

August 7, 1999

Dr. Charles E. Rossi
Director, Division of Systems Analysis
US NRC, Mail Stop T-4A9
Washington, DC 20555

SUBJECT: Allegation No. NRR-1997-A-0063; NRR-1999-A-0039

Dear Dr. Rossi:

In a letter dated June 22, 1999, Ms Jean Lee advised me that you will be considering certain concerns that I expressed with respect to the NRC response to Allegation NRR-1997-A-0063. This response was summarized in a letter from Mr. Ashok Thadani dated 2/2/99, with detailed responses to specific issues being provided by Mr. Wayne Hodges. In a telephone conversation, I had informed Ms Lee that I wished to prepare comments ("rebuttals") to the responses the NRC had given to the concerns I had expressed in the report entitled "An Independent Critique ..." dated March 9, 1997, that I had sent to Dr. Thomas Kress, then ACRS Chairman. In her letter of 6/22/99, Ms Lee advised me that I should submit these comments on the NRC responses directly to you. I am therefore enclosing my comments on Mr. Thadani's 2/2/99 letter and comments on the detailed responses prepared by Mr. Wayne Hodges, which were enclosed with Mr. Thadani's letter.

Ms Lee has also advised me that, since my concerns were treated as an "allegation", they will not be made part of the public record. This was a major disappointment, as an essential goal of my preparing the March 9, 1997 report was to get these issues into the public record in order that they be available for evaluation by any interested members of the technical community.

Ms Lee indicated that there was no restriction on my making any of this material available, and yesterday (August 6) I was advised by a colleague that I could achieve my goal by submitting my concerns as written comments to the August 10 meeting of the Accident Management Subcommittee of the ACRS. I am therefore sending the March 9 1997 report to Dr. Richard Savio for this purpose, and I am also including the NRC responses and the enclosed rebuttals to those responses. I have indicated that I believe this material should be part of the public record, except for Mr. Hodges' responses to Issues 30 - 54 and my rebuttals to those issues. These issues were exempted because they are not based directly upon the March 9 1997 report, and because they refer to process irregularities that should not recur if the actions outlined in Mr. Thadani's letter of 2/2/99 are faithfully implemented. While I would have preferred to give you an opportunity to consider my rebuttals to the NRC responses before sending them to any other parties, I was not made aware of the Accident Management Subcommittee meeting until yesterday morning, and the schedule permitted no delay.

Please feel free to call upon me if you have any questions about this matter. I might note that I will be out of town the week of August 9 - 16. I can receive voice mail during this period but not e-mail.

Sincerely,



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