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May 1, 1984

Harold Denton, Director  
Office of Nuclear Reactor Regulation  
United States Nuclear Regulatory Commission  
Washington, D.C. 20555

Re: UCS Show Cause Petition on TMI-1  
Emergency Feedwater System

Dear Mr. Denton:

I am in receipt of your letter of April 19, 1984. As I told Mr. Lainas on the telephone last week, we would be pleased to have an exchange of views with the Staff with respect to our petition. That is, if the Staff is interested in discussing what its investigation has shown concerning the specific factual allegations in our petition and in seeking our views on the questions which have arisen as a result of that investigation, we would be prepared to respond as fully as possible. All that I asked was that we be given some advance notice of the issues to be discussed in the form of an agenda.

I asked Mr. Lainas several times during the telephone conversation whether he could specify any way in which the UCS petition was unclear. He agreed that it was sufficiently clear; the only point he was able to think of requiring clarification was UCS's position with regard to the "aggregate effect" of the EFW deficiencies. I then explained to him fully precisely what we meant: in brief, that the TMI-1 EFW deficiencies cover a wide scope of safety issues and thus compromise the premise of defense in depth. I believe this is a concept fundamental to NRC practice that is not difficult to understand. As I further explained to him, the validity of this point depends largely upon the findings regarding the specific EFW deficiencies; to the extent that the specific deficiencies we note in the petition are borne out, the point about the "aggregate effect" is strengthened and vice versa. Therefore, the major issue is certainly whether the specific deficiencies we cite exist and/or have been corrected. I believe that he understood this.

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YEOB Add: H. Denton  
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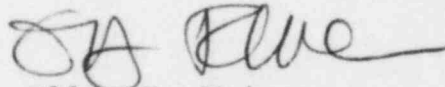
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We ended the conversation with Mr. Lainas agreeing to provide a more specific agenda for further discussion. I was therefore astonished to receive a letter under your signature which does not provide such an agenda but simply reiterates the one question which I fully answered. UCS is asked to present "its technical position with respect to the aggregate effect of the deficiencies identified" in its petition. Indeed, the letter reads as if my phone conversation with Mr. Lainas had never taken place. You have provided neither Mr. Pollard nor I further specifics, posed no questions, and you make it clear that you have no intention of exchanging views. It is apparent to me therefore, that this meeting is being proposed as a cosmetic measure so that the Staff can assert that it met with UCS.

The UCS petition is quite clear, as even Mr. Lainas conceded. Your staff has had it under consideration for three months and we have had no requests for "clarification" in that time. If we felt that there were any chance of a productive exchange of views we would be more than happy to participate and we remain ready to answer any questions if given an indication of what they are so that we can adequately prepare. However, neither Mr. Pollard nor I have the time to engage in a charade nor the inclination to provide the Staff with an excuse for further delaying its already late response to the petition.

Very truly yours,



Ellyn R. Weiss  
General Counsel  
Union of Concerned  
Scientists

ERW:cpk