

STN - 57-447

# UNION OF CONCERNED SCIENTISTS

1346 Connecticut Avenue, N.W. • S. 1101 • Washington, DC 20036 • (202) 296-5600

May 14, 1984

Mr. Guy H. Cunningham  
Executive Legal Director  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Dear Mr. Cunningham:

It is my understanding that any applicant meeting with NRC staff, for example, any meeting between GE and NRC related to GESSAR, is to be open to the public unless proprietary information is to be discussed and that, if such information is to be discussed, members of the public are permitted to attend if they will sign a form agreeing not to divulge any proprietary information learned from the meeting. However, when I tried to attend such a meeting last week (May 1), I encountered difficulties.

In spite of the fact that I had expressed to both GE and NRC several weeks beforehand my intent to attend any such meetings and had repeatedly attempted to resolve the question before the meeting (see enclosures), the meeting was significantly delayed and a number of individuals were seriously inconvenienced while last minute arrangements were made by NRC to accommodate my attendance. (The nondisclosure form provided to me by GE the morning of the meeting was overly restrictive in that it applied to nondisclosure of information beyond that learned by me at the meeting. It took some time and several telephone calls between attorneys before all concerned could agree on a suitable alternative form.)

All this inconvenience would have been unnecessary if sufficient prior actions had been taken to facilitate my attendance at the meeting. (It should be acknowledged that if it had not been for NRC's actions on the day of the meeting, in particular, for E. Shomaker's actions, I would not have been permitted to attend the meeting at all as it was GE's position first that I would not be able to attend the meeting and then later that the meeting would be held without me unless I would sign their form as initially written.)

I would appreciate your help in expediting my attendance at all future GE-NRC meetings related to GESSAR so that the problems encountered when I tried to attend the meeting last week in Bethesda will not be repeated. In particular, I would appreciate your help in arriving at a standard nondisclosure form for my attendance at those meetings. Enclosed is a copy of an adapted version of the nondisclosure form provided to me by GE which UCS

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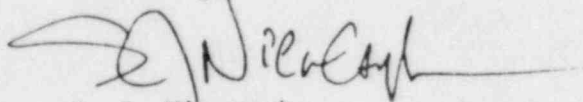
Certified By

*Patricia Anderson*

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would support. Although the need for such a form may be obviated if UCS's current challenge of GE's unusual proprietary claim for essentially all materials related to the GESSAR PRA is upheld, I would like to be able to attend all GE-NRC meetings prior to the resolution of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. J. Niemczyk', with a long horizontal flourish extending to the right.

S. J. Niemczyk  
Senior Scientist

Enclosures: Letter to Scaletti (NRC)  
Letter to Smith (GE)  
Draft Non-disclosure Form

Copy to: E. Weiss (UCS)  
B. Smith (GE)  
E. Firestone (GE)  
E. Van Loon (UCS)