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October 22, 1979

Nuclear Regulatory Commission
Washington, DC 20555

FREEDOM OF INFORMATION
ACT REQUEST

FOIA-79-452
rec'd 10-23-79

Dear Sirs,

Per 5 USC 552, I respectfully request copies of any and all tapes, transcripts and minutes of closed meetings by the commissioners since March 28, 1979 which dealt with the functioning and structure of the office of the Executive Director for Operations, and with the relations of that office to the NRC commissioners and staff; and with copies of all memoranda on that topic.

Please advise me of any charges which production of this information might entail, and whether such charges will be waived as the law allows when release is in the public interest.

That release of the information requested is in the public interest is palpable. Concern over the smooth functioning of the pivotal office of the EDO was already manifest when the accident at Three Mile Island occurred. Since, a number of investigators have found the agency lacking a strong centralized management and that lack accounting in significant part not only for an inefficient response to the accident but also for failure to respond effectively to the accident's precursors.

How the commission copes or does not cope with this situation is clearly of immediate importance to those whose health and safety the agency is charged to protect.

This request may run afoul of a desire to protect individuals' privacy. According to the Justice Department, however, that is not ground for denial if individuals "can be adequately protected by deleting matter that might identify" them. Further, according to that agency, such deletions are not proper if "injury to the individual is counterbalanced by a public interest favoring release." That appears to be the case.

Sincerely,


Donald V. Martin

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