

October 21, 2002

P. Annette de Varnes
Senior Legal Assistant
King & Spalding
101 Peachtree Street
Atlanta, Georgia 30303-1763

RE: Marcia L. Adkins v. Northwest Airlines, Inc., No. 1:02-cv-1067-TWT (N.D. Ga.)
NRC File No. TR-02-03.

Dear Ms. De Varnes:

Your letter and subpoena of August 14, 2002, to the Custodian of Personnel Records, NRC Region II, was referred to the NRC's Office of the General Counsel in compliance with the Commission's regulations. See 10 C.F.R. §9.202(a). See generally 10 C.F.R. §9.200, et seq. This Office has assigned the processing number "TR-02-03" to your request; please refer to that number in any future correspondence regarding this matter.

As I advised you in our telephone conversation shortly after the letter arrived in this Office, the NRC's regulations require persons who issue third-party subpoenas to the NRC to submit an affidavit describing their need for the requested information. See 10 C.F.R. §9.202(b). At that time I advised you that your request lacked such an affidavit and that we would not process the request until you complied with that requirement. We have not received such a request to date; accordingly, we are closing this file for failure to comply with the applicable NRC regulations. If you wish to reopen this file, you may submit an affidavit explaining (1) the nature of the case; (2) the nature of the information sought; (3) the relevance of the information sought to an issue in the case; and (4) why that information is not available elsewhere.

This letter concludes NRC action on File No. TR-02-03 and this matter is now CLOSED.

Sincerely,

/RA/

Charles E. Mullins
Senior Attorney
Office of the General Counsel

cc: Carolyn Evans, Esq.,
Regional Counsel, NRC Region II.