

ORIGINAL

NUCLEAR REGULATORY COMMISSION

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IN THE MATTER OF:

COMMISSION MEETING

Discussion of Receipt and Release of  
Special Inquiry Report

Place - Washington, D. C.

Date - Friday, January 4, 1980

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

COMMISSION MEETING

Discussion of Receipt and Release of  
Special Inquiry Report

Room 1130  
1717 H Street, N.W.  
Washington, D. C.

Friday, January 4, 1980

The Commission met, pursuant to notice, at 12:30 p.m.

BEFORE:

- JOHN F. AHEARNE, Chairman of the Commission
- RICHARD T. KENNEDY, Commissioner
- JOSEPH M. HENDRIE, Commissioner
- VICTOR GILINSKY, Commissioner

ALSO PRESENT:

Messrs. Bickwit, Hamrahen, and Fitzgerald.

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1 PROCEEDINGS

2 (12:30 p.m.)

3 CHAIRMAN AHEARNE: Before we start, I would like to  
4 ask for a vote to hold this meeting on less than one week's  
5 notice. The subject is the discussion of receipt and release  
6 of the Special Inquiry Report. All in favor of holding the  
7 meeting on less than one week's notice, say aye.

8 (A chorus of ayes.)

9 CHAIRMAN AHEARNE: All right. Len, do you have  
10 some opening remarks for us?

11 MR. BICKWIT: Brief ones. This meeting has been  
12 called at the suggestion of Commissioner Gilinsky. It involves  
13 the mechanics of the release and receipt of the Rogovin Report.  
14 Two questions have really come to the fore recently:

15 One, what kind of advance notice does the Commission  
16 want with respect to the volume one of the report and any part  
17 of volume two that is available? The second question is: What  
18 is going to be available in volume two and in what form?

19 The questions interrelate to some degree. However,  
20 with respect to the second question we are trying to explore  
21 all possible options and feel at this point that, this matter  
22 having arisen only recently, we do not have an exhaustive  
23 list of options. This is on just what part of volume two is  
24 going to be available.

25 So I would suggest that the Commission assume that

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1 some kind of releasable product will be available shortly and,  
2 taking that as given, although that assumption could be  
3 undercut, taking that as given, proceed to address the first  
4 question I have, which is how far in advance of the public  
5 release of that product should the Commission have that  
6 product available to it?

7 COMMISSIONER GILINSKY: Could you say something  
8 more about what is in volume one and what is in volume two,  
9 and just where do they stand in terms of their completion?

10 COMMISSIONER KENNEDY: Excuse me. This is a purely  
11 administrative sort of discussion. Is Mr. Rogovin's repre-  
12 sentative present?

13 MR. BICKWIT: I don't know. Mr. Rogovin's office  
14 has been advised of the meeting, and in the course of my  
15 discussion with the Rogovin office no representation came from  
16 that office as to whether a representative would be present.

17 COMMISSIONER KENNEDY: We can deal with hearsay,  
18 then.

19 MR. BICKWIT: The response to your question is  
20 going to be to some degree sketchy. We have not seen anything.

21 CHAIRMAN AHEARNE: Which in a way is consistent with  
22 the way we set it up. We're supposed to be operating as an  
23 independent review force.

24 MR. BICKWIT: Volume one is going to consist of  
25 something on the order of 300 pages and is going to be the

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1 basic findings and recommendations of the Rogovin group.  
2 Volume two is going to consist of something on the order of  
3 3,000 pages and is going to provide supporting material. All  
4 of volume one --

5 COMMISSIONER KENNEDY: Excuse me. What is the nature  
6 of this supporting material? Is this the raw material?

7 MR. BICKWIT: It is analyzed material; it's not  
8 raw material.

9 COMMISSIONER KENNEDY: In other words, the task  
10 group reports or something?

11 MR. BICKWIT: Task group reports.

12 COMMISSIONER KENNEDY: But not necessarily the raw  
13 material from which those reports were formulated?

14 MR. BICKWIT: That is correct.

15 Both volume one and volume two are now before the  
16 contractor which has responsibility for making the product  
17 camera-ready for printing. That's true of all of volume one.  
18 It's true of most of volume two. Volume one is scheduled to  
19 go to the printer next week. Volume two will not be available  
20 for printing until quite some time after that.

