



November 13, 1996

Mr. John C. Hoyle
Secretary
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001**ATTENTION:** Chief, Docketing and Services Branch

Dear Mr. Hoyle:

Comments are hereby submitted in response to the request for public comment on the Agency's Strategic Assessment of Regulatory Activities, No. 96-121, September 13, 1996. These comments are submitted on behalf of the American Society of Mechanical Engineers (ASME), Board on Nuclear Codes and Standards (BNCS). This review is not to be construed as a position or opinion on the subject document by ASME, rather, the comments are submitted as a constructive public service, and represent the opinion of the Chairman on behalf of BNCS.

Comments on Direction Setting Issue DSI 13: Role of Industry

1. What, if any, important considerations have been omitted from the issue paper?
 - Little consideration is given to the time which would be required for legislative or regulatory change in comparison to the urgency required to address fundamental problems and solutions in the relationship with industry and professional societies such as the ASME.
 - Little consideration is given to need to streamline and simplify the NRC's internal process and regulatory process to be able to endorse nuclear codes and standards within a year after they have been issued by ASME. The current process takes years and does not respond to urgent needs of the industry.
2. How accurate are the NRC's assumptions and projections for internal and external factors discussed in the issue paper?

The paper assumes that economic factors can only have a negative impact. This fails to consider the demonstrated positive correlation between economic and safety performance. The improvements in plant safety and performance over the last decade demonstrates a



strong commitment by the industry to safety. Many of the improvements are based on changes made to nuclear codes and standards.

3. Do the Commission's preliminary views associated with the paper respond to the current environment and challenges?

The Commission's preliminary views support Option 1, "Continue Current Program", and Option 4, "Increase Interaction with Industry and Professional Groups". These views appear to respond to the current environment and challenge.

4. BNCS Recommendations

- Have NRC provide direct feedback to ASME Nuclear Codes and Standards Committees on specific instances where NRC receives requests for exemptions to code requirements and alternatives to the codes. This should provide the standards developing organizations with information to consider possible changes to codes and standards.
- Have NRC provide ASME with direct feedback on NRC Inspection Reports, including violations, which may impact on ASME C&S related activities.
- Both NRC and ASME, BNCS need to work closer to see how we can get proposed codes and standards out for public review and comment to satisfy both the NRC process and American National Standards Institute (ANSI) requirements by doing it once or concurrently, rather than in series. The current practice involves three separate notices for public review and comment, via ASME magazine, ANSI Standards Action, and NRC Federal Register Notice. This greatly delays the time from ballot approval to NRC endorsement by Regulatory Guide or Federal Regulation. The delay frequently involves three to five years. In the meantime, users are not permitted to apply these revisions without first getting an NRC exemption approved on a case by case basis. This consumes a large number of staff man-hours and licensee's time in preparing, reviewing, and responding to a series of comments.
- NRC needs to document and communicate its desire for code and standard changes and new documents, with justification, including priority, and need dates for ASME consideration. ASME, in turn, needs to evaluate these requests and respond by providing feedback and status to NRC.

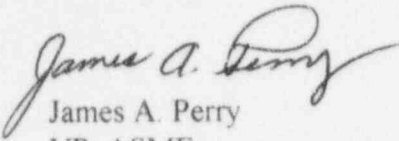
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On behalf of BNCS, we appreciate the opportunity to provide comments on the Agency's Strategic Assessment of Regulatory Activities. Your serious consideration of these comments is greatly appreciated. We look forward to continuing to work closely with the NRC staff on matters relating to nuclear codes and standards activities.

Sincerely,

A handwritten signature in cursive script, reading "James A. Perry".

James A. Perry
VP, ASME
Chairman, BNCS

cc: G. M. Eisenberg