

Ms. Billie Pirner Garde  
Government Accountability Project  
Institute for Policy Studies  
1901 Que Street, N.W.  
Washington, DC 20009

NOV 15 1983

PRINCIPAL STAFF			
RA	<i>WAP</i>	CPRP	
D/RA		DE	
A/RA		DRMJP	
RC		DRMA	
PAO		SCS	
SGA		ML	
INF		File	

DISTRIBUTION

Dircks  
Roe  
Rehm (2)  
GCunningham  
RDeYoung, IE  
HDenton, NRR  
EDO 13676  
EDO R/F  
Keppler, Region III  
Liebermann, ELD  
VStello  
~~Warnick/D~~

*GREW*  
*Stie*  
*Mid GAP*

Dear Ms. Garde:

This is in response to your letter to James Keppler, Administrator of Region III, October 14, 1983 regarding NRC Region III's September 29, 1983 approval of Stone and Webster (S&W) to conduct the third-party Construction Implementation Overview (CIO) of Consumers Power Company's (CPCo) Construction Completion Program. Your letter expressed disappointment with the nomination of S&W by CPCo and the NRC acceptance of S&W.

Your concerns related to the independence and competency of S&W have been previously addressed in Mr. Keppler's September 29, 1983 letter to CPCo and in the October 6, 1983 decision of the Director, Office of Inspection and Enforcement, on your 2.206 petition (DD-83-16). While you apparently disagree with our approval, I see no purpose to be gained by restating here the basis for our approval.

However, your statements concerning public participation require a response. The nomination of a firm to conduct the CIO was the responsibility of CPCo. In carrying out our regulatory responsibility of determining whether the nominee had the requisite competency and independence there was public participation. You are well aware of the meetings GAP and others attended prior to our acceptance of S&W. In our view the meetings held on August 11, 1983 were particularly effective in obtaining public input. The comments made at these meetings and in your June 13, 1983 petition were considered by the staff in reaching our favorable determination.

The fact that you might disagree with our decision on S&W does not mean there was inadequate public input. To suggest, as you do, that there was not a "scintilla of public participation" in the process by which we accepted S&W, appears somewhat disingenuous and in conflict with Mr. Thomas Devine's October 31, 1983 letter where he stated that "[a]t Midland, Region III took a major step toward restoring the NRC's credibility with a public that had been misled for years" (page 11).

We intend to monitor the effectiveness of S&W. The monthly meetings between S&W, CPCo and the staff to discuss the progress of the CIO will be open to public observation and should permit you to assess the performance of S&W. Any comments you provide will be fully considered.

Sincerely,

(Signed) T. A. Rehm

T. A. Rehm  
Assistant for Operations  
Office of the Executive Director  
for Operations

bcc: J. Stone, IE  
D. Eisenhut, NRR  
D. Hood, DL/NRR

\* SEE PREVIOUS CONCURRENCE SHEET  
REVISED IN EDO OFFICE 11/8/83 (PAV)

OFC	:OELD*	: EDO	:	:	:	:	:	:
NAME	:Lieberman/cb:	Rehm	:	:	:	:	:	:
DATE	:11/4/83	:11/14/83	:	:	:	:	:	: