

Ms. Billie P. Garde
Government Accountability Project
3424 N. Marcos Lane
Appleton, Wisconsin 54911

Dear Ms. Garde

We have received your letter to Mr. Jose Calvo of December 4, 1987, on December 7, 1987.

Whatever you may have felt suggested by discussions between members of our team who were reviewing STNP allegations at GAP last week, it is NRC's intentions, and the teams instructions, to fully and properly review the allegations you have on file.

There is no imposed deadline, although we intend to move as quickly as a quality review will allow. In that regard GAP at the November 19, 1987 meeting did indeed state that some additional allegations would follow. We were under the impression that all the allegations would be available when the NRC review began on November 30, 1987, but the 50 additional allegations provided by GAP will be reviewed as part of this initial effort. NRC intends that the initial review at GAP will include examination of all parts of your files that the NRC deems necessary in order to conclude which allegations need further follow up. When that review is complete we will advise you of the need to contact allegers and or obtain additional information that may be required to further clarify the allegations so that we can pursue our review to completion, including inspections as necessary.

In regard to the Houston Chronicle article, I believe the discussions between you and I, and you and Jose Calvo appear to have resolved that issue for the moment. The NRC person who was contacted by the author of that article believes he was misquoted. Our agreements as stated in my November 24, 1987 article to you stand.

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

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Ms. Billie P. Garde
Government Accountability Project
3424 N. Marcos Lane
Appleton, Wisconsin 54911

Dear Ms. Garde :

We ~~have~~ received your letter to Mr. Jose Calvo of December 4, 1987, on December 7, 1987.

Whatever you may have ^{been} ~~felt~~ suggested ^{to you} by discussions between members of our team who were reviewing STNP allegations at GAP last week, ~~it is~~ NRC intentions, and the team's instructions, to fully and properly review the allegations you have on file.

There is no imposed deadline, although we intend to move as quickly as a quality review will allow. ~~In that regard~~ GAP at the November 19, 1987 meeting ~~did indeed state~~ that some additional allegations would follow. We were under the impression that all the allegations would be available when the NRC review began on November 30, 1987. ~~But the 50 additional allegations provided by GAP will be reviewed as part of this initial effort.~~ NRC intends that the initial review at GAP will include examination of all parts of your files that the NRC deems necessary in order to conclude which allegations need further follow up. When that review is complete, we will advise you of the need to contact allegers and/or obtain additional information that may be required to further clarify the allegations, so that we can pursue our review to completion, including inspections as necessary. ~~These steps will assist us in~~ ^{conducting} ~~and in completing~~ ^{review of} ~~the~~ ^{allegat.}

In regard to the Houston Chronicle article, I believe the discussions between you and I, and you and Jose Calvo appear to have resolved that issue for the moment. The NRC person who was contacted by the author of that article believes he was misquoted. ~~I assure you that~~ ^{our} agreements as stated in my November 24, 1987 ~~article~~ ^{letter} to you stand.

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

FOIA-88-107
B/8



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

December 7, 1987

VIA MESSENGER

Richard E. Condit, Esq.
Government Accountability Project
25 E Street, N.W.
Washington, D.C. 20001

Dear Mr. Condit:

As you are aware, pursuant to several discussions between GAP and Ms. Billie Garde, on the one hand, and the NRC, on the other hand, arrangements have been made for the NRC to send a team of qualified individuals to GAP's offices in order to review certain files which GAP and Ms. Garde have assembled regarding various allegations of safety defects at the South Texas facility. These NRC reviews began on November 30 and, from the agency's point of view, they have been proceeding smoothly since then.

On Friday afternoon, December 4, I was advised that GAP and Ms. Garde were upset with an article that appeared in a Houston newspaper that morning. I was further advised that, as a result of that article, you had called the NRC and instructed that no review team would be allowed in GAP's offices on Monday, December 7, although a specific team had been assembled to conduct reviews of your allegations files at that time. In order for the agency to find out what was going on directly from you, I was asked to give you a call.

We talked around mid-afternoon on Friday, December 4. You advised me that an article appearing in the Houston paper had upset several of your allegers and required you (GAP and Ms. Garde) to institute some "damage control." You indicated that because of the article you were required to spend a lot of time correcting some erroneous information and explaining the actual situation to calm down a number of people. Because it appeared to you that this process would extend into Monday and perhaps beyond, you felt that the review scheduled to begin on Monday could not go forward because, you believed, it would interfere with the discussions you felt were necessary to calm the anxieties created by the newspaper article. We agreed that a great deal of progress had been made in this matter in the past few weeks and neither of us wanted to jeopardize that progress. You advised me that you viewed the current problem as being neither the NRC's fault nor a permanent derailment of the procedures to which we had all agreed. You insisted, however, that GAP and Ms. Garde needed a temporary halt in the procedures in order to give you time to clear the air with your allegers.

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As we discussed, although the NRC has not seen the article, as Ms. Garde represented the article to Frank Ingram in our public affairs office, it appears that some erroneous information may have been reported in the Houston paper. In particular, as you well know, GAP's files have not been physically turned over to the NRC, but remain in GAP's possession and control. Moreover, the NRC has not determined who within the agency can best investigate those of your allegations which may require further investigation. Indeed, the basic reason for the ongoing review is to enable the agency to assess the significance of what you have and to make a reasoned decision as to how best to handle any significant safety concerns that your allegations may reveal. Anything reported anywhere that is contrary to these two points is incorrect.

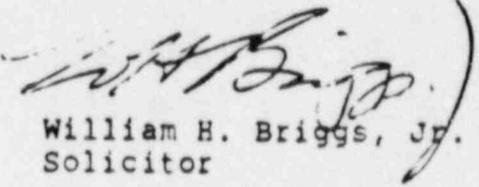
I also advised you that your refusal to allow the scheduled review to continue on Monday, December 7, would create some difficulties for the agency, in that the necessary personnel could not be assembled and disbanded on a moment's notice without some difficulty. You indicated that you appreciated the NRC's logistical problems in assembling a review team of qualified people from different offices with different ongoing responsibilities and then cancelling the review on short notice. You felt that, notwithstanding the inconvenience to the NRC and its lack of fault in any misunderstandings caused by the article, it was still necessary to call a temporary halt to the ongoing review process. I expressed the agency's disappointment in the disruption and its firm desire to continue the agreed upon review process promptly. You agreed that things had been going well and that any disruptions should be brief. I promised to relay the substance of our conversation to Tom Rehm, the key NRC official involved in establishing and overseeing the NRC's role in the previously agreed upon review process. I expressed my hope that you or someone from GAP would call the NRC on Monday or Tuesday, December 7 or 8, to arrange for a rescheduled review time. We agreed that any halt to the review process should be brief.

After our phone conversation I did talk to Tom Rehm and he has advised me that he would honor your request to delay the review process briefly.

The NRC has absolutely no desire to derail the productive process which has been jointly developed to enable the agency to review the South Texas safety concerns which your allegers have raised. From the agency's point of view, however, two important benefits of the process have been that it will enable the agency to obtain the information rapidly and that it will enable the orderly use of the agency's limited resources. Unscheduled interruptions and delays in the review process serve neither of these important interests. We sincerely hope that you will promptly reschedule

NRC review, in accordance with our previously agreed upon procedures.

Very truly yours,


William H. Briggs, Jr.
Solicitor

of rulemaking and instead issue a proposed rule.

But commissioners Kenneth Carr and Kenneth Rogers questioned whether the purpose of the inspections is to simply assess maintenance programs and industry initiatives while a rule is being developed or to work with utilities to improve maintenance and make a rule unnecessary.

"We should be clear on where we stand," Rogers said. "I would say there may be some uncertainty here."

And in response to a statement by Stello that the purpose of the inspections is to "go out and see that plants get their maintenance programs fixed," Carr said: "Then we ought to first have a rule and then go enforce it. You don't need this policy statement to do that. All we're telling them (utilities) with the policy statement is that they ought to have a maintenance program."

