



Union of Concerned Scientists

Citizens and Scientists for Environmental Solutions

December 1, 2003

Mr. Doug Coe, Section Chief
Reactor Inspection Section
Inspection Program Branch
Division of Inspection Program Management
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
Earth

Ms. Lisamarie M. Jarriel, Agency Allegations Advisor
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

**SUBJECT: REQUEST FOR PUBLIC MEETING REGARDING NRC'S HANDLING OF
ALLEGATIONS AND ITS QUALITY ASSURANCE INSPECTION PROCESS**

Dear Ms. Jarriel and Mr. Coe:

I am writing to you to request a public meeting be held at your Rockville, Maryland, headquarters offices regarding the NRC's handling of allegations made by Mr. Oscar Shirani and the related topic of NRC's inspections of quality assurance programs by licensees and their contractors. Our objective for this public meeting would be for the NRC staff to leave the meeting with a better, if not nearly complete, understanding of Mr. Shirani's concerns and for Mr. Shirani to come away with a better understanding of the NRC's plans and processes for handling his concerns. It is not our expectation that any of Mr. Shirani's concerns be resolved at the meeting, although we'd strive not to prevent it from occurring.

With respect to allegations, Mr. Shirani made formal allegations to Region III about his findings while working at Exelon that he believes triggered his departure. Likewise, Mr. Shirani has made allegations about his activities at Calvert Cliffs that also resulted in his being terminated. For the responses received to date from the NRC staff to these allegations, Mr. Shirani feels that his fundamental concerns have not been addressed in the staff's response. UCS believes that a meeting would be productive in answering the following questions:

1. Did the NRC staff understand the fundamental concerns in Mr. Shirani's allegations?
2. Did Mr. Shirani understand the NRC staff's resolutions?
3. Assuming any misunderstandings are remedied, are there any unresolved concerns?

Again, the objective of the requested meeting is not to resolve any concerns at that time, but rather to identify and eliminate any communication barriers and to ascertain whether there are any concerns previously considered to be resolved by the NRC staff requiring another look.

With respect to NRC's inspections of quality assurance, Mr. Shirani's experience auditing areas shortly before or shortly after NRC inspections of the same areas makes him, and UCS, question the efficacy of the NRC's inspections. The disparate results from nearly simultaneous examinations with NRC's results always being significantly less critical strongly suggests a serious flaw in the NRC's inspection regime.

Again, the objective of this requested meeting is not to prove or disprove the notion that the NRC's inspections are flawed, but rather for the NRC staff to understand Mr. Shirani's concerns about this important subject. Hopefully, the NRC staff will followup on the requested meeting with information on revisions to the inspection processes to address Mr. Shirani's concerns or with information on why they believe the existing processes are sufficient.

We propose that the requested meeting be scheduled for at least a three-hour duration: one hour for Mr. Shirani to cover each of his two areas of concerns (allegations and inspections) and one hour for the NRC staff to ask clarifying questions. Because Mr. Shirani's concerns are overlapping, we think the NRC staff attending this meeting participate throughout the entire meeting, rather than attempt to have Mr. Coe's people or Ms. Jarriel's people pop in for just their slice of the meeting. But we leave the attendance at the meeting to the discretion of the NRC.

As has probably already been surmised, UCS is very interested in this matter and plans on attending the public meeting in support of Mr. Shirani. Along with representatives from other public interest groups, we have participated in prior meetings between Mr. Shirani and U.S. Senate staff and the NRC Inspector General's office. Please contact me to schedule the time and date of the meeting. I will interface with Mr. Shirani and the other public interest groups to ensure that all can attend on the proposed date.

Thank you in advance for your consideration of this matter and UCS looks forward to the requested meeting.

Sincerely,

<ORIGINAL SIGNED BY>

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