UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II
SAM NUNN ATLANTA FEDERAL CENTER
61 FORSYTH STREET, SW, SUITE 23T85
ATLANTA, GEORGIA 30303-8931

February 11, 2000

Daryl A. Smith
[HOME ADDRESS DELETED
PER 10 CFR 2.790]

SUBJECT: REQUEST FOR INFORMATION

Dear Mr. Smith:

This is in reference to your letter dated February 2, 2000, in which you requested a copy of your transcribed interviews with the Nuclear Regulatory Commission's (NRC) Office of Investigations (OI), any other transcribed interviews which address your involvement in the investigation, and a copy of OI Report 2-98-023. The purpose of your request was to support your participation at the closed, predecisional enforcement conference the NRC intends to hold with Tennessee Valley Authority (TVA). The interviews were conducted as part of the investigation associated with OI Report 2-98-023.

After careful review, the NRC is declining your request for the release of any transcribed interviews and OI Report 2-98-023. The NRC does not release transcripts of personal interviews unless an individual may be subject to enforcement action, in this case, pursuant to 10 CFR 50.5, Deliberate Misconduct. The NRC has determined that your involvement relating to events to be discussed at the conference will not be subject to enforcement action at this time.

In lieu of disclosing the full OI report and exhibits, the NRC's practice is to prepare a summary of the information which forms the basis for the staff's conclusions prior to a conference. Such a summary was enclosed with our January 31, 2000 letter to TVA providing notification of our intent to conduct a closed, predecisional enforcement conference. A copy of our letter to TVA is enclosed for your information.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," this letter will not be placed in the NRC Public Document Room.

Should you have any questions concerning this letter, please contact me at 404-562-4601.

Sincerely,

Charles A. Casto, Director
Division of Reactor Safety

Enclosure: NRC letter to TVA
dated January 31, 2000

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