21 COMMISSIONER GILINSKY: How long is the printing  
22 process?

23 MR. BICKWIT: About a week.

24 COMMISSIONER GILINSKY: That would be for the first  
25 volume. Presumably, the other one would be longer?

1 MR. BICKWIT: That's right, a week to two weeks.  
2 We're giving about two weeks. It doesn't correspond exactly.

3 COMMISSIONER GILINSKY: Now, are these reports done?  
4 Are they completed? Are they still subject to change?

5 MR. BICKWIT: They are subject to change. They are --  
6 it is contemplated that the contractor that now has the reports  
7 before him will make editorial and format changes. The  
8 substantive changes are possible at this point. They are not  
9 contemplated.

10 COMMISSIONER KENNEDY: But they are possible?

11 MR. BICKWIT: Hmm?

12 COMMISSIONER KENNEDY: You say they are possible.

13 MR. BICKWIT: They are possible.

14 COMMISSIONER GILINSKY: Let's see. Volume one is  
15 scheduled, or we think it's scheduled to go to the printer  
16 next week?

17 MR. BICKWIT: That's right.

18 COMMISSIONER GILINSKY: And it will take about a  
19 week to print that. And presumably, when that is available,  
20 if the schedule is followed, we would have a meeting with the  
21 Special Inquiry staff?

22 MR. BICKWIT: That is correct.

23 COMMISSIONER GILINSKY: The week after next?

24 MR. BICKWIT: That's right.

25 CHAIRMAN AHEARNE: It's tentatively scheduled for



1 something like the 16th.

2 MR. BICKWIT: Assuming you have a product.

3 COMMISSIONER GILINSKY: Right. Are we then going  
4 to have volume two in hand, on which presumably volume one  
5 relies?

6 MR. BICKWIT: That is the second question that I had.  
7 And the options are many. One option you won't have is to have  
8 a fully printed copy of volume two available. How far short  
9 of that you'd have to go we're not clear at this point. We  
10 need more facts on that.

11 COMMISSIONER GILINSKY: But it could be made  
12 available in some other form, in Xerox form or in some other  
13 form?

14 CHAIRMAN AHEARNE: That would seem fair.

15 MR. BICKWIT: Physically, there is something there.  
16 We just don't know what the preferences are.

17 CHAIRMAN AHEARNE: I don't see why not.

18 COMMISSIONER KENNEDY: I didn't understand.

19 CHAIRMAN AHEARNE: I said I don't see why it couldn't  
20 be made available in some form. I would think it could be.

21 MR. BICKWIT: I think it physically could be.

22 COMMISSIONER HENDRIE: Get the thing out, which  
23 means volume one out. And I think we ought not to put  
24 volume one on the table without having at least a couple of  
25 copies of volume two to be able to look at, notably in the



1 PDR and a couple down here and a couple in the Congress, in  
2 whatever shape it can be at that point.

3 COMMISSIONER GILINSKY: Assuming it's final.

4 COMMISSIONER HENDRIE: Yes.

5 COMMISSIONER GILINSKY: In other words, final in  
6 the sense that the work is done, it's not going to be  
7 rewritten.

8 CHAIRMAN AHEARNE: My understanding is --

9 COMMISSIONER HENDRIE: The only copy you'll get on  
10 a time scale commensurate with releasing volume one as soon as  
11 it's printed, my understanding is, is a copy which still has  
12 to be retyped to make the page formats as they will be.

