

From: William M. Beecher (WMB), *PA*
To: KMC2 *K. Clark, Region II*
Date: Monday, May 9, 1994 5:18 pm
Subject: VOGTLE

Jim Lieberman says all of the Vogtle officials have been notified and 9 ayem press release tomorrow (tuesday) is fine. He says the task force looked at the evidence and found some instances where careless disregard might be substantiated and others perhaps were deliberateness might. But the burden of proving those things if litigation ensues, as expected, would be difficult. So it argued to the Commission that it isn't necessary to reach those issues but instead to merely cite the company for unacceptable inaccuracies in reporting to the NRC. He thinks the company might litigate both as to the enforcement decision and secondly if it fails to get the license transferred because of NRC's adverse allegations as to its integrity. When pressed to the wall, he concedes that the staff and OI came to some different conclusions in this case, but explained that the staff had the benefit of legal counsel. So there.

CC: JTK, EAH

B/93