

November 29, 2001

Mr. Michael Mulligan
5 Woodlawn Lane
Hinsdale, NH 03451-2479

Dear Mr. Mulligan:

I am responding to your e-mail (Enclosure 1) to Mr. Victor Dricks of the U.S. Nuclear Regulatory Commission's (NRC's) Office of Public Affairs, which was received on October 10, 2001, at 4:42 p.m. In your e-mail, you expressed a concern regarding the apparent inconsistency in applying shutdown risk when evaluating the risks associated with actual plant trips versus evaluating potential risks associated with Notices of Enforcement Discretion.

A similar concern had been raised by Mr. David A. Lochbaum of the Union of Concerned Scientists in his letter to the NRC dated June 1, 2001 (Enclosure 2). The NRC responded to Mr. Lochbaum by letter dated September 14, 2001 (Enclosure 3). We believe that the NRC's response to Mr. Lochbaum also applies to the concern you have raised. We appreciate you keeping us aware of the issues in which you are concerned.

Sincerely,

/RA/

Tae Kim, Senior Project Manager, Section 1
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Enclosures: 1. E-mail from M. Mulligan to NRC dated October 10, 2001
2. Letter from D. Lochbaum to NRC dated June 1, 2001
3. Letter from NRC letter to D. Lochbaum dated September 14, 2001

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