13 COMMISSIONER GILINSKY: Well, but format aside,  
14 typos aside.

15 COMMISSIONER HENDRIE: But my understanding is that  
16 the Rogovin groups are holding the option that, even at that  
17 stage, they might find, yet find some error or inconsistency  
18 that they wanted to correct. So it appears that if you take  
19 what has now been sent to the typing contractor and mark it  
20 draft, you have either 99 percent or 100 percent of what will  
21 eventually appear. But you can't quite tell. But there could  
22 be still more than just typo corrections.

23 But from my standpoint, I think 99 percent's good  
24 enough. That is, I wouldn't penalize holding up the whole  
25 thing for six weeks or two months in order to dot the

1 last "i" and cross the last "t" in volume two.

2 COMMISSIONER KENNEDY: Nor would you release volume  
3 one without volume two.

4 COMMISSIONER HENDRIE: True. Otherwise, it just  
5 floats without a base under it.

6 COMMISSIONER GILINSKY: Is that something we're  
7 agreed on, then?

8 COMMISSIONER AHEARNE: I would think so. I don't  
9 know where you come out.

10 MR. BICKWIT: I'd suggest that you not come to a  
11 firm conclusion, because we're not entirely clear on just how  
12 bad that volume two is going to look.

13 COMMISSIONER KENNEDY: Are you talking about appear-  
14 ances or substance?

15 MR. BICKWIT: I'm talking about both. I'm talking  
16 about as far as appearance is concerned --

17 COMMISSIONER KENNEDY: I don't care.

18 MR. BICKWIT: Yes, but our understanding is that it  
19 may be in such shape that readers would have a great deal of  
20 difficulty tracing its meaning in some of the chapters.

21 COMMISSIONER HENDRIE: But if they're forwarding it  
22 to the contractor who's going to type it up in camera-ready  
23 form and simply correct typos --

24 MR. BICKWIT: It's not simply correcting typos.

25 COMMISSIONER HENDRIE: You mean the contractor is

1 going to rewrite the damn thing to make it understandable?

2 MR. BICKWIT: He's going to reference footnotes, he's  
3 going to pull diagrams out from some places and put them into  
4 other places. And we're informed that in some cases it may  
5 be rather difficult to figure out where that diagram goes.  
6 Footnotes may be out of sequence. It is not simply a question  
7 of repairing typographical errors.

8 MR. HANRAHAN: That's more than a two-week job. My  
9 experience tells me that is a very big, time-consuming job.

10 CHAIRMAN AHEARNE: It depends upon how much -- I  
11 guess my feeling would be, if the contractor can do that in  
12 a couple of weeks, then the amount of work that has to be done  
13 isn't so great as to mitigate getting it.

14 COMMISSIONER HENDRIE: John, I think that's why it's  
15 four to six weeks.

16 CHAIRMAN AHEARNE: But if it's really, you're talking  
17 about --

18 COMMISSIONER GILINSKY: Four to six weeks to do what?

19 COMMISSIONER HENDRIE: Apparently --

20 MR. BICKWIT: At this point the contractor has done  
21 no work on it.

22 CHAIRMAN AHEARNE: As you said in the beginning,  
23 Len, we need more facts.

24 MR. BICKWIT: I'm discouraging this kind of conver-  
25 sation.

1 CHAIRMAN AHEARNE: We're floundering without the  
2 evidence.

3 COMMISSIONER KENNEDY: If we don't have the facts,  
4 what purpose do we have meeting here?

5 MR. BICKWIT: You have facts which are relevant to  
6 the other questions.

7 COMMISSIONER KENNEDY: It's a dumb question, I  
8 realize that, in our normal course of business.

9 MR. BICKWIT: As I mentioned at the start, there  
10 are really two questions to consider. The second question  
11 needs more facts. The first question, if you will come to the  
12 assumption that you will have a product that is releasable in  
13 the next couple of weeks, recognizing that assumption may be --

14 COMMISSIONER KENNEDY: Maybe I misunderstood, but  
15 I thought all of us just got through saying that that's what  
16 we wanted, A; and, B, the two parts should be issued at the  
17 same time, albeit the second one would not be in perfect  
18 shape.

