



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

50-336

NOV 02 1989

Mr. John Delcore
244 St. John Street
New Haven, Connecticut 06511

Dear Mr. Delcore:

I am responding to your letter to Chairman Kenneth Carr of October 4, 1989, in which you provided comments concerning the proposed rule pertaining to Section 210 settlement agreements and comments concerning the U.S. Nuclear Regulatory Commission's (NRC's) statutory mandate.

Although the comment period for the proposed rule expired on September 18, 1989, it is our practice to consider comments received after that date if it is practical to do so. Your comments were received before we completed the proposed final rule and will be considered along with all other comments received by September 18, 1989.

On April 27, 1989, NRC sent a letter to all utilities, NSSS vendors, major architect-engineers, fuel cycle facilities and major materials licensees reemphasizing their responsibilities to assure that they, and their contractors and subcontractors permit their employees to contact, without restrictions, the NRC with concerns about potential safety issues. The letter notified these organizations that it is not acceptable to have restrictions on communications with NRC in any agreement. Organizations identifying potentially restrictive language in an agreement were requested to (1) notify the affected party or parties to ignore the potential restriction on communications with the NRC, and (2) notify the NRC that agreements with restrictive language have been identified. Seventeen agreements were identified with potentially restrictive language. NRC contacted each party involved in these settlement agreements either directly or through their attorney. This process identified four individuals who indicated that they had safety issues not previously identified to NRC and NRC is pursuing these safety issues.

With regard to your comments concerning the Nuclear Regulatory Commission's actions in regulating the nuclear power industry, the Commission expects licensees to comply with its regulations and, when licensees are found to be deficient, as in the case of operators at the Millstone Unit 2 failing requalification examinations, the Commission's record indicates that it takes appropriate steps.

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Mr. John Delcore

- 2 -

Thank you for your comments. The action that the Commission takes with regard to the proposed rule, along with a summary of the comments received on the proposed rule, will be published in a subsequent Federal Register notice.

Sincerely,

Original signed by
Thomas E. Murley

Thomas E. Murley, Director
Office of Nuclear Reactor Regulation

*SEE PREVIOUS CONCURRENCE

OFC	: LA:PDI-4*	: PM:PDI-4*	: D:PDI-4*	: TECH ED*	: OGC*	: ADRI*	: DRP:DIR*
NAME	: SNorris	: GVissing:lm	: JStolz	: BCalure	: STreby	: BBoger	: SVarca
DATE	: 10/19/89	: 10/24/89	: 10/23/89	: 10/19/89	: 10/20/89	: 10/23/89	: 10/31/89
OFC	: OE*	: ADP*	: NRR/TVA	: DONRR	:	:	:
NAME	: RRosana	: JGPartlow	: TQuay	: TMurley	:	:	:
DATE	: 10/26/89:	: 10/27/89	: 10/31/89	: 11/1/89	:	:	:

10/1/89

DISTRIBUTION: EDO-0004808

Docket File

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F. Miraglia
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F. Gillespie
W. Russell, RI
J. Lieberman, OE
R. Rosano, OE
J. Scinto, OGC
T. Quay



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WASHINGTON, D. C. 20555

Received Oct 16

ACTION

EDO Principal Correspondence Control

FROM:

DUE: 10/24/89

EDO CONTROL: 0004808
DOC DT: 10/04/89
FINAL REPLY:

John Delcore
New Haven, CT

TO:

10/21/89 11/2

Chairman Carr

FOR SIGNATURE OF:

** GRN **

CRC NO: 89-1100

Murley

DESC:

ROUTING:

COMMENTS ON SETTLEMENT AGREEMENTS

Russell, RI
Lieberman, DE
Scinto, OGC

DATE: 10/11/89

ASSIGNED TO:

CONTACT:

NRR

Murley

SPECIAL INSTRUCTIONS OR REMARKS:

Due NRR - 10/20

NRR RECEIVED: OCTOBER 11, 1989

ACTION: ~~ADSP-CRITCHFIELD~~ *DRPR: Varga*

NRR ROUTING: MURLEY/SNIEZEK W/O ENCL.
MIRAGLIA "
PARTLOW "
GILLESPIE "
MOSSBURG "