



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

COMMISSION  
CORRESPONDENCE

August 18, 1980

OFFICE OF THE  
COMMISSIONER

The Honorable Gary Hart, Chairman  
Subcommittee on Nuclear Regulation  
Committee on Environment and Public Works  
United States Senate  
Washington, D. C. 20510

Dear Mr. Chairman:

On September 6, 1978, you wrote me to say that Senator Stafford had requested a hearing before your Subcommittee to discuss a pair of 1972 memoranda on pressure suppression containments by Dr. S. H. Hanauer and myself. These had previously been the subject of correspondence between us, which correspondence you had shared with Senator Stafford. The hearing was planned for September 26, 1978, but was cancelled after I had an unhappy encounter that left me with a broken jaw and in no condition to discuss anything. Scheduling difficulties subsequently prevented the hearing from being held through the rest of 1978 and the early months of 1979. Then the Three Mile Island accident preempted all our attention for an extended period. Finally, at a hearing before your Subcommittee on February 28, 1980, Senator Stafford addressed a series of questions on the 1972 memoranda and related matters to me and to Dr. Hanauer. My answers were transmitted with a letter to Senator Stafford on April 4, 1980, and a copy was supplied to your staff for inclusion in the hearing record (Enclosure I). It is my understanding that the purposes of Senator Stafford's 1978 request for a discussion of the 1972 pressure suppression memoranda have been satisfied by this exchange.

Your September 6, 1978 letter also referred to two other matters. I had originally expected that these would be discussed in a hearing at some time and thus had not responded to you about them. The purpose of this letter and the balance of the enclosed material is to make that response and to complete the record on these matters. As with other official correspondence, I propose to place a copy of this letter and the enclosed material in the NRC Public Document Room so that it will be available to the public.

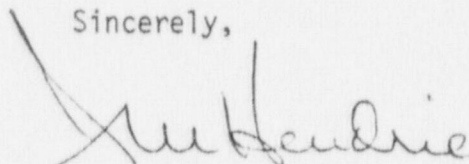
The first of the other matters referred to in your September 6, 1978, letter concerns a memorandum prepared by the Union of Concerned Scientists criticizing a number of the documents I made public, at your suggestion, in 1978. Your letter said that you would appreciate my response to their criticisms. My response is given in Enclosure II. By way of a

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general comment on the UCS criticisms, I would note that they reflect on the one hand a misunderstanding of the details of the matters at issue and on the other a determination to put the worst possible interpretation on my writings. I wrote the documents upon which the UCS criticisms are based in the period 1972-74 when I was on the regulatory staff. The documents are internal notes and memoranda directed to other regulatory officials about various items of regulatory business that were in process at the time. The notes and memoranda generally omit explanatory background material since the people to whom they were addressed all understood the context and background. The documents are often cryptic, occasionally attempt some wry humor, and even show some bad temper. Read years later, in a different setting and by people unfamiliar with the details in each case, I do not wonder that the meanings can be misinterpreted.

The second of the other matters referred to in your letter of September 6, 1978, concerns a note from me to John O'Leary about West Valley, dated September 12, 1972. You asked whether that note should be interpreted to say that I would not necessarily release to the public a full and accurate summary of inspection findings. The answer is that it should not be so interpreted. Inspection reports, less any proprietary or classified material, are placed in the Public Document Room and I have always supported that policy, which started, as I recall, in 1972. In the West Valley matter, I had received an anonymous letter and was seeking ways to have the concerns voiced in the letter investigated and to make the investigation results known. West Valley was not my responsibility and so I made my suggestions to the appropriate authority. I had some correspondence in 1979 with Mr. Marvin Resnikoff of Buffalo, New York on my West Valley memorandum. I have enclosed a copy (Enclosure III) since my reply sets out the details of the matter.

Sincerely,



Joseph M. Hendrie  
Commissioner

Enclosures:  
I, II, & III

cc: Senator Alan K. Simpson  
Senator Robert T. Stafford