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September 4, 1979

United States Nuclear Regulatory Commission
Region III
799 Roosevelt Road
Glen Ellyn, Illinois 60137

Attention: Mr. James G. Keppler, Regional Director

Dear Mr. Keppler:

This writer did not receive a copy of the N.R.C. response to the Senate Subcommittee on Nuclear Regulation, which supposedly states that "an April inspection by N.R.C. personnel provided the first real evidence of a serious breakdown in construction supervision (at Marble Hill)." See the Courier-Journal, September 1, 1979 States News Service article by Charlie Green.

Kindly advise if your office or any of your agents had notice in mid to late 1978 of the following:

1. That Newberg Construction Company was not following concrete specifications,
2. That improper vibrations of concrete were taking place, and,
3. That United States Testing was using some untrained personnel to test concrete at Marble Hill.

This writer would appreciate a response under oath so that there be no confusion or problems with the N.R.C. aiding in the criminal investigation of alleged "cover-up" at Marble Hill in connection with the F.B.I. and the U.S. Attorney's Office for the Southern District of Indiana.

Further, according to the above States News Service article, "the N.R.C. added that it sees no reason why P.S.I.'s organization cannot be strengthened to function acceptably."

We intervenors have always had problems with the lack of objectivity, in our opinion, shown by the N.R.C. in its relationship with the nuclear power industry in general, and with P.S.I.

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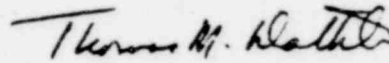
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in particular. Obviously, many discussions have occurred behind closed doors and will continue.

This writer respectfully requests that you remove yourself as the main investigative body of construction defects at Marble Hill if your office cannot respond negatively under oath to the above question concerning N.R.C. knowledge in 1978.

Very truly yours,



Thomas M. Dattilo

TMD/jmc

cc: U.S. Attorney's Office for the Southern
District of Indiana

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