

From: Hubert J. Miller, *RF*
To: Jim Dyer; Samuel Collins; William Travers
Date: Fri, Dec 12, 2003 1:47 PM
Subject: Fwd: Please deliver to Mr. Hub Miller

FYI -- attached letter to me from Salem allegor escalates things another step.....she refers to conversations she has had with Dave Lochbaum, Billie Garde and Jim Riccio.

Just received this...I will be in touch with you further.

First impression, we are on a course.... we should stick to it. The issue for us is how we communicate with Dr. H.

CC: A. Randolph Blough; beh; Grm; John Jolicoeur; jtw1; Patricia Baker; rvc; Thomas Bergman; W Lanning; William Kane

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in accordance with the Freedom of Information
Act, exemptions *7C*
FOIA 2005-0194

R-157

From: David Vito *IRI*
To: SALEMHCSCWE
Date: Fri, Dec 12, 2003 1:33 PM
Subject: Fwd: Please deliver to Mr. Hub Miller

- SENSITIVE ALLEGATION INFORMATION -
- PROTECT ACCORDINGLY -

Hub, et.al.

Please see the attached letter from Dr. H. She just called and asked that I deliver this to you promptly. Briefly, she met yesterday w/D. Lochbaum, Billie Garde, Jim Riccio, and others to discuss her situation and interaction with the agency on the SCWE matter. While she continued to express her confidence in our efforts, it would also appear that she does not want to wait much longer for the NRC to issue a finding and/or initiate some type of interaction with, or finding against, the licensee. I am surmising this by her implied deadline in the letter, i.e. " I will be back in touch with you a month from now. In the meantime, I trust that important decisions will be made and announced."

She also mentions in the letter the recent PSEG response to her state court discrimination complaint. This document was received and distributed by the Allegation Office yesterday to appropriate staff for review and discussion at the next periodic ARB for the allegation (scheduled for Thursday 12/18/03). As we discussed during the OI prioritization meeting yesterday, she is very interested in how we take PSEG to task with regard to issues they deny in the response to the court complaint that we may identify in our review as not being as clearly deniable or totally incorrect.

Also, for thought and future consideration, based on her contacts yesterday, and the information we received a few days ago about the potential interaction with 60 Minutes, we may reach a point in the very near future where we will need to declare her as a "widely known allegor," as it would appear that it will become more and more difficult to protect her identity as more people are made aware of her association with this matter. If you would like me to start pursuing this at this time, I can inform Lisa Jarriel about the current circumstances and get her take on it.

From: [REDACTED]
To: <DJV@nrc.gov>
Date: Fri, Dec 12, 2003 1:06 PM
Subject: Please deliver to Mr. Hub Miller

Hubert J. Miller, Regional Administrator
Region I
Nuclear Regulatory Commission
King of Prussia, PA

via email

Dear Mr. Miller,

Yesterday I met with a group of people convened by David Lochbaum at the Union of Concerned Scientists offices in Washington, DC. I asked for the meeting to explore ways to have my case with PSEG be of benefit to public safety, the nuclear industry, and the NRC. As I have conveyed previously, I am committed to as much "good" coming of this as possible.

We explored many options, including bringing this matter to the attention of the national media (print and network), to Dr. Shirley Jackson as a PSEG Board member, and to industry organizations, among others.

I stressed to those gathered that I have been encouraged by your and Region I's response to my allegations and the attention these matters are receiving. This, frankly, surprised them. For many, their experience with the NRC has been otherwise. But they agreed that the NRC's response to date, as I described it, appears to be serious and thorough. Instead of exploring actions that might "bash" your agency, we focused on ways to support the NRC's efforts. We all agreed that the NRC gaining, not losing, credibility is for the public good, the nuclear industry, and our country.

With all this in mind, we reached the consensus that the best course of action is to wait for Region 1 to act on the Safety Conscious Work Environment and discrimination claims. While much documentation has been amassed, Dave Vito mentioned to me yesterday that the interviews are not yet complete. In addition, new information has come in. PSEG and Defendant [REDACTED] responses to my civil complaint, part of the public record as of Dec. 9, 2003, make their positions clear. I am aware that testimony under oath to the NRC contradicting their responses to the court would be highly problematic.

I, and now others, are counting on bold and timely action from the NRC. Especially given the evidence and involvement of corporate officers, the NRC clearly has the necessary authority. As I have said repeatedly, let's not wait for a disaster. The public is counting on better from us.

I remain available and willing to answer any additional questions. I will be back in touch with you a month from now. In the meantime, I trust important decisions will be made and announced.

Respectfully,

Kymn

N. Kymn Harvin, Ph.D.

cc: David Lochbaum, Nuclear Safety Engineer, Union of Concerned Scientists
Rich Hayes, Media Director, Union of Concerned Scientists
Eric Young, Assistant Press Secretary, Union of Concerned Scientists
Jim Riccio, Nuclear Policy Analyst, Greenpeace
Billie Pirner Garde, Attorney at Law, Clifford & Garde
Katherine Morrison, US Public Interest Research Group
Mary P. Waddington, Resident, Salem, NJ
Robert Woodruff, Attorney at Law, Algerier Woodruff, P.C.
David Vito, Allegations Office, NRC Region 1
Eileen Neff, Office of Investigation, NRC Region 1

CC: <EXN1@nrc.gov>, <dlochbaum@ucsusa.org>, <Bpgarde@aol.com>,
<rhayes@ucsusa.org>, <kmorrison@pirg.org>, <jim.riccio@wdc.greenpeace.org>,
<eyoung@ucsusa.org>, <mpwaddington@snip.net>