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Congress of the United States

House of Representatives

Washington, D.C. 20515

FLOYD J. FITHIAN

2ND DISTRICT, INDIANA

February 22, 1980

Mr. John F. Ahearne
Chairman
Nuclear Regulatory Commission
1717 H St., N. W.
Washington, D. C. 20555

Dear Commissioner Ahearne:

This is to formally request further information an a meeting with NRC staff pertaining to the NRC Staff Response to Intervention Petitions and Related Filings of Several Organizational and Governmental Entities in the matter of Northern Indiana Public Service's Bailly Generating Station Nuclear-1.

Specifically, I am requesting a meeting at the earliest possible date with Mr. Steven Goldberg, Counsel for the NRC staff on this matter. The purpose of the meeting is to discuss the basis for certain staff findings and recommendations to the Atomic Safety and Licensing Board contained in the abovementioned report concerning timely intervention petitions filed by the Izaak Walton League, the State of Illinois, the Lake Michigan Federation, the City of Gary, et. al, and the United Steelworkers of American Local 1010 pursuant to the Notice of Opportunity for Hearing on Construction Permit Extension published in the Federal Register of 30 November, 1979 (44 F. R. 69061)

I note that an identical request, conveyed orally by a member of my staff yesterday, was rejected by the Director of NRC's Office of Congressional Affairs. I am, frankly, shocked by the lack of responsiveness this action represented. I am advised by counsel that there is no legal basis for refusing to provide the information and meeting I seek. As a member of the House Government Operations Committee sub-committee responsible for NRC oversight, I had been led to believe that the agency is responsive to Congressional inquiries of this type. Apparently, this is not the case. In any case, I would very much appreciate a favorable response to my request prior to committee action on NRC's reorganization plan early next month.

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Looking forward to your timely response, I remain,

Sincerely yours,



FLOYD C. FITHIAN
Member of Congress

FF/jk

cc: Carlton Kammerer
Hon. Toby Moffett, M. C.