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January 25, 1999

Mr. Robert J. Fretz, Project Manager
Office of Nuclear Reactor Regulation
United States Nuclear Regulatory Commission
Washington, DC 20555-0001

SUBJECT: DENIAL OF NRC REQUEST FOR ADVANCE INFORMATION

Dear Mr. Fretz:

I have received your letter dated January 14, 1999, notifying me of the informal public hearing to be held February 22, 1999, into the concerns raised by UCS in our 2.206 petitions on the River Bend and Perry plants. Your letter requested that UCS provide additional information on this matter by February 11, 1999. I respectfully deny that request. I have participated on behalf of the petitioners in every informal public hearing regarding reactor operation held in the past decade -- all three of them. The petitioners were not required to provide the NRC with information in advance of those informal public hearings. Advance information by the petitioners is not required by the provisions of 10 CFR 2.206 or by the guidance in the associated management directive. Since the NRC staff is going by the book in its dealings with UCS on these petitions, I feel it is entirely appropriate for UCS to go by the same book in response. Therefore, we will not provide any additional information to the NRC staff on this matter before February 22, 1999.

Sincerely,

David A. Lochbaum
Nuclear Safety Engineer

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