

AUG 6 1980

MEMORANDUM FOR: Chairman Ahearne
Commissioner Gilinsky
Commissioner Hendrie
Commissioner Bradford

FROM: William J. Dircks, Acting Executive Director
for Operations

SUBJECT: EDO REPORT, JULY 28-AUGUST 1, 1980

1. RES Reorganization

The reorganization plan for the Office of Nuclear Regulatory Research, as recently approved by the Commission, was transmitted to the National Treasury Employees Union (NTEU) for review, and has been announced to the staff with proposed implementation effective August 17, 1980.

2. Draft PEIS on TMI-2

TMI Program Office held a briefing for EPA on the proposed PEIS for the TMI-2 cleanup. The purpose of the briefing was to assure that EPA fully understood the basic direction and concepts in the PEIS and to identify any significant problems.

3. AEOD Office Charter

The AEOD office charter is currently being drafted. Proposed charter will be forwarded to the Commission the week of August 10.

4. North Anna Emergency Preparedness

Licensee plans to have an emergency preparedness exercise on August 16, 1980 with FEMA, NRC, and the State of Virginia. FEMA's critique will be contained in a report to the NRC on August 19, 1980.

5. Enforcement Actions Involving Review by the Justice Department

On July 16, 1980, the U.S. Court of Appeals for the District of Columbia Circuit issued a decision in SEC v. Dresser Industries which may have significance with respect to the conduct of NRC enforcement investigations in

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situations where a referral has been made to the Department of Justice for possible criminal action while the NRC enforcement investigation is continuing. In its decision, the Court denied a request to quash a subpoena issued by the SEC in connection with an SEC civil investigation on the grounds that Dresser Industries was not entitled to special protection because there was a parallel criminal investigation into the same matters, being conducted by a Federal grand jury under the guidance of the Department of Justice.

(Signed) William J. Dircks

William J. Dircks
Acting Executive Director
for Operations

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