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From: Gregory Cwalina
To: Crutchley, Julie; Petrosino, Joseph
Date: 6/6/05 9:59AM
Subject: UFM Issue

I talked with the CI in the cases involving UFM's this morning. The CI called to inform me of a couple of issues.

1 - Westinghouse (W) responded to the Caldon complaint (lawsuit). The response apparently gives details of the allegation which the CI believes should only be available in the allegation file. In fact, the CI states that W references issues as far back as 2002, details which only the NRC should know. I asked the CI if he could provide a copy of the W submittal to me so that I can send to OIG. As you are aware, I provided OIG with a complaint about release of allegation information by the staff on two previous occasions. The CI is checking with the attorneys to see if the information can be provided to us.

2 - In response to the W submittal, Caldon provided a response on 5/19/05. Due to the nature of the W submittal, the CI stated it was necessary for Caldon to reference the allegation information. The CI wanted us to be aware that Caldon has now admitted their role in the allegation.

The CI also asked the status of the generic communication. I stated that, as far as I am aware, the NRC is still considering that option. I suggested the CI contact Chris Grimes for more details.

CC: Alexander, Stephen; Grimes, Christopher; Quay, Theodore; Thatcher, Dale

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