Following the meeting, Carr—who has made improved maintenance his top priority—said he supports the thrust of the staff proposal. But he also reiterated his position on the need for the commission to move beyond a policy statement. "I think we ought to have some kind of regulations on maintenance," he said.

Stello suggested to the commission that it is unnecessary to specify how committed the commission currently is to rulemaking and said if the commission decides it wants to adopt a rule following the two-year assessment period, it would be in a position to do so. "We are initiating a process that leads us down the path to rulemaking," Stello said.

Staffers James Sniezek and Jack Roe of the Office of Nuclear Reactor Regulation (NRR) characterized the proposed policy and inspection program as a major new undertaking by NRC aimed at forcing nuclear utilities to either make substantial improvements in maintenance or face new NRC regulations specifying maintenance standards.

"We believe maintenance related challenges to safety systems are very excessive," Sniezek, NRR deputy director, told the commission. "From a safety standpoint it's time for us to start exercising a leadership role in maintenance. We intend to be the impetus behind a new maintenance ethic in the nuclear industry. The first thing we do is tell industry what we expect...we expect things to be fixed when they're broken."

Sniezek and Roe stressed the need for NRC to get away from "paper reviews" of maintenance programs and industry initiatives to improve them and instead determine if improvements called for by industry "are actually taking effect." Staff plans to begin the inspections in April and said three out of every four plants would be inspected within the two-year assessment period.

Each team would be comprised of six to eight members who will be on site about seven days. Roe said each inspection would result in a formal report and that industry and the public would have an opportunity to comment on the inspection methods following a trial program. Several commissioners questioned whether NRC has the resources to carry out so many intensive inspections within a two-year period. "We believe we have a sufficient number of qualified people," Roe said. Team members will come from headquarters and regional offices and will undergo training before beginning the inspections. Roe said.—*Brian Jordan, Washington*

FOIA-88-107
THE GOVERNMENT ACCOUNTABILITY PROJECT (GAP) HAS PETITIONED the NRC to delay voting on a full-power operating license for Houston Lighting & Power Co.'s South Texas Project-1 until NRC investigates all of the allegations made by whistle-blowers and publicly releases reports addressing each charge.

NRC had sent an investigative team to STP to review 10 specific and 60 secondary allegations made by whistle-blowers to GAP (INRC, 18 Jan., 12). The allegations were chosen out of more than 600 safety-related charges, and primary consideration was given to issues that "could affect criticality or power ascension," according to NRC documents. Unsubstantiated charges "would be pursued further only if other related allegations provide some basis to assume that there is validity to the concern," the document said.

But GAP now says that investigation's outcome was "predetermined" and was not thorough because the team concluded that the allegations were "not of immediate safety significance" before follow-up interviews with the allegeders were finished. "NRC had prepared a draft of the findings...even before the team returned from its inspection trip," GAP said. GAP also alleges that the team was "constantly subjected to overwhelming scheduling pressures" to get the plant licensed and that the four-day inspection trip could not have been adequate to investigate all the charges.

Although inspection teams often start writing reports before they leave the site, that was not the case in this instance, said NRC spokesman Robert Newlin. As to scheduling pressures, Newlin said, "the team was aware they could take more time if they needed."—*Danielle Weaver, Washington*

Whistle blowers' attorney to outline claims on STNP

By JAMES R. PIEROBON
Houston Chronicle Washington Bureau

See related story on Page 35

WASHINGTON — A Nuclear Regulatory Commission official and the attorney representing whistle blowers at the South Texas Nuclear Project have agreed to discuss alleged safety defects there amid criticism of the attorney's conduct from some of her traditional allies.

Thomas Rehn, the commission's assistant director of operations, said he and Billie P. Garde, the attorney, have agreed to a Thursday meeting during which Garde said she would give Rehn a general summary of the allegations.

Garde, who works for a public interest law firm called the Government Accountability Project, said she hopes the summary will persuade the commission to investigate the plant's construction.

The decision to meet is the first signal that both parties might compromise soon on how to protect the whistle blowers' identities while dealing with more than 300 allegations of defects in critical safety systems at the nuclear plant 90 miles southwest of Houston.

A federal judge refused late last month to enforce a commission subpoena for the names of the whistle blowers. The two sides have yet to agree on how to protect the identities of the persons who allege the defects.

The agreement to meet comes as whistle blowers Garde has worked with and some public interest groups have begun to criticize her refusal to turn the allegations over to the commission.

"I would not take GAP's posture by refusing to turn over the substance of the allegations to the NRC. They (the NRC) have got to have something to go on," said Robert Pollard, a nuclear safety engineer at the Union of Concerned Scientists.

Tom Smith, director of the Texas office of Public Citizen, which helped defend Garde in court last month, called on her to negotiate more sincerely with the commission. Smith said he believes the commission should investigate South Texas before it grants a full-power operating license to Houston Lighting & Power Co., the largest owner and operator of the South Texas project.

The commission is set to vote the week of Dec. 14 on a full-power license for South Texas.

"Somebody, there's room for a rational compromise. That's what we've asked her and GAP for, to get these things on the table. We need to get moving on them now," Smith said.

Several former STNP workers and one current worker, whom Garde says

before the Department of Labor about their dismissals from plant work or lost pay, asserted she is taking advantage of those ties to pressure the commission to investigate South Texas.

"Personally, I think she wants publicity. That's a big part of her game plan. Raising some hell is half her purpose," said Dean C. Dartey, a former STNP employee who has worked with Garde, but never been represented by her.

Ronald Goldstein, who is still working with Garde on a discrimination complaint he filed through the Department of Labor against Ebasco Services Inc., the South Texas construction contractor, agreed that "she's anxious for publicity." He added that, contrary to her claims, many whistle blowers are willing to go public.

Garde responded that keeping the public informed of events that may affect their safety is one way GAP tries to hold the government accountable.

Among the allegations Garde says she has is the assertion by former South Texas quality control workers that their supervisors falsified inspection reports.

HL&P initially declined to discuss the allegations, but confirmed Nov. 4 that "at least" two quality control inspectors at Ebasco were fired for falsifying inspection reports. Late last week, HL&P said a third quality control worker has been fired by Ebasco.

Neither Rehn nor Garde would predict that Thursday's meeting would produce a long-awaited compromise. Both acknowledged they might accomplish nothing and that the prospect of defects at South Texas could linger.

"She could write out what she knows and give it to us. We probably will ask for more information and ask her to answer questions that could tell us what might be wrong with the plant. Then maybe we can decide on a course of action," Rehn said.

Garde said the summary she will give Rehn will be very general. "It will not be detailed enough for them to investigate or identify our sources (the whistle blowers)," Garde said.

Pollard, of the scientists' union, said he shares concerns often expressed by whistle blowers and that their names should not be turned over to the NRC without conditions. He and Garde fear that Victor Stello Jr., executive director of the NRC, may not honor promises of confidentiality.

"Turning the allegations over to Stello is a total waste of time. But summarizing them with enough detail to trigger a real investigation can be done," Pollard said.

to handle the allegations and protect the whistle blowers seems mired in a clash of the work styles and personalities of Stello and Garde.

Commission officials have been wrestling with attorneys for GAP since 1980. But not until Stello became the commission's executive director of operations in April 1986 and Garde passed the bar exam in her home state of Wisconsin five months later did the clash produce this stalemate.

"It's unfortunate it's gotten this far. It's us against them and Stello and Billie are leading the way," said Richard Condit, a Washington staff attorney at GAP who works with Garde.

Rehn said Stello is a "tough customer and comes on strong. That happens to be her (Garde's) style too.

"He's willing to tell her that she's full of s— when she's full of s— and he's probably right," Rehn said.

Federal law holds the commission responsible for assuring safety regulations at nuclear plants are met, so the agency is compelled to work with virtually any party alleging a deficiency. Thus, GAP cannot be ignored.

Garde first challenged the safety of the South Texas plant at a January press conference in Austin when she announced she had collected alleged safety defects from several current and former workers. She notified Stello about them and called for an investigation independent of Stello, his immediate subordinates and the commission's southwest region staff.

