



UNITED STATES
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD PANEL
WASHINGTON, D.C. 20555

Docket Nos.
50-454/455

June 21, 1983



Mr. Eugene T. Pawlik, Director
Office of Investigations Field Office
Region III
U. S. Nuclear Regulatory Commission
799 Roosevelt Road
Glen Ellyn, Illinois 60137

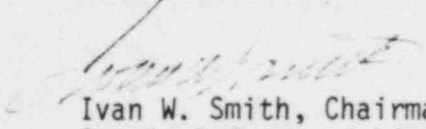
Dear Mr. Pawlik:

I am enclosing copies of orders issued today by the Atomic Safety and Licensing Board concerning the testimony of John Hughes and the need to reopen the evidentiary record in the Byron operating license proceeding. Also enclosed is a copy of a letter dated June 14, 1983 from Mr. Steven C. Goldberg, counsel for the NRC Staff, to the Board which in turn forwarded your letter of May 13, 1983 to Ms. Jane Whicher, counsel for Intervenors. As you can see, Mr. Goldberg explained to the Board that the Staff could not produce a copy of a test relevant to our proceeding because it was in the possession of the Office of Investigations over which the Staff has no control. You may recall that you declined to make available to Intervenors a copy of the subject test "and/or other material" because the material was then being used to facilitate an ongoing NRC investigation.

The purpose of this letter is to request the cooperation of the Office of Investigations in the reopened evidentiary proceeding. In particular the Board requests that you review our orders reciting the need for additional evidence and determine whether your office can now make available relevant information. Consistent with the purposes of your own investigation, we would appreciate pertinent documents, inspection reports and, if appropriate, the hearing testimony of a knowledgeable representative of the Office of Investigations. I am requesting Mr. Goldberg, as an accommodation to the Board, to coordinate and manage any information your office may provide which should be received into evidence or made a part of the record.

There is, incidently, rather recent precedence for the cooperation we are requesting. On November 20, 1981 in the Three Mile Island Unit 1 hearing on alleged operator licensing cheating, the Office of Inspector and Auditor provided a witness, Mark E. Resner, to explain OIA's investigation into that matter.

Very truly yours,


Ivan W. Smith, Chairman
Atomic Safety and Licensing Board

cc w/o encl: Byron Service List

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