



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

MAY 02 1979

MEMORANDUM FOR: James G. Keppler, Director, RIII

FROM: Dudley Thompson, Executive Officer for Operations
Support, IE

SUBJECT: APPARENT FALSE STATEMENTS BY APPLICANT AT ZIMMER
ACRS SUBCOMMITTEE MEETING (AITS F30488H6)

In your memorandum of April 10, 1979, (enclosed) you advised IE:HQ that the Zimmer station superintendent had apparently provided false or erroneous information to the NRC - initially to an ACRS Subcommittee meeting on February 27, 1979, and subsequently to an ACRS Full Committee meeting on March 9, 1979. We understand that an NRC inspector was present during both ACRS meetings and that transcripts of both proceedings are available to you. We also understand that the station superintendent, Zimmer Nuclear Power Station, when interviewed during an inspection in early March 1979, admitted that the information provided the ACRS Subcommittee was untrue, indicated that it would be corrected at the Full Committee meeting, but failed to do so.

The foregoing was discussed with Mr. Charles A. Barth, Attorney, Hearing Division, ELD on April 30, 1979 who has been involved with the licensing hearings regarding Zimmer. Mr. Barth feels that an investigation of this matter is clearly warranted. Barth pointed out that not only does it raise some question regarding the accuracy of information provided NRC by the applicant, but that the issue involved - the general topic of operator qualification - is of particular interest to the NRC. He further recommended that ASLB, ACRS and NRR be advised both of the content of your memorandum and receive copies of your report of investigation. This matter was also discussed with Mr. Roger Fortuna, OIA, on April 30, 1979, who indicated that his Office would review your report for possible evidence of criminality such as violation of 18 USC 1001.

We share Mr. Barth's opinion and recommend that RIII conduct a full investigation of this matter. Signed statements should be obtained from the NRC inspectors who attended the ACRS meetings and those who interviewed the station superintendent during the inspection where his ACRS testimony was discussed. The interview of the station superintendent should, if possible, result in a written statement from him describing both his reason and motivation for making the

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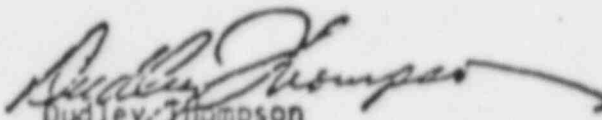
James G. Keppler

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statement. Upon completion of your investigation, we will take care of providing copies of your report to interested offices at Headquarters.

The above information was discussed with Chuck Norelius on May 1, 1979. Please feel free to contact either Bill Ward or Pete Baci of my staff if you need any additional information.


Dudley Thompson
Executive Officer for
Operations Support, IE

Enclosure:
Memo JGKeppler to DThompson
dtd 4/10/79

cc w/enclosure:
C. A. Barth, ELD
R. A. Fortuna, OIA
G. R. Klingler, ROI
N. C. Moseley, ROI
H. D. Thornburg, RCI
J. R. Yore, ASLB
M. W. Carbon, ACRS
H. R. Denton, NRR