19 CHAIRMAN AHEARNE: That's what I think we said.

20 COMMISSIONER KENNEDY: Yes.

21 MR. BICKWIT: Well, and I at that point said I  
22 hope the Commission wouldn't come to a conclusion on that  
23 without knowing just how imperfect the shape would be.

24 COMMISSIONER GILINSKY: You cannot put out a  
25 part one that relies on a part two, without putting out a

1 part two.

2 MR. BICKWIT: In that case, the Commission will  
3 have to consider the option, if it finds the second part as  
4 being so imperfect as not to justify release, will have to  
5 consider the option --

6 CHAIRMAN AHEARNE: Len, let us continue, though,  
7 with the particular discussion we have here. Let us make the  
8 assumption that there will be a part two in some version  
9 releasable at the same time as part one, and let's get on with  
10 the discussion of when is part one going to be released,  
11 part one finished, part two in an unfinished form. If it  
12 turns out that part two is so grossly unfinished that it can't  
13 be released, then I think the consensus is we'd rather defer  
14 release of part one.

15 COMMISSIONER HENDRIE: Good. I would like to make a  
16 comment eventually on that point. But you're just right in  
17 saying let's assume that's the case and get on with the next  
18 part.

19 MR. HANRAHAN: Part one, volume one will be available  
20 to the Commission.

21 CHAIRMAN AHEARNE: That's what we're about to  
22 discuss.

23 MR. BICKWIT: Yes. Part one can be made available  
24 to the Commission the week after next.

25 CHAIRMAN AHEARNE: And the issue I thought we were

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1 meeting here today is to how far in advance.

2 MR. BICKWIT: How far in advance does the Commission  
3 want to receive it, how far in advance of public release.

4 CHAIRMAN AHEARNE: That's right. And as I understand,  
5 the disagreement is two days to one week. Is that correct?

6 MR. BICKWIT: My understanding of the positions of  
7 the Commissioners is that it varies to that degree. The  
8 Commissioners ought to speak for themselves on where they  
9 stand.

10 CHAIRMAN AHEARNE: I think we ought to get it  
11 48 hours in advance.

12 COMMISSIONER KENNEDY: I think 24 hours is enough,  
13 but I could tolerate 48.

14 COMMISSIONER GILINSKY: I was going to propose that  
15 we actually get this, assuming both parts come together, which  
16 I think is essential, that we get it before it goes to the  
17 printer, in order to be able to review it for completeness for  
18 the ground it covers and to see whether or not it needs to be  
19 augmented in some way.

20 Now, in any case, even if we don't do that and,  
21 after talking with other Commissioners, it's clear that there's  
22 very strong opposition to that, I think we ought to get the  
23 report when it is final, when it is put to bed. As a practical  
24 matter, that means, I think, when it goes to the printer.  
25 This would give us some additional time, as a practical matter

1 a week, to reflect on the report. Conceivably, it might  
2 affect our actions in the intervening period in one area or  
3 another.

4 I'd like to explain, even though I don't want to  
5 pursue the point, why I thought that it would be useful for  
6 us to examine the report before it went to the printer. This  
7 is a pretty extensive effort and we've spent a lot of money  
8 on it, we've devoted a lot of resources to it. It would be  
9 ridiculous, I think, if important areas have not been covered  
10 adequately and we had to cope with that after the report is  
11 bound.

12 I might say that, in an area of personal interest --  
13 I'm sure there are others -- there's one that has to do with  
14 the events on the first day and who knew what about the  
15 thermocouple readings, how were these transmitted, how was the  
16 information about temperatures in the core dealt with; and  
17 also, the same questions about the hydrogen explosion. These  
18 figured prominently in at least one of our decisions. It's  
19 an area that the Kemeny report neglected, as one of the members  
20 of that commission pointed out in a supplementary statement.  
21 And after all, this Special Inquiry was launched to write the  
22 bible on this accident and to get the facts on the basis of  
23 which we could improve our operation.

