



OFFICE OF THE
COMMISSIONER

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

May 15, 1987

The Honorable Edward J. Markey
United States House of Representatives
Washington, D.C. 20515

Dear Congressman Markey:

During the hearing on April 28, 1987, of the Subcommittee on Energy and the Environment of the House Committee on Energy and Commerce, you asked each Commissioner to identify any communications between any member of his staff and Leonard Bickwit, Jr. As I stated at the hearing, my legal assistant, Stephen G. Burns, has spoken with Mr. Bickwit. Mr. Burns has provided me with the following account of his communications with Mr. Bickwit.

Mr. Bickwit met with Mr. Burns on or about October 15, 1986, in Mr. Burns' office at 1717 H Street, N.W., Washington, D.C. Mr. Burns informs me that Mr. Bickwit had apparently had other business at the Commission that day and arrived in our office suite unannounced and asked to meet with Mr. Burns to discuss Mr. Bickwit's views concerning the Commission's existing emergency planning regulations. Mr. Burns recalls that Mr. Bickwit told Mr. Burns that he had informed the NRC's Office of the General Counsel of his intention to meet with Commissioners or their assistants. Mr. Bickwit and Mr. Burns mutually agreed that they could not and would not discuss the specifics of any issue in any pending adjudication. Mr. Bickwit briefly outlined his proposal to modify 10 CFR 50.47(a)(1) by striking the words "and will" in that paragraph. The meeting lasted about 15 minutes. Mr. Burns briefed me on the meeting a day or so after it occurred. James Milhoan, one of my technical assistants, attended the briefing. Mr. Milhoan informs me that Mr. Bickwit exchanged greetings with him while he was in the office visiting Mr. Burns on or about October 15, 1986. Mr. Milhoan recalls that he did not discuss Mr. Bickwit's proposal with him during the exchange of greetings.

Mr. Burns recalls that Mr. Bickwit telephoned him within about a week of their meeting to ask whether Mr. Bickwit could discuss their conversation with other Commission personnel and whether it would be useful for Mr. Bickwit to meet with me. While Mr. Burns had no objection to Mr. Bickwit discussing their conversation with others, he declined Mr. Bickwit's suggestion of a meeting with me.

Mr. Bickwit spoke to Mr. Burns on or about November 19, 1986 by telephone to inquire whether there was any Commissioner interest in pursuing his proposal. Mr. Burns stated that, while the Commission might be considering possible modifications to its rules on emergency planning in the next year, the Commission would probably await a proposal from its staff before giving serious consideration to any proposal.

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D/S

The Honorable Edward J. Markey

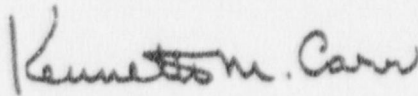
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Mr. Burns does not recall speaking with Mr. Bickwit on any matter after their telephone conversation on November 19, 1986. No other member of my staff has discussed Mr. Bickwit's proposal with Mr. Bickwit.

I trust this information adequately supplements my answer to the question you posed at the hearing on April 28, 1987.

Sincerely,

A handwritten signature in dark ink, appearing to read "Kenneth M. Carr". The signature is fluid and cursive, with the first name "Kenneth" being more prominent and the last name "Carr" following in a similar style.

Kenneth M. Carr
Commissioner

cc: Rep. Morris K. Udall
Rep. Manuel Lujan, Jr.