

From: Architzel, Ralph
Sent: Thursday, June 11, 2009 11:24 AM
To: Pedersen, Renee
Cc: Leeds, Eric; Magruder, Stewart; Carpenter, Cynthia
Subject: RE: DPO Decision; Next Steps (recalled and resent with dated attachment file)

Renee:

I have reviewed the DPO Decision and the related DPO panel report regarding DPO 2008-01. I have prepared a file (attached) that contains a statement of my views regarding the Decision and several comments that relate to the panel report (one in particular recognizing that the summary of my concerns was misstated). I still believe that the proper course of action regarding resolution of GSI-191 is as stated in my DPO, and therefore; I disagree with the Director's Decision.

However, I do not see substantive value added in pursuing an Appeal. I believe in all likelihood the Director's Decision would be upheld at the next level. I do not consider that an audience with the EDO and/or his staff to explain or defend my views would be worth the effort and the attendant delays in finalizing the DPO and releasing the results.

I do want my DPO and related documents to be made publically available to the fullest extent as soon as possible. To that end I, request that the attached statement be included among the documents to be publically released relating to the DPO. I would suggest that, if the Director desired, he could have a statement of views prepared addressing the points I make in the attached file and also have that made part of the record (and considered for public release as well). If the only way to accomplish this disclosure (of my attached statement) would be for me to file an appeal; then I would like timely feedback (before June 18th) to allow me to reconsider the merits of an appeal.

Thanks for your consideration

Ralph Architzel

From: Renee Pedersen *RP*
Sent: Friday, May 29, 2009 11:47 AM
To: Ralph Architzel
Cc: Eric Leeds; Stewart Magruder; Cynthia Carpenter
Subject: DPO Decision; Next Steps

Ralph,

As you know, Eric Leeds, Director, NRR, issued a DPO Decision on your DPO on May 27, 2009. In accordance with MD 10.159, you may choose to appeal the decision within 21 calendar days of receiving it (June 18, 2009). If you choose to submit an appeal, please follow the guidance in section E of the MD Handbook. http://www.internal.nrc.gov/ADM/DAS/cag/Management_Directives/md10.159.pdf

In particular:

Complete NRC Form 690 and submit it to me. Focus your submittal on the perceived procedural or technical weakness in the **DPO Decision**. In other words, if you have concerns with the DPO Panel's report, make it clear how this is factored into the DPO Decision.

I will forward your appeal to Eric Leeds and request his statement of views (SOVs) on your appeal.

I will subsequently forward your appeal, the SOVs, and the DPO case file to the EDO for his review and final decision.

If you choose to submit an appeal, the summary of the DPO Decision will not be included in the Commission's Weekly Information Summary until the DPO appeal Decision is issued.

Please feel free to contact me if you have any questions.

Renee

A 8