

**From:** Lisamarie Jarriel *ofc*  
**To:** Dave Lochbaum  
**Date:** 11/10/04 6:25PM  
**Subject:** Re: Testimony in Harvin case

I would think Randy Blough or Gene Cobey or someone else from RGN-I would be the best to address the actions they initiated and took. Also, I'm sure the parties understand that such a request has to go to the NRC Solicitor rather than RGN-I, right?

LLJ

>>> "Dave Lochbaum" <dlochbaum@ucsusa.org> 11/08/04 02:24PM >>>

Hello Lisa:

Lynne Bernabei of Bernabei & Katz LLC called me this morning. Her firm has joined with a NJ law firm in representing Kymn Harvin in the complaint filed by Dr. Harvin against PSEG in state court for wrongful termination.

Lynne asked me if there was any one at NRC who could talk to the issues of the agency's January 28th letter to PSEG and subsequent findings at Salem/Hope Creek. As she described what she was looking for, it seemed more a discussion of what actions the NRC took and, to the extent possible, the reasons those actions were taken rather than someone with an NRC hat saying Dr. Harvin was right and PSEG was wrong.

Lynne has some experience with NRC staff testifying in non-NRC proceedings (mostly DOL proceedings) and knows there are hurdles. She indicated she can work with NRC staff on various options to provide information, such as merely providing a written statement, or being deposed, and so on.

Would you consider talking with Lynne about this role or would you know anyone on the NRC staff (or formerly on the NRC staff) who is qualified to talk about the agency's engagement at Salem/Hope Creek?

Thanks,  
Dave Lochbaum  
UCS

E-1