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From:

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To:

Charles E. Mullins

*** YELLOW ***

For Signature of:

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Description:

To establish the status of NUREG-1738 as an official U.S. NRC document

Assigned To:

DLPM

Contact:

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By FAX & E-Mail

January 21, 2004

Mr. Charles E. Mullins, Esq.
Office of General Counsel
US Nuclear Regulatory Commission
Washington, D.C. 20005

Dear Mr. Mullins,

I have been seeking to establish the status of NUREG-1738 as an official U.S. NRC document. In the course of this pursuit I was referred to your office by staff of the Office of Nuclear Reactor Regulation. Please take the time to answer a few questions regarding NUREG- 1738 by letter via return FAX.

My questions regarding NUREG_1738, "Technical Study of Spent Fuel Pool Accident Risk at Decommissioning Nuclear Power Plants", distributed January 18, 2001:

1. Does this study remain an official document of the U.S.NRC? That is, has this document been withdrawn, revoked, replaced, or superceded in whole or in part?
2. Has U.S. NRC promulgated any official notice or determination that the public and/or other agencies of government should not place reliance on the representations contained within NUREG-1738?
3. Has Congress or any Committee of Congress determined that it is necessary to replace NUREG 1738 with a study and/or report from the National Academy of Science?
4. Has this document been peer reviewed? If not, does U.S. NRC view the inclusive nature of the document's development and the invitation for comment from the industry, public interest, and science communities upon the draft as sufficient to satisfy the potential contribution of peer review?

Thank you for reading and considering my questions. I am aware of controversy and individual opinion regarding the worth of assumptions and conclusions in NUREG-1738. However, I am seeking to confirm only its official status as an official U.S. NRC document. For that sole purpose, your prompt answers to the above questions would be greatly appreciated.

Sincerely,

Raymond Shadis