

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:

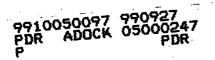
I received the copy of Consolidated Edison's letter dated September 24, 1999, which you faxed me. In this letter, Mr. A. Alan Blind of Con Ed states, "As discussed with members of the NRC Staff, we are providing our assessment of whether certain issues enumerated in the petition need to be fully resolved 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 <u>after</u> the Petition Review Board meeting or not. Thus, it seems totally improper for the NRC staff to be interacting with the licensee concerning a petition <u>before</u> 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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