



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

September 29, 1982

50-275

Dr. William E. Cooper
Teledyne Engineering Services
130 Second Avenue
Waltham, Massachusetts 02254

Dear Dr. Cooper:

Since commencement of the Independent Design Verification Program under the management of Teledyne Engineering Services, a continuing concern has existed regarding the need to assure the independence of Teledyne Engineering Services (TES) on the one hand, and the legitimate need and desire of others to have some degree of communication with the independent reviewer, on the other. While we have suggested procedures, there nonetheless remains confusion as to what type of contact with IDVP reviewers is appropriate and how it should be accomplished. These concerns have been discussed with you and we have agreed that the following guidelines should be followed from this point on. For the purposes of this letter, TES includes TES and all of its subcontractors and Pacific Gas and Electric Company (PG&E) includes PG&E, Bechtel and all of their subcontractors.

TES as the independent reviewer, has a clear need for prompt access to whatever data it requires to fulfill its role as described in the Commission's November 19, 1981 Order and in the staff's letter of that same date. In this regard, TES may initiate a meeting with PG&E to facilitate the receipt of information to the extent it determines necessary. Site visits for this purpose are also recognized as a means which may be utilized by TES to obtain necessary information. Requests for information and responses thereto should be documented but formal documentation may follow a request otherwise made provided it is done promptly.

When TES determines that it is necessary or desirable to transmit to PG&E substantive information regarding its review, such transmittal may be accomplished by phone, letter or by a meeting as determined by TES. If by phone, a brief written summary should be prepared by TES and sent to all participants (including the Governor and Joint Intervenors), describing in sufficiently comprehensible form, the nature and content of the communication. If by letter, all participants should be provided a copy. If by meeting, TES should provide as much advance notice to all participants as can be given consistent with its need to perform the review in a timely fashion; no express amount of advance notice is required and the inability of any other participant to attend such meeting is not a basis for delay. Nonetheless, a good faith effort should be made to provide notice and to accommodate all participants. If TES is unable to provide five days advance notice by mail, it will notify the Staff by phone and the Staff in turn will

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Certified By

K. T. Ferguson

D. S. J.

contact representatives of the intervenors. To facilitate the notification of all parties, we are, by this letter, requesting that TES prepare "look-ahead reports," on a bi-weekly basis, identifying anticipated meetings concerning the IDVP, site visits and other significant IDVP events. Copies of such reports should be sent to PG&E, the Staff, and the representatives of the Joint Intervenors and Governor Brown. While we recognize the burden that this places on TES, we believe that this means will better accommodate the desires of all participants in the long run.

PG&E, as the principal object of the IDVP, also has a direct and significant need for timely access to the results of the program. To the extent PG&E desires communications with TES beyond that described above and beyond simple clarification of information provided by TES, PG&E should either accomplish such communication in writing or by arranging a meeting with TES. TES' response to a written request for information should, if more than a simple clarification, be in writing. If a meeting is requested by PG&E, TES should, if it determines such meeting to be warranted, make appropriate arrangements with due regard to notice to all participants as discussed above. Communications between PG&E and TES solely with respect to the financial and administrative aspects of the IDVP contract are outside the scope of this letter.

To the extent that any party (including Joint Intervenors and/or the Governor) may desire to have communications with TES for the purpose of obtaining clarification, the same procedure described above with respect to PG&E will be followed. In any event, the determination as to whether to hold a meeting with either PG&E or the intervenors will be within TES' sole discretion. To facilitate resolution of requests for clarification, TES should identify a single point of contact (with a backup) with whom all participants can communicate either by phone or in writing.

Consistent with its need to perform its review in a timely fashion, the NRC Staff also requires direct access to TES. It is and shall be the Staff's purpose to have any contact with TES for the purposes of obtaining information from TES on matters already reviewed by TES and regarding scheduling and procedural considerations, as well as the scope of the IDVP. Meetings between the Staff and TES regarding TES' substantive findings will follow the Staff's general meeting policy with as much advance notice as can be provided consistent with the Staff's need to conduct its review on a timely basis. Additionally, the Staff will document its contacts with TES in accordance with its traditional practices.

It is hoped that the foregoing will provide sufficient guidance for the duration of the IDVP. If any difficulties arise, I would appreciate any suggested revisions from any party so that the program can be concluded on a timely basis.

Sincerely,

Original Signed by
H. R. Denton

Harold R. Denton, Director
Office of Nuclear Reactor Regulation

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