

UNION OF CONCERNED SCIENTISTS

January 15, 1998

Mr. L. Joseph Callan
Executive Director for Operations
United States Nuclear Regulatory Commission
Washington, DC 20555-0001

**SUBJECT: 10 CFR 2.206 PETITION, DONALD C. COOK NUCLEAR PLANTS UNITS 1
AND 2, DOCKET NOS. 50-315 AND 50-316**

Dear Mr. Callan:

The Union of Concerned Scientists submitted a 2.206 petition dated October 9, 1997, requesting specific actions be taken at the D C Cook plant prior to restart. I have been informed by Mr. John Hickman, D C Cook Project Manager and the Petition Manager, and by Mr. Roy P. Zimmerman, Associated Director for Projects, that the staff's actions to lift the confirmatory action letter (CAL) will also serve to address the actions requested in our petition. Mr. Zimmerman informed me that due to administrative matters, the CAL would probably be lifted and the plants restarted before we receive a formal response to our petition. Mr. Zimmerman assured me that the staff would contact me prior to the plant's restart to provide its basis for lifting the CAL.

The NRC's Headquarters Daily Report for January 13, 1998, provided the following information relevant to D C Cook:

"Following a public meeting with the licensee on January 8, 1998, the NRC sent a special team to D. C. Cook on January 9, 1998. The purpose of the team is to review a sampling of the licensee's corrective actions in response to the Confirmatory Action Letter (CAL) issued on September 19, 1997. The team will also validate the licensee's root cause analysis and verify some of the licensee's conclusions reached during their assessment of the CAL items. Following the inspection, the NRC will assess the results of the inspection and make a determination regarding whether or not to lift the CAL."

"The team consists of a team leader from Region III, a region based inspector, the former Architect Engineering (AE) Team leader from NRR and two of the original AE Team contractors. The inspection is currently scheduled to last approximately two weeks."

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Clearly, the results from this special team inspection will be a primary factor in the staff's decision on lifting the CAL. Since the actions taken to lift the CAL will form the basis for responding to our petition, it follows that the results from this special team inspection will be a primary factor in determining the outcome of the petition. Consequently, it would seem fair and reasonable that the inspection report from this special team inspection be made available to UCS prior to the CAL being lifted. We feel it is imperative to review the scope of this special team inspection and its findings in order to fully understand the staff's basis for lifting the CAL. Absent this information, we will be unable to independently determine if the concerns delineated in our petition had been adequately addressed until after the CAL was lifted and the plants restarted. The restart of the plant renders the actions requested in our petition moot.

Therefore, UCS respectfully requests that the NRC staff provide me a copy of the special team inspection report, even if it is a preliminary version subject to revision, at least one business day prior to the NRC staff lifting the CAL.

Sincerely,



David A. Lochbaum
Nuclear Safety Engineer

cc: Chairman Shirley Ann Jackson
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Mr. A. B. Beach, Regional Administrator
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