Garde insists such an "independent" investigation was necessary because, she alleges, Stello and the commission's southwest region staff cannot be trusted to identify any problems and keep the whistle blowers' names secret.

Stello said he would protect confidential sources of information about the plant "to the limit of the law and our ability to do so" if Garde first would provide the whistle blowers' names. Garde has repeatedly refused, saying Stello must make a written promise.

Stello responded by issuing the subpoena. In a motion to quash the subpoena, GAP and Garde labeled Stello and the southwest region "proven and unrepentant miscreants."

Garde pledged she would go to jail if a court ordered Stello's subpoena enforced. Stello, in turn, said he would recommend that HL&P be given a full-power operating license even if the allegations are not reviewed.

In refusing to enforce the subpoena last month, Judge Thomas F. Hogan of U.S. District Court in Washington admonished Garde and Stello to put the public interest above their dispute and reach a compromise.

U. S. NUCLEAR REGULATORY COMMISSION
OFFICE OF PUBLIC AFFAIRS
REGION IV - WASHINGTON, TEXAS

Houston Chronicle
November 15, 1987

B/2

FOIA-88-107

FAX TO: KARL SMITH, OGC, H STREET
FROM: CLARE MILES, PA 27715
12/8/87 (1 Page)

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Attorney for nuke workers turns her files over to NRC

By JAMES R. FERGUSON
Houston Chronicle Washington Bureau

WASHINGTON — The attorney for whistle blowers at the South Texas Nuclear Project has given the Nuclear Regulatory Commission her files on allegations of safety defects, and the agency will decide soon if an investigation is warranted, a commission spokesman said Thursday.

Frank Ingram, the commission spokesman, said Billie P. Garde, who represents about 70 employers and former employees at the plant near Bay City, turned her files over to two NRC engineers this week. He said the engineers may decide by next week whether to investigate.

Meanwhile Thursday, the commission postponed by five days, until Dec. 23, the scheduled vote on an operating license at South Texas for Houston Lighting & Power Co., the plant's operator and largest owner. Ingram said the delay was prompted by NRC's decision not to gear up for certain so-called "critical" operations until Dec. 13 or 14.

Commission engineers traditionally need at least a week to review a plant's performance under these critical conditions before the staff director can recommend to the five-member commission whether an operating license should be granted.

Garde, who works for the Government Accountability Project, a public interest law firm based in Washington, could not be reached for comment. But

her assistant on the South Texas allegations, Richard Condit, said the commission and GAP agreed to exchange the information and discuss the allegations privately.

"We don't want a lot of fanfare and publicity. This way things will go a lot smoother," Condit said.

Some nuclear plant workers have either lost their jobs or found it virtually impossible to find work at other nuclear power plants for blowing the whistle on their employers or other companies involved in construction.

Protection of the whistle blowers had been a focal point in a heated dispute between Garde and Victor Stelle, the commission's operations director, that a federal district judge in Washington D.C. refused to mediate. But neither GAO nor the NRC would say Thursday what, if any, compromise was reached to bring about the detailed review of Garde's files.

Ingram said the commission has not agreed, nor does it have any intention of agreeing to create a special investigative task force at South Texas. Garde has long insisted on such a panel as a condition to opening her files. Garde contended that the southwest region staff was incapable of conducting an objective review.

"There has been a lot of give and take by both sides," Condit said.

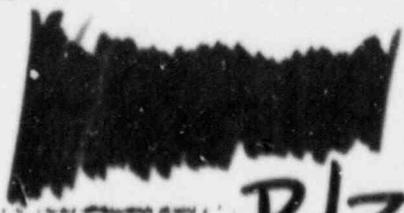
Any thorough investigation of a key operating system at the first of two reactors at South Texas could delay the first generation of electricity on a full-power basis by months.

December 4, 1987 Houston Chronicle

U.S. NUCLEAR REGULATORY COMMISSION
OFFICE OF PUBLIC AFFAIRS
WASHINGTON, TEXAS

REGION IV - WASHINGTON, TEXAS

FOIA-88-107



B/3

NOV 9 1987

Ms. Billie Pinner Garde
Government Accountability Project
Midwest Office
3424 Marcos Lane
Appleton, Wisconsin 54911

Dear Ms. Garde:

This will confirm our telephone conversation of November 4, 1987. In that conversation we agreed to set up a meeting between you and the NRC in order for you to provide the NRC with information about safety allegations at the South Texas facility.

