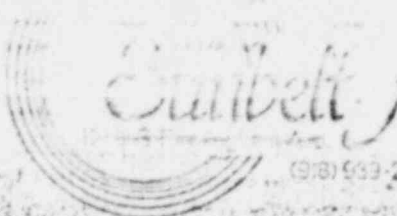


POOR ORIGINAL

Duplicate copy for microfiche



Tulsa OK 74104 (918) 933-2178

1534 E. 3rd St. Tulsa OK 74120 October 1, 1979

FREEDOM OF INFORMATION ACT REQUEST

FREEDOM OF INFORMATION ACT REQUEST RECEIVED-E

U.S. Civil Service Commission 1900 E. St. N. Washington D.C. 20415

FOIA 79-448

OCT 1 1979

REC 10-23-79

CONTROLLED CORRESPONDENCE

Dear Sir:

Under 42 U.S.C. §2241 the Nuclear Regulatory Commission is permitted to delegate certain of its duties to an Atomic Safety and Licensing Board or Boards comprised normally of one attorney and two scientists. The principal function of these Atomic Safety and Licensing Boards is to conduct hearings concerning the licensing of nuclear power reactors. Pursuant to 10 CFR §1.11 "The Atomic Safety and Licensing Board Panel is the organizational group from which Atomic Safety and Licensing Boards are selected."

1. My first inquiry relates to whether the members of the Atomic Safety and Licensing Board Panel are within the competitive or excepted service. My assumption is that members of the Panel are excepted as attorneys and scientific personnel under 5 CFR §213.3102(d) and (1). Would you kindly confirm this and provide to me any written document that indicates the status of these ASLB Panel positions.

2. Second I would appreciate if you could inform me precisely how the members of the ASLB Panel are selected, by whom, and whether your Commission has any records or documents that relate to the selection of Panel members for employment by the NRC. 10 CFR §1.10 states that the Panel "staff unit" reports directly to the NRC five person Commission. It is my assumption that the Commission is also responsible for hiring and firing the members of the ASLB Panel. However I wish to obtain from your Commission the precise document which states the authority for appointing the members of the Panel and subject to what Civil Service conditions.

3. Finally I wish to learn any specific information concerning the qualifications and conditions of appointment of Sheldon Wolfe, Esq. M. Frederick Shon, and Dr. Paul W. Purdom all of whom are members of the Atomic Safety and Licensing Board Panel.

If you should be unable to provide the documents requested above, I should wish to receive a copy of the index to all documents which your Commission has relating to the Atomic Safety and Licensing Board Panel.

Since these documents will be used in the public interest by the Sunbelt Education Foundation a non-profit organization for educating the public concerning nuclear power, we request that any fees related to this inquiry be waived.

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Sincerely,