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 FACIL: 50-275 Diablo Canyon Nuclear Power Plant, Unit 1, Pacific Ga 05000275
 50-323 Diablo Canyon Nuclear Power Plant, Unit 2, Pacific Ga 05000323
 AUTH. NAME AUTHOR AFFILIATION
 COOPER, W.E. Teledyne Engineering Services
 RECIPIENT NAME RECIPIENT AFFILIATION
 DENTON, H.R. Office of Nuclear Reactor Regulation, Director
 ENGELKEN, R.H. Region 5, Office of Director
 MANEATIS, G.A. Pacific Gas & Electric Co.

SUBJECT: Informs that two former Bechtel employees will be retained on independent design verification program.

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Per H. Schierling

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October 14, 1982
5511-173

Mr. G. A. Maneatis, Senior Vice-President
Facilities Development
Pacific Gas and Electric Co.
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San Francisco, California 94106

Mr. H. R. Denton, Director
Office of Nuclear Reactor Regulation
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

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Mr. R. H. Engelken, Regional Administrator
Region V
U. S. Nuclear Regulatory Commission
1450 Maria Lane, Suite 210
Walnut Creek, California 94596

Gentlemen:

At the October 7, 1982 DCP-IDVP meeting Mr. Engelken expressed, individually to Mr. Maneatis and to me, his concern that the IDVP would employ two former BPC employees in their verification of the DCP Corrective Action Program. Subsequently, I have been involved in conversations on this matter with Mr. Denton, Mr. Denison, Messrs. Reedy, Gibbon and Herbert, Mr. Maneatis and with Messrs. Engelken, Crews, and Bishop. I understand that Mr. Maneatis and Mr. Engelken have also had further discussion, as undoubtedly, have others of which I am not aware.

Based upon all of these discussions and in the interest of completion of the IDVP in a competent and independent manner, I have made the decision to retain both of these individuals on the IDVP effort. This letter is to inform the addressees of this action on my part as IDVP Program Manager, and to present my reasons for having done so. These are:

1. Neither of these individuals are in violation of the IDVP Program. Procedure (DCNPP-IDVP-PP-005) on Conflict-of-Interest, as approved by NRC's letter of September 8, 1982.
2. Neither of these individuals will be verifying work in which the individual participated personally and substantially as BCP employees.
3. These individuals have outstanding qualifications in the applicable technical disciplines and are acting with respect to a particular matter which requires such qualifications.
4. One of these individuals terminated BPC employment more than one year ago and the other more than two years ago.

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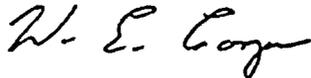
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R.D. H. Schwab

In addition to the reasons associated with the IDVP, I believe that retention of such individuals is in the best interest of future independent verification programs. The first qualification must be technical competence and professional integrity. If we are to eliminate those knowledgeable and experienced in nuclear power without an established set of criteria related to real or apparent conflict-of-interest, we can have no reliance upon the verifications performed. I would suggest that the criteria applicable to former NRC employees, as stated in Title 10 of the Code of Federal Regulations, Part 0, be applied. In fact, the tabulated items 2, 3, and 4 do this.

I would appreciate any comments on my position and will consider them in performing my function as IDVP Program Manager. However, I intend to proceed with the IDVP efforts as planned and with the participation of these two individuals.

Very truly yours,

TELEDYNE ENGINEERING SERVICES



William E. Cooper
Project Manager - 5511

WEC:cjr

cc: E. Denison (RLCA)
R.F. Reedy (RFR)
F. Sestak (SWEC)
H. E. Schierling (NRC)(2)
R. R. Fray (PG&E)

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