

DEC 7 1983

Ms. Lynne Bernabei
Staff Counsel
Government Accountability Project
Institute for Policy Studies
1901 Que Street
Washington, D.C. 20009

Dear Ms. Bernabei:

This is in response to your letter of October 17, 1983 in which you express dissatisfaction about how you are receiving information regarding the problems at Palo Verde during hot functional testing.

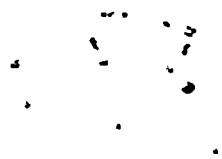
In regard to our response to your September 14, 1983 letter, I regret the delay in responding. The pressure of other business accounted for that delay (as well as the delay in responding to your October 17 letter) but I agree we should have responded more promptly, especially in view of the October 12 meeting.

As to the October 12 meeting, I also regret any impoliteness that may have occurred. Handouts, if available to one, should be available to all, as they are for all docket file material, and there should not be -- and will not be -- any discrimination towards various members of the public attending meetings.

With regard to your FOIA request related to the PNO's issued by Region V on the Palo Verde problems, Mr. Licitra was not aware of such a request. Action on that request was handled by NRC Region V who was in possession of the relevant documents.

In regard to your comments on keeping the public informed concerning Palo Verde, we believe this is being adequately handled by meeting such as those in August and October and by placing relevant documents in the PDR docket file. Arizona Public Service will continue to give status briefings as the staff deems necessary, despite what you may have heard from other sources.

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As indicated in Mr. Novak's October 18 letter to you, Mr. Dewey will continue to provide you with summary information regarding Palo Verde on an informal basis. You will also, of course, continue to receive copies of NRC correspondence on this case since you are on the service list for this docket.

Sincerely,

(Signed) T. A. Rehm

T. A. Rehm
Assistant for Operations
Office of the Executive Director
for Operations

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555



Ms. Lynne Bernabei
Staff Counsel
Government Accountability Project
Institute for Policy Studies
1901 Que Street
Washington, D. C. 20009

Dear Ms. Bernabei:

We have received your letter of October 17, 1983 in which you express some dissatisfaction about how you are receiving information regarding the problems encountered at Palo Verde during hot functional testing. We are sorry to hear of this and would like to address the areas of concern.

First of all, we apologize for the delay in responding to your letter of September 14, 1983. Although it was our intent to respond sooner, due to the press of other business, the response did not get completed until October 18, 1983.

As you will note, our October 18, 1983 letter did include the September 28, 1983 memo that Mr. Dewey, NRC staff counsel, provided you on October 12, 1983. We are happy to hear that the memo did provide you with the type of information you had been looking for. This information is available to the public since the memo had been placed in the PDRs at the time of issuance.

In your October 17, 1983 letter, you commented on the distribution of the handouts that the applicant provided during the meeting held on October 12, 1983. To assure that you would receive this information, Mr. Knighton had made arrangements with Mr. Dewey at the start of the meeting. The arrangement was to provide Mr. Dewey with a copy of the handouts so that he could, in turn, provide you with a copy. Mr. Dewey believes he did provide you with a complete set of the handouts which were copies of viewgraphs used during the meeting.

With regard to attendance at meetings held between the staff and an applicant, I would like to emphasize that, unless otherwise stated (e.g. meetings on security plans), such meetings are open and members of the public can observe. It is my understanding that you have been informed of all meetings held on this subject between the applicant and the staff.

Your question about being kept informed was responded to in Mr. Novak's letter of October 18, 1983. As stated there, Mr. Dewey will continue to provide you with summary information related to the subject problems encountered at Palo Verde Unit 1. In addition, APS will brief the staff on the status of activities as new information is developed. You will be advised when such meetings are scheduled.

Finally, with regard to your FOIA request related to the PNOs issued by Region V on the Palo Verde problems, Mr. Licitra was not aware of such a request. As we later learned (and we understand that you have learned as well), action on the request is being completed by Region V since it relates to documents issued by that office.

In conclusion, I would like to reiterate that we believe the public is being kept informed on the above Palo Verde matters.

Sincerely,

Thomas Rehm, Assistant for Operations
Office of the Executive Director for
Operations

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