



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

February 14, 1992

The Honorable Edward M. Kennedy
United States Senate
Washington, D.C. 20510

Dear Senator Kennedy:

I am responding to your letter of January 29, 1992, in which you and three other members of the Massachusetts delegation sent the Commission several questions concerning letters from yourself (February 27, 1990) and Representative Kostmayer (March 7, 1990), and the answers provided by the Commission on March 15, 1990. You referred to a report by the NRC Inspector General (IG) (enclosed), and indicated that this topic might arise at the House Interior and Insular Affairs Committee's Subcommittee on Energy and the Environment hearing on February 19, 1992.

At the outset the Commission wishes to make clear that it is crucial to our nuclear regulatory process that the Commission must be able to rely on the accuracy and completeness of the information upon which our regulatory decisions are based. We also share your expectation that any information which is conveyed to Congress by the NRC will be accurate, complete and timely. The IG and the Commission have found issues of concern in the Seabrook case; we feel that the errors found are correctable as described below. However, no one at NRC has deliberately misled, nor lied to, the Congress, the Commission or anyone else in this matter.

Your February 27, 1990 letter raised issues with respect to a licensing decision which was scheduled to be made two days later, on March 1, 1990; the letter raised questions about Seabrook reaching back to the early 1980's timeframe. The Commission has recognized that safety issues about a facility may arise at any time, and that the Commission has the responsibility to address them. Following the Diablo Canyon licensing experience in 1985, the Commission established a process to address allegations, like those you forwarded, made after the licensing record is closed. These procedures, set forth in NRC Manual Chapter 0517, "MANAGEMENT OF ALLEGATIONS", instruct the staff to perform an expeditious review of the allegations to determine if there are any which because of their potential impact on safety, must be resolved before any licensing action can be taken. The staff performed this review for the Seabrook welds allegations and