You indicated that you intend to table a summary of allegations sufficient for NRC to determine their safety significance and whether investigation by NRC is warranted. You do not propose to leave a copy with us after the meeting. You expect us to review this data and advise you of how and with whom we will pursue investigation of the allegations, since your main concern is that you mistrust some people who might investigate these matters. If you do not object to our investigative scheme, you have indicated that you will provide the necessary further contact with allegeders either directly or thru GAP as an intermediary.

While we are ready and willing to meet with you on this matter, we believe our discussions would be most productive if the summary of allegations which you provide is written and in sufficient detail for NRC to determine their safety significance and whether investigation by NRC is warranted. We could review that data and proceed to investigate those allegations which appear to warrant investigation on the basis of the information you provide. If there is sufficient information presented for NRC to determine that a significant safety issue is likely involved, we could then ask you for additional information. If there are issues which do not appear to be significant safety issues on the basis of the information presented we could then so advise you. We understand that you will make no references to the names of allegeders. If however, you chose to provide names, we are prepared to grant confidentiality as prescribed by our Manual Chapter on this subject.

I understand you will attend with a knowledgeable investigator, and I will have present people knowledgeable of Mechanical and Structural, QA and electrical areas, since those are the areas you indicated are most involved.

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I understand a member of your immediate family has a medical problem you must deal with, and the earliest you can meet will be Thursday, November 12, 1987 at 10:00 a.m. We will use my office in the Maryland National Bank Building or a nearby conference room.

Sincerely,

(Signed) T. A. Rehm

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

Distribution:

VStello
JTaylor
TRehm
EDO r/f

Briggs, Oge
HARRIS, R. J.

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| DATE : 11/9/87 | 11/12 | 11/12 | 11/12 | | | |

Ms. Billie Pirner Garde
Government Accountability Project
Midwest Office
3424 Marcos Lane
Appleton, Wisconsin 54911

Dear Ms. Garde:

This is to confirm your phone call of November 11, 1987 in cancelling our previously arranged meeting of November 12, 1987 and arranging for a later date of November 19, 1987 at 8:30 a.m., in room 6507, 7735 Old Georgetown Road, Bethesda, Maryland. We are prepared to meet on that date.

As I indicated in my letter to you of November 8, 1987 we believe our meeting will be most productive if you provide information in written form. If however, you choose not to, or intend to amplify extensively in discussion, it might be advisable to transcribe the meeting in order to make sure we do not lose any details. If this appears reasonable to you, please advise me and I will make the arrangements.

Sincerely,

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

FOIA-88-107
B/7



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

Handwritten notes and signatures at top right, including 'Refer to OGC-1' and a circled '11'.

FEB 09 1988

MEMORANDUM FOR: Thomas E. Murley, Director
Office of Nuclear Reactor Regulation

FROM: Lawrence J. Chandler
Assistant General Counsel
for Enforcement
Office of the General Counsel

SUBJECT: SOUTH TEXAS NUCLEAR PROJECT -
UNITS 1 AND 2

Enclosed please find a copy of a Petition dated January 26, 1988, filed by the Government Accountability Project (Petitioner) requesting that the Commission delay voting on a full power operating license for the South Texas Nuclear Project (STNP) until there has been a complete investigation of all allegations regarding the STNP, and public release of a report disposing of each allegation. The Petitioner asserts as bases for this request that (1) the results of the NRC's limited investigation into allegations was predetermined, in that the NRC inspection team had prepared a draft of its findings before making its site inspection; (2) In an on-site inspection with one of the allegeders, the allegeder was not permitted to show the NRC team any of his allegations relating to Unit 1; (3) the NRC review was subjected to overwhelming scheduling pressures, resulting in disposition of most of the allegations without interviewing the allegeders and failure to thoroughly address the 60 selected allegations which were the focus of the team's review; and (4) none of the allegations of wrongdoing has been investigated by the NRC.

