

March 24, 1994

Mr. Paul M. Blanch
135 Hyde Road
West Hartford, Connecticut 06117

Dear Mr. Blanch:

SUBJECT: 10 CFR 2.206 PETITION

The purpose of this letter is to inform you of the status of the Petition that you submitted in accordance with 10 CFR 2.206. In your Petition, dated December 31, 1992, you requested that the NRC take immediate enforcement with regard to Rosemount, Incorporated (Rosemount), for its intentional failure to report known defects identified in basic components, in violation of § 21.21 of 10 CFR Part 21.

In his April 7, 1993, letter, Dr. Murley stated that sufficient actions had already been taken by the NRC staff to ensure that the problems with Rosemount transmitters did not constitute an immediate safety concern for any nuclear power plant. Although he denied your request for immediate action, he informed you that the NRC would act on your Petition within a reasonable time.

The staff has completed an inspection and investigation of Rosemount and has issued the inspection report and a synopsis of the investigation to Rosemount. The inspection report was placed in the Public Document Room after the staff resolved Rosemount's request to withhold proprietary information from the report. By letters dated March 4 and March 17, 1994, the staff sent you and your attorney the inspection report cover letters, the investigation report synopsis and a copy of the public version of the NRC inspection report. The March 4, 1994, inspection report cover letter notified Rosemount that an enforcement conference will be held soon. The enforcement conference will be closed to the public in accordance with Commission policy because investigative matters and proprietary information will be discussed. We intend to transcribe the enforcement conference and prepare a summary to be made publicly available after proprietary and investigative considerations are addressed.

In accordance with 10 CFR 2.206, you will receive a response to the concerns raised in your Petition following the enforcement conference and the staff's determination as to enforcement action.

9403310190 940324
PDR GA999 EMVRDSM
99900271 PDR

290021

Sincerely, Original signed by
Frank J. Miraglia *for*

William T. Russell, Director
Office of Nuclear Reactor Regulation

0008449

DISTRIBUTION: JLieberman SSChidakel JRoe JWermiel JMauck JGray *EO mail Rm*
PDR/CENTRAL FILES/DOCKET FILES ADT R/F VIB R/F DRIL R/F BBoger NBLe *NRC Mail Rm*

OFFICE	I:VIB:DRIL	SC:VIB:DRIL	BC:VIB:DRIL	DIR:DRIL:NRR	OGC
NAME	JJPetrosino	GCwalina	LNorrholm	<i>CERossi</i>	JGoldberg
DATE	3/14/94 *	3/15/94 *	3/18/94 *	3/23/94	3/22/94 *
COPY	YES	YES	YES	YES	YES NO
OFFICE	TECH EDITOR	ADT:NRR <i>AT</i>	DD:NRR <i>3/24</i>	DIR:NRR	
NAME	PKLeene	ACThadani	<i>W</i> FJMiraGlia	<i>WTR</i> WTRussell	
DATE	3/12/94 *	3/25/94	3/24/94	3/24/94	
COPY	NO	YES	NO	YES	NO

* See previous concurrence.

OFFICIAL RECORD COPY DOCUMENT NAME: BLANCH-4.LTR

FOB
11



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20565-0001

March 24, 1994

Mr. Paul M. Blanch
135 Hyde Road
West Hartford, Connecticut 06117

Dear Mr. Blanch:

SUBJECT: 10 CFR 2.206 PETITION

The purpose of this letter is to inform you of the status of the Petition that you submitted in accordance with 10 CFR 2.206. In your Petition, dated December 31, 1992, you requested that the NRC take immediate enforcement with regard to Rosemount, Incorporated (Rosemount), for its intentional failure to report known defects identified in basic components, in violation of § 21.21 of 10 CFR Part 21.

In his April 7, 1993, letter, Dr. Murley stated that sufficient actions had already been taken by the NRC staff to ensure that the problems with Rosemount transmitters did not constitute an immediate safety concern for any nuclear power plant. Although he denied your request for immediate action, he informed you that the NRC would act on your Petition within a reasonable time.

The staff has completed an inspection and investigation of Rosemount and has issued the inspection report and a synopsis of the investigation to Rosemount. The inspection report was placed in the Public Document Room after the staff resolved Rosemount's request to withhold proprietary information from the report. By letters dated March 4 and March 17, 1994, the staff sent you and your attorney the inspection report cover letters, the investigation report synopsis and a copy of the public version of the NRC inspection report. The March 4, 1994, inspection report cover letter notified Rosemount that an enforcement conference will be held soon. The enforcement conference will be closed to the public in accordance with Commission policy because investigative matters and proprietary information will be discussed. We intend to transcribe the enforcement conference and prepare a summary to be made publicly available after proprietary and investigative considerations are addressed.

In accordance with 10 CFR 2.206, you will receive a response to the concerns raised in your Petition following the enforcement conference and the staff's determination as to enforcement action.

Sincerely,

A handwritten signature in cursive script that reads "Frank J. Magliola".

for William T. Russell, Director
Office of Nuclear Reactor Regulation

cc: See next page

Mr. Paul M. Blanch

-2-

cc: Mr. Kenneth E. Ewald, Business Unit Manager
Rosemount Nuclear Instruments, Incorporated
1256 Trapp Road
Eagan, Minnesota 55121

Mr. Ernest Hadley
414 Main Street
P. O. Box 3121
Wareham, MA 02571