24 Now, I understand there's a very strong disinclination  
25 to even give the slightest appearance of influencing this



1 study. But that is not what I had in mind here. There's no  
 2 question of tampering with conclusions. It seems to me the  
 3 successive leaning over backwards to avoid even the appearance  
 4 of undue influence is what put the Commission in a posture in  
 5 other areas where this failed to get information that it needed  
 6 to act, and this is exactly the posture for which it was  
 7 criticized in the Kemeny Report and I expect is going to be  
 8 criticized in this report, properly so, I think.

9           And I think it would have been entirely proper for  
 10 us to exercise an oversight role here. The report, after all,  
 11 is for us, to help us do our job better. And if it fails to do  
 12 that, we will be accountable.

13           In any case, there is, as I said, very strong opposi-  
 14 tion to that. It seems to me that we should at least have the  
 15 report when it is complete. And I find it very odd that the  
 16 Commissioners would not want to have it the minute it is put  
 17 to bed, in effect, as soon as the ink is dry on the director's  
 18 signature.

19           As I said, it might conceivably affect our actions  
 20 in one area or another in the interim. But more importantly,  
 21 I think it gives us additional time to reflect on the report,  
 22 on the conclusions of the report, the recommendations of the  
 23 report, and it makes it possible for us to engage more effec-  
 24 tively in discussion time. Otherwise, we're just sitting here  
 25 like bumps on a log while the debate about this agency and

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1 nuclear regulations swirls around us.

2 So I think we ought to have that report no later  
3 than when it goes to the printer.

4 CHAIRMAN AHEARNE: Any other comments?

5 COMMISSIONER KENNEDY: Well, speaking for those of  
6 us who have been here regular throughout the holiday period  
7 and consistently over the past eight months, I haven't found  
8 any logs to be a bump on. Now, there may be some. Perhaps I  
9 could look for them. But otherwise I don't have any comment.

10 CHAIRMAN AHEARNE: Joe?

11 COMMISSIONER HENDRIE: I think there's some justifi-  
12 cation and some merit in what Vic has said about the report.  
13 I certainly wouldn't object to having a copy of the report a  
14 little earlier than is otherwise contemplated. And it would  
15 provide a little more time to read and reflect on it before we  
16 sit down to discuss it with Mitch Rogovin and his people.

17 On the other hand, if I end up going Vic's way,  
18 we're going to be split two-two, which I suppose would mean  
19 that the report would come to the Commission halfway between  
20 the time it went to the printers and the time it will be  
21 complete.

22 (Laughter.)

23 COMMISSIONER HENDRIE: Or maybe it wouldn't come at  
24 all. I don't know. And so I'm going to end up voting a  
25 rather low-key two-day request for two days, which was what

1 I think you'd settled down on, John. You may regard this as  
2 deference to the Chairman's views on a matter where I have --

3 CHAIRMAN AHEARNE: I thought it was an appropriately  
4 low-key that comes from that chair.

5 COMMISSIONER GILINSKY: Well, what is the reason?

6 CHAIRMAN AHEARNE: Wait. May I answer Joe's comment?  
7 First, as I seem to recall, we had very lengthy debates and  
8 discussions about forming this committee to get started. It  
9 took us a long time to get it started. When we did get it  
10 started, we took great pains in both the announcements we put  
11 out in the contracts and certainly in the discussions, which  
12 I thought were unanimous amongst us with Mr. Rogovin, it was  
13 going to be an independent inquiry.

