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**UNION OF  
CONCERNED  
SCIENTISTS**

September 27, 1999

Mr. Jefferey F. Harold, Project Manager  
United States Nuclear Regulatory Commission  
Washington, DC 20555-0001

**SUBJECT: MANAGEMENT DIRECTIVE 8.11, REVIEW PROCESS FOR 10 CFR 2.206  
PETITIONS"**

Dear Mr. Harold:

I received the copy of Consolidated Edison's letter dated September 24, 1999, which you faxed me. In this letter, Mr. A. Alan Blind of Con Ed states, "As discussed with members of the NRC Staff, we are providing our assessment of whether certain issues enumerated in the petition need to be fully resolved prior to resumption of operations at the facility [Indian Point Unit 2]."

I have read NRC Management Directive 8.11, "Review Process for 10 CFR 2.206 Petitions," as revised July 1, 1999, several times. I fail to see within this document explicit or implicit direction to NRC staff on interacting with the licensee prior to the Petition Review Board meeting. As I read the Management Directive, the NRC staff may solicit information regarding the petition issues from the licensee after the Petition Review Board meeting whether there's a Petition Meeting or not. Thus, it seems totally improper for the NRC staff to be interacting with the licensee concerning a petition before the Petition Review Board meeting.

I will be formally communicating my concern with this apparently improper staff action with both the NRC Inspector General's office and the United States Congress.

Sincerely,



David A. Lochbaum  
Nuclear Safety Engineer  
Union of Concerned Scientists

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