

CNwRA/THOMPSON TO TREBY APA

NOV 21 1988

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MEMORANDUM FOR: William C. Parler, General Counsel
Office of General Counsel

FROM: Hugh L. Thompson, Jr., Director
Office of Nuclear Material Safety
and Safeguards

SUBJECT: ACCESS TO PROGRAM ARCHITECTURE DATA BASE BEING DEVELOPED
BY THE CENTER FOR NUCLEAR WASTE REGULATORY ANALYSIS

The question of access (e.g. NRC staff, Commissioners, outside parties) to the full capabilities of the Program Architecture Support System (PASS) being developed by the Center for Nuclear Waste Regulatory Analysis (CNwRA) was brought to my staff's attention by William Olmstead. It was Mr. Olmstead's view that the report generation feature of the PASS would enable anyone to gain access to information previously considered "attorney work products" which are considered privileged information.

I request an analysis of the legal implications of the access issue, including any recommendations on whether access to all or part of the PASS should be restricted. I would appreciate receipt of this analysis by December 31, 1988 since the present plan is to provide access to NRC staff (e.g. NMSS and RES) by January 1989.

(Signed) Hugh L. Thompson, Jr.

Hugh L. Thompson, Jr., Director
Office of Nuclear Material Safety
and Safeguards

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The question of access (e.g. NRC staff, Commissioners, outside parties) to the full capabilities of the Program Architecture Support System (PASS) being developed by the Center for Nuclear Waste Regulatory Analysis (CNWRA) was brought to my staff's attention by William Olmstead. The issue, as we understand it, is that the report generation feature of the PASS would enable anyone to gain access to information previously considered "attorney work products" which have not heretofore been releasable.

I would appreciate your taking the lead to obtain a Commission position on access to the PASS. There is some urgency in that a decision to restrict access will impact the security plan. Further, in January 1989, access will be provided to NRC and NRC subcontractors. The contract envisions no restrictions and a modification would be required to impose restrictions.

Hugh L. Thompson, Jr., Director
Office of Nuclear Material Safety
and Safeguards

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NMSS Director's R/F	MMace, ARM/CNB1	JFunches, PMDA

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