

February 23, 2000

MEMORANDUM TO: Joram Hopenfeld
Generic Safety Issues Branch
Division of Engineering Technology
Office of Nuclear Regulatory Research

FROM: William D. Travers */RA/*
Executive Director for Operations

SUBJECT: APPOINTMENT TO AD HOC REVIEW PANEL FOR "DIFFERING
PROFESSIONAL OPINION ON STEAM GENERATOR TUBE
INTEGRITY ISSUES"

In your February 14, 2000, memorandum to me on the above subject, you stated that the appointment of Mr. Wayne Hodges to the subject panel is not in compliance with Management Directive (MD) 10.159. Specifically, MD 10.159 states that, to the extent possible, DPO panels should not involve individuals who have directly participated in the formulation of the agency position that is at issue. You also state that as Director, Division of Systems Technology (DST), Office of Nuclear Regulatory Research (RES), Mr. Hodges was directly responsible for NUREG-1570 "Risk Assessment of Severe Accident Induced Steam Generator Tube Rupture," and that two out of the five unresolved DPO issues that you have raised (severe accidents and risk increase issues) relate to the results of NUREG-1570.

My staff has reviewed the records on NUREG-1570 and determined the following:

- NUREG-1570 describes the basis, results, and related risk implications of an analysis performed by an *ad hoc* NRC working group to assess the containment bypass potential attributable to steam generator tube rupture (SGTR) induced by severe accident conditions. The document is not a statement of agency position on the issue and clearly states that the generic applicability of the calculations is limited by the range of uncertainties encountered and the plant- and design-specific nature of the uncertainties.
- The SGTR Severe Accident Working Group included staff from the NRC's Offices of Nuclear Reactor Regulation (NRR) and RES as well as contractor support. Although DST, which Mr. Hodges directed at the time of this working group, contributed several participants to the working group, Mr. Hodges was not personally or directly involved in the substantive activities of the working group. He did concur in the transmittal of technical input from his staff to the branch chief in NRR who was overseeing the activities of the work group. It was recognized in the transmittals that NRR would be responsible for the development of the text of the final report. RES also provided comments on the draft NUREG during this period. The Division of Engineering Technology, RES, was also represented on the working group, as well as contractors from Dominion Engineering, Argonne National Laboratory, Idaho National Engineering Laboratory, and SCIENTECH. NRR provided the largest group of staff on the working

group, including the project manager for the development of NUREG-1570 which was published by NRR.

- The NRC release, form 426, which provided approval to publish the report, was signed by Scott Newberry, Deputy Director of the Division of Systems Safety and Analysis, NRR. There is no indication that RES management reviewed or concurred in the issuance of NUREG-1570.

Based on the above, I am aware of no evidence that, notwithstanding his management oversight, Mr. Hodges was directly responsible for or substantially involved in the substantive development of the document or directly participated in the formulation of the agency position that is at issue. Additionally, prior to making this determination, I met with Mr. Hodges and he indicated that he has no recollection of direct involvement in the development of NUREG-1570. Therefore, I conclude that Mr. Hodges' appointment is consistent with Management Directive 10.159.

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