



UNITED STATES
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD PANEL
WASHINGTON, D.C. 20555

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December 5, 1984

MEMORANDUM FOR: C. J. Heltemes, Jr., Director
Office for Analysis and Evaluation
of Operational Data

FROM: Robert M. Lazo *Robert M. Lazo*
Deputy Chief Administrative Judge
Executive

SUBJECT: STUDY OF THE NEED FOR AN INDEPENDENT AGENCY TO
INVESTIGATE INCIDENTS AT NUCLEAR POWER PLANTS

I understand that you have asked various staff offices to submit their comments this week on the Brookhaven National Laboratory draft report on the subject study. Because we just learned of the request and received a copy of the draft report we have not had sufficient time to study it thoroughly.

one [However, our brief review leads us to believe that the drafters of the report should consider the use of administrative judges on the Atomic Safety and Licensing Board Panel for carrying out the administrative law functions of an Office of Nuclear Safety. As the report clearly recognizes at page 153, such an office will need to have the capability of issuing subpoenas and holding hearings to place evidence on the record. The panel's administrative judges would be available and well qualified to fill this role. We are available and would like to participate in the development of an administrative law function.

cc: B. Paul Cotter, Jr., Chief
Administrative Judge, ASLBP
Thomas A. Ippolito, Deputy
Director, AEOD

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