14 As many branches of the government have found,  
15 independence has both joys and pains. And in this particular  
16 case, one of the problems with independence we might find  
17 is that the product that will come up will be dissatisfying in  
18 some versions. Now, I don't know. The only version I have of  
19 what is in that or might be in that report comes from a  
20 document I read about in the pages of one of the journals in  
21 the United States. But other than that, I have no idea  
22 what's in it.

23 I think that clearly, if we find that the product  
24 has gaps and is dissatisfying and we believe there are areas  
25 that should have been gone into more thoroughly, it's our

1 responsibility to make sure those areas are gone into. I  
2 have difficulty, having once established this independent  
3 group, not trying to see where the chips fall using a log-type  
4 analogy again.

5 I think, as far as when we get the report, I have,  
6 coming out of other organizations, been really quite surprised  
7 in this organization with the difficulty that we have of having  
8 any information for any length of time without having wide  
9 distribution. And so frankly, I feel that when we set this  
10 up with Mr. Rogovin I seem to recall we agreed that when the  
11 report was done he would come in and present it to us, and at  
12 that time then go public with it.

13 If we wish to have it widely distributed prior to  
14 having the printed copy, that's a different issue. But I  
15 think Mr. Rogovin ought to be able to come and give us a  
16 presentation and we can question him as we wish. I would  
17 expect that, as we've done with other reviews, that we will  
18 then have further questions at some later point.

19 Anyway, I think two days is an appropriate time.

20 COMMISSIONER GILINSKY: Frankly, as far as I'm  
21 concerned, I would be comfortable giving it to the press at  
22 the same time, with an embargo. But one doesn't have to do  
23 that. One can simply give it to Commissioners.

24 Are you saying that the Commissioners are going to  
25 release this report?

1           CHAIRMAN AHEARNE: Vic, I have no idea how material  
2 gets out of the building at all. All I can say is, coming in  
3 in 20-some years in government, I've been astonished.

4           COMMISSIONER GILINSKY: Therefore, you don't want to  
5 give it to Commissioners because you don't trust the other four  
6 Commissioners, presumably?

7           CHAIRMAN AHEARNE: I have no question of how. My  
8 point is, I don't know how things go out. I believe that  
9 48 hours is an adequate period of time.

10          COMMISSIONER GILINSKY: Obviously, only the persons  
11 who are present can vote. But I understand Peter has favored  
12 the Commission getting this earlier.

13          CHAIRMAN AHEARNE: Yes, that's correct.

14          MR. BICKWIT: I don't think this is something that  
15 requires a vote.

16          CHAIRMAN AHEARNE: But Peter was in favor of it.  
17 Peter, to whom I spoke this morning, shares Vic's view that it  
18 is important to try to make sure that there is no gap left.  
19 And so I think he would in fact probably -- I think it would  
20 be correct to reflect he would prefer to have it and have the  
21 opportunity to have gaps filled, if there were gaps left. I  
22 think that's an accurate representation.

23                 I'm sure that he would prefer the longer period of  
24 time.

25          COMMISSIONER GILINSKY: I must say that I cannot

1 believe that this Commission does not want to get that report  
2 when it is completed.

3 CHAIRMAN AHEARNE: Vic, the report--we are now talking  
4 about, I believe, a question of three to four days. I can't  
5 see that it is an earth-shaking three or four days.

6 COMMISSIONER GILINSKY: I am also astounded that the  
7 reason is that Commissioners' offices are not trusted to hold  
8 onto the report.

9 CHAIRMAN AHEARNE: I don't know who, Vic. I have  
10 no idea. I say, I've been in government for over 20 years  
11 and it's been astonishing here. This is it.

