



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

June 10, 1976

Secretary
Room

MEMORANDUM FOR: Commissioner Gilinsky
FROM: Ben Huberman
SUBJECT: LIGHTNING PROTECTION - GRILL MEMO

You asked for my thoughts on the Grill memorandum on lightning protection. The memo contains two levels of concern that should be addressed further:

- Technical: Is lightning a significant safety issue that is not being adequately addressed in NRC reviews?
- Administrative: Is the lack, if any, of such review a result of misadministration and/or malfeasance by NRC (or AEC Regulatory) management?

The technical question should be put directly to the NRR staff.

- If lightning is not considered a significant issue, the basis should be documented.
- If it is significant, the Standard Format and Standard Review Plans should reflect its presence in the staff review. (See the enclosed memo for more on this aspect.)

The administrative question should be addressed to the NRR staff through the Agency Inspector. Clearly, the Grill memo can be read to imply the possibility of poor management or worse. Coming so close on the heels of the Pollard matter, the memo may be taken by some as evidence that, despite NRC's testimony to JCAE, suppression of safety concerns has occurred and still does. Of particular importance here is the matter of correspondence being "misplaced" and files "destroyed."

My opinion is that investigation will not show any deliberate suppression. Poor management, however, is a real possibility -- e.g., failure to document resolution of the concern. Unfortunately, those who wish to do so can portray poor management as tantamount to suppression. Nevertheless, the Agency Inspector should be asked to clear up the matter for the record.

CONTACT:
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- cc: (6-30-76) Chairman Rowden, w/Grill Memo
 Commissioner Mason "
 Commissioner Gilinsky "
 Commissioner Kennedy "
 Peter Strauss "
 ✓ Sam Chilk "

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