

From: Scott Barber *RT*
To: David Vito
Date: 4/16/04 1:48PM
Subject: Re: Latest Phone call to Salem/HC SCWE allegor (RI-2003-A-0110)

I appreciate that you have been caught in the middle on a number of these issues; however, I think we may be still giving her too much information. Can't we just tell her that it's in progress and leave it at that. If pressed, I think we should use the "broken record" technique and just reiterate that it's in progress and that it would be inappropriate for us to say any more than that. If you think it would be useful, we could bring the topic up at the next Salem ARB on April 27 or 29.

>>> David Vito 04/16/04 10:08AM >>>

The allegor had left a message with Randy yesterday to call her back. She indicated that she had some "non-urgent" information for us. Randy asked me to call her back for him and I did so.

The information she wanted to relay was that she was having a meeting with Commissioner Merrifield next week. I thanked her and mentioned that we were already aware of the the forthcoming meeting based on a Dave Lochbaum contact with OI yesterday.

She indicated that she was not very happy and I asked why. She said that she had gotten a status of OI's review of her discrimination case yesterday and her interpretation of the information she received was that nothing had been done on her case. I told her that that wasn't necessarily true because a number of the people who need to be interviewed for her discrimination case had already been interviewed in the context of the SCWE issues she raised. I told her that the OI investigator for her discrimination case (J. Teator) had access to all that has been done thus far in the SCWE area, so he is not starting from scratch. But I did acknowledge that he is in the beginning stages of the investigation, i.e., that the SCWE review is a good bit further along than the discrimination investigation. She said that she felt she had been misled. I told her that I did not think we had ever done anything to mislead her about the timing of the discrimination investigation, and if she felt that was what we were doing, it was never our intent. **[I did not think it was appropriate during the phone call to remind her that she had told us on a number of occasions, that the discrimination issue was not a priority for her in terms of how the NRC approached her issues. She has consistently indicated that SCWE was the most important issue. In fact, on several occasions, she informed me and I believe Eileen, as well, that it wouldn't bother her if we didn't find in her favor with regard to the discrimination issue, as long as we did the right thing with the SCWE issue.]** ----- Just thought that folks should be aware of her current state of mind on this as she will likely bring it up with Merrifield next week.

I also spoke with her briefly about comments she had made in an e-mail she sent to Randy a couple of weeks ago about wanting to start a dialog with NRC on the general issue of SCWE. I told her that SCWE has been a matter of discussion within the NRC on several occasions over the past decade, and is currently in another round of discussions. I told her that I could e-mail her some info about what is currently going on and provide her with a contact at HQ. She said she would like the information, tersely thanked me, and ended the conversation.

CC: Ernest Wilson; Glenn Meyer; Jeffrey Teator

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