12 COMMISSIONER GILINSKY: Well, I think we ought to  
13 vote on this.

14 CHAIRMAN AHEARNE: Fine with me.

15 COMMISSIONER GILINSKY: Unless you want to take the  
16 previous discussion to be a formal vote.

17 CHAIRMAN AHEARNE: No, I have no problem.

18 COMMISSIONER GILINSKY: Well, I would propose that  
19 we get the report at the time it goes to the printer.

20 CHAIRMAN AHEARNE: All right. All in favor of that?

21 COMMISSIONER GILINSKY: Aye.

22 CHAIRMAN AHEARNE: No.

23 COMMISSIONER HENDRIE: Nay.

24 COMMISSIONER KENNEDY: Nay.

25 COMMISSIONER HENDRIE: Now somebody propose two days.



1 COMMISSIONER KENNEDY: I'll propose 48 hours.

2 COMMISSIONER HENDRIE: I'll propose 48 hours and then  
3 vote aye on it.

4 COMMISSIONER KENNEDY: Aye.

5 COMMISSIONER GILINSKY: Is there some agreement with  
6 Mr. Rogovin concerning --

7 MR. BICKWIT: There is an understanding.

8 COMMISSIONER GILINSKY: -- when we would receive  
9 this report?

10 MR. BICKWIT: Yes, there is an understanding that  
11 you would receive it 24 hours in advance.

12 COMMISSIONER GILINSKY: When was this arrangement  
13 arrived at?

14 MR. BICKWIT: I believe about a month ago.

15 COMMISSIONER GILINSKY: Between whom and whom?  
16 Because I don't remember.

17 COMMISSIONER KENNEDY: My recollection is, I must  
18 say, my recollection is it goes back much further than that.  
19 I can't put my finger on it, but it came as no surprise to me  
20 that that was the understanding when somebody mentioned this.  
21 It was my recollection.

22 CHAIRMAN AHEARNE: That it was when we started.

23 COMMISSIONER KENNEDY: Fairly early on in the  
24 discussion.

25 MR. FITZGERALD: My recollection was it was some



1 time in June that it was arrived at; that I myself and Kevin  
2 had taken it up about a month ago.

3 COMMISSIONER GILINSKY: Was this discussed with  
4 each of the Commissioners? I don't remember ever hearing  
5 about it. It was just between you and Kevin?

6 CHAIRMAN AHEARNE: I think it was one of the many  
7 discussions that we had back -- we started talking about how  
8 to get a study done, as I recall, in early April. We finally  
9 got the study under way in June. And the many discussions we  
10 had during that period -- it seems to me that was one of the  
11 points that was raised.

12 MR. FITZGERALD: It's not in the contract. I don't  
13 recall who proposed it or, you know, exactly when.

14 COMMISSIONER KENNEDY: I said I didn't want to make  
15 any comment. Let me just say that I would like to recall and  
16 add to the comments which John made. He was precisely on the  
17 mark. We spent what I believed then and continue to believe  
18 to have been an unconscionable period of time debating how  
19 this exercise should be conducted and who should conduct it.  
20 But we ( ) that for a reason, which certainly included our  
21 deep abiding concern that it be seen, understood to be a  
22 thoroughly impartial review, in which the Commission itself  
23 took no direct part; that in no way could the Commission  
24 allow itself to be seen, not -- regardless of the fact, but  
25 to be seen as in any way affecting this totally independent

1 review.

2 Now, we went to great lengths to assure that, and  
3 it seems to me that at this juncture for us to depart from that  
4 notion would be a grave mistake.

5 COMMISSIONER GILINSKY: You regard reading a completed  
6 report as falling into that category?

7 COMMISSIONER KENNEDY: I believe a completed report  
8 would be subject to all variety of interpretation, and I think  
9 that that is best done after a careful, thorough analysis and  
10 review and discussion among the Commissioners to whom it is  
11 addressed; and I think that can be accomplished very well at  
12 the same time the public has had the opportunity to review it.

13 CHAIRMAN AHEARNE: Well, we've taken our vote. Any  
14 other? Vic, any further points? Joe, anything else?

15 COMMISSIONER HENDRIE: May I make a comment on  
16 part two, which has just got nothing much to do with the issue  
17 we've just divided on, but it is a personal expression. If  
18 part two is in such lousy shape that they're going to redo  
19 the nuclear engineering between now and the time it's printed,  
20 why, I've got a big problem with what the group's been doing  
21 out there in Bethesda for the last eight months.

