

December 7, 1999

Mr. Thomas C. Poindexter
Mr. Sheldon L. Trubatch
Counsel to the Nuclear Utility Backfitting
and Reform Group
Winston & Strawn
1400 L Street, N.W.
Washington, D.C. 20555-3502

Dear Messrs. Poindexter and Trubatch:

I am responding to your letter to Greta J. Dicus, former Chairman of the U.S. Nuclear Regulatory Commission (NRC), dated October 6, 1999, regarding our generic communications process and NRC Generic Letter (GL) 99-02, "Laboratory Testing of Nuclear-Grade Activated Charcoal" (June 3, 1999). In your letter you expressed process and procedural concerns with GL 99-02 and you requested that the staff consider your views as we contemplate improvements in the generic communications process.

As a result of your letter, we met with you at a public meeting at NRC Headquarters on November 17, 1999, to discuss your questions and comments on our process. During the meeting, we explained our process and procedures for generic communications. We confirmed that we had adequately followed our process and procedures for GL 99-02, including the compliance exception to the backfitting rule (50.109 of Title 10 of the Code of Federal Regulations). We also achieved a better understanding of your positions on backfitting and expressed our positions. We agreed that no specific actions need to be taken regarding GL 99-02 in response to your letter. We appreciate the perspective you provided during the meeting regarding the unintentional impact that our generic communications can have on plant management, and will be mindful of your comments when we prepare future generic communications.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Original signed by:

Samuel J. Collins, Director
Office of Nuclear Reactor Regulation

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