

From: David Vito *ET*
To: A. Randolph Blough; Ernest Wilson; Eugene Cobey; Jeffrey Teator; Joel Wiebe; Karl Farrar
Date: Fri, Apr 8, 2005 1:41 PM
Subject: Fwd: Re: Clarification, please

See attached for latest input from RI-2003-A-0110 allegor. I have informed her that we will be meeting internally to discuss her comments. She will be providing more comments about our closure letter, probably early next week. I would suggest that we wait until we get her additional comments, then have an ARB to discuss.

CC: Daniel Holody; Leanne Harrison; Sharon Johnson

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8-71

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Creation Date: Fri, Apr 8, 2005 1:41 PM
From: David Vito

Created By: DJV@nrc.gov

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- ARB (A. Randolph Blough)
- DJH CC (Daniel Holody)
- EPW (Ernest Wilson)
- EWC (Eugene Cobey)
- JAT (Jeffrey Teator)
- JSW4 (Joel Wiebe)
- KLF (Karl Farrar)
- LMH1 CC (Leanne Harrison)
- SLJ CC (Sharon Johnson)

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From: David Vito ^{RI}
To: [REDACTED] ^{7c}
Date: Fri, Apr 8, 2005 1:21 PM
Subject: Re: Clarification, please

Kymn,

The meeting I was referring to was an internal NRC meeting to discuss your comments and assign action (no PSEG or Exelon people will be involved). It is my routinely scheduled meeting to discuss items that come through my office and includes cognizant tech staff, OI and Regional Counsel. The meetings are normally held on Wednesday, but I'm anticipating that they will want to meet earlier than that in this instance. I would like to wait until you have provided me with all of your initial comments before having the meeting, so if you can get your additional comments to me early next week, it would be appreciated.

Regarding your other questions, e-mail is just fine, and you are welcome to provide whatever additional comments you may have, now and later, and we will compare that information to the evidence and testimony gathered during the investigation, to determine whether additional review is appropriate.

Re: your comment about the statement made by the executive, as you are aware, that is being reviewed under a [REDACTED]) 7c

>>> [REDACTED] 04/08/05 12:34PM >>>
Dave,

I appreciated getting to talk with you this morning.

Could you please clarify a few things for me:

1. I appreciate that you have already scheduled a review for next week regarding my letter to you of 4/5/05. Please let me know the agenda for the meeting and who will attend. I, for example, would not expect PSEG and/or Exelon to be permitted to attend. I am confident there is sufficient evidence to verify what I said in the letter.
2. Also, please let me know when the review is scheduled so I can be sure you have my comments well in advance of the meeting. I have found additional errors that I need to bring to your attention and want to be as thorough as possible so I do not want to rush to get you a response today.
3. Please advise whether my 4/5/05 email to you is sufficient, or do I need to file a formal allegation?
3. I also want to confirm that next week's review in no way thwarts me from bringing forth additional inaccuracies/concerns once I have reviewed all the investigative material that has been requested under the FOIA. Given I was point-blank told by one executive that he lied to the NRC, and given I have reason to believe others have lied as well (based on evidence gleaned from discovery in my civil lawsuit), I anticipate bringing further inaccuracies/mistruths/lies to the NRC's attention after reviewing the investigation documents. Please confirm that next week's review will in no way deny me that right.

I would appreciate a response today to these questions given time is of the essence.

Thank you.

Kymn

Nancy Kymn Harvin, Ph.D.