The Commission has scheduled a vote on a full power license for STNP for February 22, 1988.

I have enclosed drafts of a letter of acknowledgment to the Petitioner for your signature and a Notice of Receipt of the Petition for publication in the Federal Register.

CONTACT: Mary E. Wagner
492-1683

FOIA-88-107

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~~8804120117~~ 5pp

Please inform my staff of the technical staff contact who will be involved in preparing a response to the Petition and an estimated completion date. Please ensure that I am provided copies of all correspondence related to the Petition and that I am asked to concur on all staff correspondence.

Lawrence J. Chandler
Assistant General Counsel
for Enforcement
Office of the General Counsel

Enclosures:

- 1. Copy of Petition
- 2. Draft Letter of Acknowledgment
- 3. Draft Federal Register Notice

cc: w/encl: J. Lieberman, OE
W. Olmstead, OGC
R. Martin, RIV
W. Brown, RIV

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U.S. NUCLEAR REGULATORY COMMISSION

Docket No. _____

SOUTH TEXAS NUCLEAR PROJECT

(License No. _____)

RECEIPT OF PETITION FOR DIRECTOR'S DECISION UNDER 10 C.F.R. § 2.206

Notice is hereby given that by Petition dated January 26, 1988, the Government Accountability Project requested that the Commission delay voting on a full power operating license for the South Texas Nuclear Project (STNP) until there has been a complete investigation of all allegations regarding the STNP, and public release of a report disposing of each allegation. The Petition asserts as grounds for this request that (1) the results of the NRC's limited investigation into allegations was predetermined, in that the NRC inspection team had prepared a draft of its findings before making its site inspection; (2) in an on-site inspection with one of the alleged, the alleged was not permitted to show the NRC team any of his allegations relating to Unit 1; (3) the NRC review was subjected to overwhelming scheduling pressures, resulting in disposition of most of the allegations without interviewing the alleged and failure to thoroughly address the 60 selected allegations which were the focus of the team's review; and (4) none of the allegations of wrongdoing has been investigated by the NRC. The request is being treated pursuant to 10 C.F.R. § 2.206 of the Commission's regulations. As provided by section 2.206, appropriate action will be taken on this request within a reasonable time.

A copy of the Petition is available for inspection in the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. 20555.

Dated at Bethesda, Maryland

this ____ day of ____, 1988.

FOR THE NUCLEAR REGULATORY COMMISSION

Thomas E. Murley, Director
Office of Nuclear Reactor Regulation

Docket No. 50-498
(10 C.F.R. § 2.206)

Ms. Billie P. Garde
Mr. Richard E. Condit
Government Accountability Project
25 E Street, N.W.
Suite 700
Washington, DC 20001

Dear Ms. Garde and Mr. Condit:

This letter is to acknowledge receipt of a Petition dated January 26, 1988, filed by the Government Accountability Project (GAP) requesting that the Commission delay voting on a full power operating license for the South Texas Nuclear Project (STNP) until there has been a complete investigation of all allegations regarding the STNP, and public release of a report disposing of each allegation. GAP asserts as bases for this request that (1) the results of the NRC's limited investigation into allegations was predetermined, in that the NRC inspection team had prepared a draft of its findings before making its site inspection; (2) in an on-site inspection with one of the alleged, the alleged was not permitted to show the NRC team any of his allegations relating to Unit 1; (3) the NRC review was subjected to overwhelming scheduling pressures, resulting in disposition of most of the allegations without interviewing the alleged and failure to thoroughly address the 60 selected allegations which were the focus of the team's review; and (4) none of the allegations of wrongdoing has been investigated by the NRC.

GAP's Petition has been referred to the staff for action pursuant to 10 C.F.R. § 2.206 of the Commission's regulations. As provided by § 2.206, action will be taken on your request within a reasonable time. I have enclosed for your information a copy of the notice that is being filed with the Office of the Federal Register for publication.

Sincerely,

Thomas E. Murley, Director
Office of Nuclear Reactor Regulation

Enclosure: As stated