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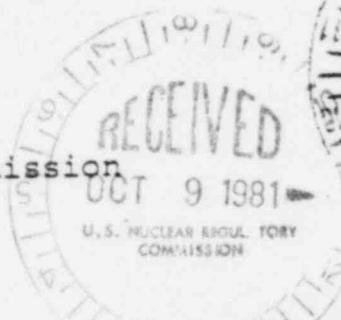
The Honorable Nunzio Palladino  
Chairman, Nuclear Regulatory Commission  
Washington, D.C. 20555

Dear Mr. Chairman:

I have been informed that the Commission is conducting an inquiry into allegations concerning failures to comply with NRC regulations at the William H. Zimmer Nuclear Power Station. I believe it essential that the Commission take steps to insure that any inquiry into this matter be concluded in a manner such that there be minimal doubt concerning its adequacy. It is important, for example, to avoid doubts such as the GAO recently raised with regard to the adequacy of the NRC's South Texas inquiry:

For example, beginning in mid-1979, OIA started an investigation of alleged harassment of quality control inspectors by workers during the construction of of the South Texas Nuclear Project. In its October 10, 1980, report, OIA found that the allegations of harassment were, in fact, old allegations that the NRC Office of Inspection and Enforcement had been aware of since 1977. More importantly, OIA stated that despite an on-going NRC inspection and the recurring nature of many of the allegations, the Office of Inspection and Enforcement had not substantiated any of the allegations or identified any items of noncompliance until a special investigative team visited the South Texas project in 1980. At that time the Office of Inspection and Enforcement issued 22 notices of violations, a \$100,000 civil penalty, and an order to show cause why construction of the plant should not be stopped.

The OIA report, however, does not draw any conclusions about the adequacy of the Inspection and Enforcement program or why it permitted the situation at South Texas to continue for 3 years before corrective action was taken. Further, OIA did not address the safety of the South Texas plant considering the seriousness of the allegations. For instance, one of the substantiated allegations involved the alteration and falsification of records. The OIA re-



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port states that "it is OIA's opinion that a concerted effort by a team of investigators would uncover even more examples of records alteration/falsification." OIA's report, however, does not reach any conclusions or make any recommendations about this problem or what effect it might have on the reliability or the safety of the South Texas plant.

[GAO, EMD-81-72, p.15.]

In its consideration of the Zimmer case, I believe the Commission should prepare a statement addressing, among other things: (A) the nature and disposition of allegations concerning the falsification of inspection records; (B) the nature and disposition of any allegations regarding emplacement of markings indicating that certain welds had been inspected when the inspections had not in fact been performed in accordance with NRC regulations; and (C) whether reports prepared by NRC staff were initially written and/or revised in a manner such that documents sent to NRC headquarters or the Commission conveyed the impression that any infractions were less serious than was in fact the case.

Thank you for your assistance.

Sincerely,

  
MORRIS K. UDALL  
Chairman