

Report of Interview

Zinovy V. REYTB�ATT, Associate Professor, Department of Mathematics, Illinois institute of Technology, Lewis College of Science and Letters, Chicago, Illinois, was interviewed on January 3, 1986, by Investigators Charles R. KRAUS and Lyle B. SMITH, Office of Inspector and Auditor (OIA), U.S. Nuclear Regulatory Commission (NRC), Bethesda, MD. The interview was conducted at the office of the Commissioners, NRC, Washington D.C., relative to an allegation presented by REYTB�ATT of alleged misconduct by an NRC employee.

This interview was to have been recorded verbatim by a Stenotype Reporter. Mrs Kathie S. WELLER, Stenotype Reporter, Ace-Federal Reporters Inc., 444 North Capitol Street. Washington D.C. was present, however, REYTB�ATT, advised that he desired the presence and participation of a second Stenotype Reporter, in addition to Mrs WELLER. After repeated efforts REYTB�ATT was unable to obtain the services of a Stenotype Reporter. He requested thwt he be provided copies of the stenotype tapes following the conclusion of the interview. This request was denied as the inquiry is currently ongoing. He was informed by Investigator KRAUS that he could obtain the doucmentation at "the conclusion of the Inuqiry, under the provisions of the Freedom of Information Act. Afeter Being unable to obtain the services of a Stenotype reporter and denied copies of the stenotype tapes, REYTB�ATT ddclined to be interviewed on the record. The interview was continued verbally, He reated essentially as follows:

His allegation pertains to an alleged false Statement made by Harold R. DENTON, Director, Office of Nuclear Reactor Regulation (NRR), NRC, following the agency review of a petition filed with NRC by an intervenor group "Citizens Against Nuclear Power'" (CANP), Appended to the CAMP Petition, was a report, titled: The Critique of the COntainment Leake Rate Testing Requirements, prepared by REYTB�ATT, which he in the capacity of Technical Consultant had provided to CANP

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in support of their petition. The agency had denied the CANP petition and in the agency decision paper, signed by DENTON, the report is labeled proprietary and had been excluded from consideration during the agency review of the CANP petition.

REYTBLETT contends that the report is not proprietary, and is in fact a public document. He had prepared the report while under contract to the Oakridge National Laboratory, Oakridge, TN, in partial fulfillment of his contractual obligations. The report had been provided to the contractor during March 1983, forwarded to the NRC and placed in the Public Documents Room (PDR), during July 1983. He further stated that these actions clearly established the status of the report as a public document, and not proprietary as reflected in the decision paper signed by DENTON.

As a technical consultant to CANP, he had recommended that they present this report as evidence supporting their petition to the agency, and that in his recommendation he had emphasized that the report was a public document.

DENTON's in signing the decision paper characterizing his report as proprietary constitutes a false statement, and was made purposely to avoid replying to his report which proved that current NRC Containment Leak Rate Testing Practices were deceptive and should be terminated. DENTON's statement has caused him moral and financial damage. He declined to discuss the nature of the damages he allegedly sustained, advising that this declination was on advice of counsel.

INVESTIGATORS NOTE: The information provided by REYTBLETT during this discussion was essentially that documented in his sworn affidavit, dated December 26, 1985. At the conclusion of this interview, REYTBLETT advised that he has documented evidence of wrongdoing by other NRC personnel. He declined to discuss the specific instances of wrongdoing, however, stated that upon the completion of this inquiry, he will provide OIA with the documentation.