

From: Hubert J. Miller *RI*
To: A. Randolph Blough; Daniel Holody; James Wiggins
Date: 6/14/04 1:48PM
Subject: Re: Fwd: UCS recommendations for Salem / Hope Creek

Jim, you are correct.....I think this is the way ogc is reading and it fits with what our common sense would say is prudent

(My first take was different based on what I have seen ogc do in the past.... glad to have the room to handle this in less than a bureaucratic way.)

RI
>>> James Wiggins 06/10/04 07:22AM >>>
I'm just opining here...but my reading of 2.206 leads me to conclude that a requester must request that a issue be treated as a 2.206....In that way it's unlike an allegation.

We run the risk of enflaming emotions if we ignore the requester's request and handle it in a way he doesn't want.

Having said that, I continue to believe that we need to (internally) treat the request with the rigor provided to 2.206 Petitions...answering each of the assertions made...but our response to UCS can be at a higher level....

Jim

RI
>>> Daniel Collins 06/09/04 06:54PM >>>
I think we need to take a very close look at whether or not this should be treated as a 2.206 petition.

Even though Mr. Lochbaum explicitly states that UCS doesn't view the letter as 2.206 petition, the letter contains the necessary elements of a 2.206. It requests specific action be taken against the licensee (i.e. Shutdown Order - or - an Order to demonstrate tangible improvement within 6 months) and it sets forth an argument that constitutes the basis for that request.

We might want to send it through a PRB to get the "expert" eyes on it and, if nothing else, capture our rationale for not treating as a 2.206 in the PRB's meeting minutes.

RI
>>> A. Randolph Blough 06/09/2004 9:33:04 AM >>>
this is a surprise; although we were expecting comments from UCS, including recommendation of an order to fix SCWE., we did not expect the primary recommendation to be for a S/D order. I don't know if UCS will make a public statement on this. They, for the most part, have not made this is highly public issue.
will update you as we get more.
randy

CC: Brian Holian; Karl Farrar

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