



CHAIRMAN

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

DOCKET NUMBER  
FRCB & UTIL. FAC.

50-329,330 SP

August 30, 1978



The Honorable Elmer B. Staats  
Comptroller General of the United States  
General Accounting Office  
441 G Street, N.W.  
Washington, D.C. 20548

Dear General Staats:

The Nuclear Regulatory Commission has received a request, accompanying a proposal for Commission approval of a settlement of a special proceeding, that the Commission seek an opinion from the Comptroller General with respect to the following question:

In connection with the termination and settlement of a special proceeding brought to investigate charges against a private attorney and NRC staff attorneys, which termination and settlement results in a withdrawal and striking of all charges against all such attorneys, does the NRC have authority to reimburse a maximum of \$1,000 in actual out-of-pocket expenses incurred on behalf of the private attorney in connection with such proceeding, when the NRC has paid all fees and expenses of the staff attorneys in connection with such proceeding, and the NRC believes that the withdrawal, settlement and termination of the proceeding is in the public interest?

The Commission hereby requests such an opinion.

Should you wish additional information, please call James L. Kelley, Acting General Counsel, at 634-3288.

Sincerely,

Joseph M. Hendrie  
Chairman

Enclosures:

1. Hendrie letter to V. B. Deale, Chairman Special Board, Midland proceeding, Jan. 30, 1978
2. Deale letter to Hendrie, Mar. 21, 1978, w/encl.
3. Hendrie letter to Deale, Apr. 28, 1978
4. Deale letter to Hendrie, June 7, 1978, w/encl.

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