22 I assume that that's not the case and that what the  
23 contractor who would prepare the camera-ready copy will do  
24 would be to format it, clean up typos, straighten out footnotes,  
25 numberings, get the diagrams put in the right place, and the

1 figure numbers correct and so on. If then a Xerox copy of what  
2 the contractor is going to work on has these little glitches  
3 about footnote numbers and so on in it, I don't regard that  
4 as a sufficient degree of finish to prevent it from being used  
5 in conjunction with the release of part one.

6           Forthwith, I suggest that what the Rogovin group  
7 people themselves might want to do, if there are particularly  
8 egregious footnote difficulties in numbering, to take sort of  
9 a best copy of part two that they've got and make some hand-  
10 notes on it saying, see page 42, this footnote should be  
11 number 6 instead of 7, and then that copy gets Xeroxed. What  
12 we ought to have is a couple of copies in the public document  
13 room. The oversight Committees ought to get one copy each.  
14 The Commissioners ought to get one copy each. I'll be glad to  
15 share mine, probably, if the counsel's office needs one. OPE  
16 and the staff needs three or four. If it turns out to be  
17 something like 20 to 25 copies --

18           CHAIRMAN AHEARNE: That is something that Bill can  
19 handle easily.

20           COMMISSIONER HENDRIE: It's a big Xerox job. But  
21 compared to some of the paper crunching we've done in our  
22 printshops over the years, why, I'd describe it as doable.

23           MR. BESAW: We'll give you those copies in 24 hours.

24           MR. FOUCHARD: Could I ask that you not freeze on  
25 the numbers, Dr. Hendrie? I'd like to see five, six, seven,

1 eight, ten in the document room, because of the number of  
 2 people. So don't freeze on that.

3 COMMISSIONER HENDRIE: Talk to Bill. If he's got  
 4 some practical limit, like he can collate 30 at a crack, that  
 5 makes a nice shot.

6 COMMISSIONER KENNEDY: Could I go back to something  
 7 that Dr. Hendrie suggested, however? It seems to me that if  
 8 in fact the volume two is in such shape as to be utterly  
 9 unprintable, in the sense that it has major substantive  
 10 problems, then I would have to ask, what about volume one?  
 11 Because after all, volume one must be somehow related to it.

12 CHAIRMAN AHEARNE: I don't think that's the case.

13 COMMISSIONER KENNEDY: I'm just saying if.

14 CHAIRMAN AHEARNE: I know that most of that technical  
 15 staff is disappearing and going back to their other work, and  
 16 they've been released, which leads me more to conclude that  
 17 what it is is that the group in the final administrative stage  
 18 doesn't want something that looks poor to be distributed.

19 COMMISSIONER KENNEDY: Clearly, volume one and  
 20 volume two must be consistent looking.

21 CHAIRMAN AHEARNE: A polished version. I think what  
 22 you're hearing is that that's not satisfactory.

23 MR. BICKWIT: I mentioned earlier that I didn't know  
 24 exactly what the preferences were. I'd like to indicate I  
 25 didn't know how strong they were. I do know that a preference

1 on the part of the Rogovin group is not to make it available.

2 COMMISSIONER HENDRIE: I think you've got a pretty  
3 clear reading up here.

4 MR. BICKWIT: I just wanted to make that clear on the  
5 record. Then another thing I wanted to make clear is that the  
6 reason given for this predicament is some kind of gross  
7 misunderstanding between the contractor and the subcontractor.

8 CHAIRMAN AHEARNE: Okay. Joe, is that all?

9 COMMISSIONER HENDRIE: Yes, sir. Thank you.

10 CHAIRMAN AHEARNE: Thank you all.

11 (Whereupon, at 1:10 p.m., the meeting was adjourned.)

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