURE: . DATE SIGNED:

AFFILIATION: