



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

May 5, 1987

14

The Honorable Morris K. Udall, Chairman
Committee on Interior and Insular Affairs
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The Commission has received your letter of April 30, 1987 concerning issues involving alleged misconduct by agency officials. We share both your concern and your goal of ensuring the integrity of actions by NRC personnel. The Commission continues to believe that the actions taken thus far regarding these matters are responsible and appropriate. With respect to the two issues, investigations of the Comanche Peak plant and the TVA, we remain confident that Mr. Gary Edles, an Administrative Law Judge and a respected member of this agency's Appeal Board Panel, would conduct a thorough and professional review of those issues which certainly would have met this agency's preliminary assessment needs on these two discrete matters.

However, the Commission also recognizes the special concern about these matters and, in order to satisfy questions about the integrity of this agency in the performance of its duties, we have decided to retain either another agency's Inspector General or a special counsel to provide an independent review of the issues raised in your letter. We will be exploring options with a view toward securing such services as soon as possible. We will advise you promptly when the Commission has reached a decision on how to proceed.

With regard to the third matter, relating to the apparent disclosure of documents to a utility and the subsequent handling of pertinent documents within NRC, inquiry by an NRC-selected investigator may not be possible at this time, due to the pendency of the investigation by the U.S. Attorney for the District of Columbia. On April 22, 1987, the NRC's Office of Inspector and Auditor, which on April 14 was asked by Commissioner Roberts to investigate the apparent disclosure of documents, was asked by the Office of the U.S. Attorney not to proceed with that investigation. Therefore, we plan to discuss the appropriate role for an NRC investigation with the U.S. Attorney's office, and will also advise you promptly of the outcome of that discussion.

8705190338 870505
PDR COMMS NRCC
CORRESPONDENCE PDR

Commissioner Asselstine does not agree with this response and will provide his views in a separate letter. Commissioner Roberts did not participate in this response.

Sincerely,

Lando W. Zech Jr.
Lando W. Zech, Jr.

cc: Rep. Don Young



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

May 5, 1987

The Honorable John D. Dingell, Chairman
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The Commission has received your letter of April 30, 1987 concerning issues involving alleged misconduct by agency officials. We share both your concern and your goal of ensuring the integrity of actions by NRC personnel. The Commission continues to believe that the actions taken thus far regarding these matters are responsible and appropriate. With respect to the two issues, investigations of the Comanche Peak plant and the TVA, we remain confident that Mr. Gary Edles, an Administrative Law Judge and a respected member of this agency's Appeal Board Panel, would conduct a thorough and professional review of those issues which certainly would have met this agency's preliminary assessment needs on these two discrete matters.

However, the Commission also recognizes the special concern about these matters and, in order to satisfy questions about the integrity of this agency in the performance of its duties, we have decided to retain either another agency's Inspector General or a special counsel to provide an independent review of the issues raised in your letter. We will be exploring options with a view toward securing such services as soon as possible. We will advise you promptly when the Commission has reached a decision on how to proceed.

With regard to the third matter, relating to the apparent disclosure of documents to a utility and the subsequent handling of pertinent documents within NRC, inquiry by an NRC-selected investigator may not be possible at this time, due to the pendency of the investigation by the U.S. Attorney for the District of Columbia. On April 22, 1987, the NRC's Office of Inspector and Auditor, which on April 14 was asked by Commissioner Roberts to investigate the apparent disclosure of documents, was asked by the Office of the U.S. Attorney not to proceed with that investigation. Therefore, we plan to discuss the appropriate role for an NRC investigation with the U.S. Attorney's office, and will also advise you promptly of the outcome of that discussion.

Commissioner Asselstine does not agree with this response and will provide his views in a separate letter. Commissioner Roberts did not participate in this response.

Sincerely,

Lando W. Zech Jr.
Lando W. Zech, Jr.

cc: Rep. Norman F. Lent

7/1/87



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

May 5, 1987

The Honorable Philip R. Sharp, Chairman
Subcommittee on Energy and Power
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The Commission has received your letter of April 30, 1987 concerning issues involving alleged misconduct by agency officials. We share both your concern and your goal of ensuring the integrity of actions by NRC personnel. The Commission continues to believe that the actions taken thus far regarding these matters are responsible and appropriate. With respect to the two issues, investigations of the Comanche Peak plant and the TVA, we remain confident that Mr. Gary Edles, an Administrative Law Judge and a respected member of this agency's Appeal Board Panel, would conduct a thorough and professional review of those issues which certainly would have met this agency's preliminary assessment needs on these two discrete matters.

However, the Commission also recognizes the special concern about these matters and, in order to satisfy questions about the integrity of this agency in the performance of its duties, we have decided to retain either another agency's Inspector General or a special counsel to provide an independent review of the issues raised in your letter. We will be exploring options with a view toward securing such services as soon as possible. We will advise you promptly when the Commission has reached a decision on how to proceed.

With regard to the third matter, relating to the apparent disclosure of documents to a utility and the subsequent handling of pertinent documents within NRC, inquiry by an NRC-selected investigator may not be possible at this time, due to the pendency of the investigation by the U.S. Attorney for the District of Columbia. On April 22, 1987, the NRC's Office of Inspector and Auditor, which on April 14 was asked by Commissioner Roberts to investigate the apparent disclosure of documents, was asked by the Office of the U.S. Attorney not to proceed with that investigation. Therefore, we plan to discuss the appropriate role for an NRC investigation with the U.S. Attorney's office, and will also advise you promptly of the outcome of that discussion.

Commissioner Asselstine does not agree with this response and will provide his views in a separate letter. Commissioner Roberts did not participate in this response.

Sincerely,

Lando W. Zech Jr
Lando W. Zech, Jr.

cc: Rep. Carlos J. Moorhead



CHAIRMAN

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

May 5, 1987

The Honorable Edward J. Markey, Member
Committee on Energy and Commerce and
Committee on Interior and Insular Affairs
United States House of Representatives
Washington, DC 20515

Dear Congressman Markey:

The Commission has received your letter of April 30, 1987 concerning issues involving alleged misconduct by agency officials. We share both your concern and your goal of ensuring the integrity of actions by NRC personnel. The Commission continues to believe that the actions taken thus far regarding these matters are responsible and appropriate. With respect to the two issues, investigations of the Comanche Peak plant and the TVA, we remain confident that Mr. Gary Edles, an Administrative Law Judge and a respected member of this agency's Appeal Board Panel, would conduct a thorough and professional review of those issues which certainly would have met this agency's preliminary assessment needs on these two discrete matters.

However, the Commission also recognizes the special concern about these matters and, in order to satisfy questions about the integrity of this agency in the performance of its duties, we have decided to retain either another agency's Inspector General or a special counsel to provide an independent review of the issues raised in your letter. We will be exploring options with a view toward securing such services as soon as possible. We will advise you promptly when the Commission has reached a decision on how to proceed.

With regard to the third matter, relating to the apparent disclosure of documents to a utility and the subsequent handling of pertinent documents within NRC, inquiry by an NRC-selected investigator may not be possible at this time, due to the pendency of the investigation by the U.S. Attorney for the District of Columbia. On April 22, 1987, the NRC's Office of Inspector and Auditor, which on April 14 was asked by Commissioner Roberts to investigate the apparent disclosure of documents, was asked by the Office of the U.S. Attorney not to proceed with that investigation. Therefore, we plan to discuss the appropriate role for an NRC investigation with the U.S. Attorney's office, and will also advise you promptly of the outcome of that discussion.

Commissioner Asselstine does not agree with this response and will provide his views in a separate letter. Commissioner Roberts did not participate in this response.

Sincerely,

Lando W. Zech Jr.
Lando W. Zech Jr.