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

84 NOV -2 P3:35
November 2, 1984

DOCKETING SERVICE
BRANCH

Herzel H. E. Plaine, Esq. -
General Counsel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Re: Docket No. 50-382, Louisiana Power
& Light Company (Waterford Steam
Electric Station, Unit 3)

Dear Mr. Plaine:

We have received the October 19, 1984, memorandum from Assistant General Counsel James A. Fitzgerald indicating that the Department of Justice has decided not to prosecute Mr. Gunnar Harstead for possible violations of federal conflict of interest regulations, and that DOJ has closed its file on the matter. Your earlier memorandum of September 26, 1984, however, expressed the preliminary view that Mr. Harstead may have violated 18 U.S.C. §§ 203, 205 and 10 C.F.R. §§ 0.735-23, 0.735-25. We would appreciate obtaining your current views on this subject -- specifically, the basis of the position expressed in the September 26 memorandum, and any change in that view as a result of either DOJ's decision not to prosecute or further inquiry of your own. Further, we are interested in learning if any NRC office is contemplating action with regard to the Harstead matter. Because comments on this issue from the parties in the pending Waterford adjudication are due for filing by November 14, 1984, we would appreciate as prompt a reply as possible. Thank you.

Sincerely,

Christine N. Kohl

Christine N. Kohl, Chairman

Howard A. Wilber

Howard A. Wilber
Atomic Safety and Licensing
Appeal Board for the
Waterford proceeding*

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G PDR

* Dr. Johnson was not
available to review this
letter.

cc: Bruce Churchill, Esq.
Mr. Gary Groesch
Sherwin Turk, Esq.
Docketing and Service Branch

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