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March 19, 1980

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Re: Freedom of Information Act

FREEDOM OF INFORMATION
ACT REQUEST

FOIA-80-150
REC'D 3-24-80

Dear Sir:

This letter is written on behalf of Consumers Power Company ("CPCo"). Pursuant to the Freedom of Information Act, as amended (5 U.S.C. §552) and 10 CFR Part 9 of the Commission's Regulations, I hereby request access to, and copying if I choose, the following:

1. All documents to, from, or routed to, from or through the Nuclear Regulatory Commission ("NRC") regarding, related, or referring in any way to the events which gave rise to the "Notice of Violation" attached as Appendix A to the letter from Mr. Victor Stello of the NRC to Mr. R. B. DeWitt of CPCo dated November 9, 1979.
2. All documents to, from, or routed to, from or through the NRC regarding, related or referring in any way to standards, criteria, statements of policy, or any other directives relating to the imposition of civil penalties by the NRC for violations by NRC licensees of NRC regulatory requirements.
3. All documents to, from, or routed to, from or through the NRC regarding, related or referring in any way to requests by the NRC that Congress authorize the imposition of more severe civil penalties than are currently authorized.
4. All documents to, from, or routed to, from or through the NRC regarding, related or referring in any way to each instance in which the NRC or any NRC personnel was notified or otherwise became aware of an incident in which containment isolation was violated or an incident constituting a violation of containment integrity at any utilization facility (as defined in 10 CFR §50.2 (b)).

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5. All documents to, from or routed to, from or through the NRC regarding, related or referring in any way to each instance in which any NRC personnel categorized an item of non-compliance by any licensee of a production or utilization facility as a violation, infraction or deficiency and based on this determination in whole or in part, or whether the item of non-compliance had a "substantial potential for . . . contributing or aggravating . . . an incident or occurrence [such as] (b) Radiation in unrestricted areas which exceed 50 times the regulatory limits. . . ."

6. All documents to, from, or routed to, from or through the NRC regarding, related or referring in any way to CPCo's overall performance as an NRC licensee with respect to Consumers' compliance or lack of compliance with NRC regulatory requirements.

If for any reason it is believed that portions of the requested material are exempt from disclosure under the Freedom of Information Act, initially I consent to release excepting any such allegedly exempt material. This initial consent is designed to obtain the documents requested as quickly as possible, and in no way waives any right to appeal from such decisions or any right to any and all of the material for which this request is made.

In the event that I am denied any material, please specify the statutory basis for the denial and the names and titles of the persons responsible for that decision.

I will pay reasonable costs for locating the requested material and for any copies thereof I may request.

If this request is not granted within 10 working days, I will deem it denied.

Thank you for your attention to this matter.

Sincerely,

By: Paul M. Murphy
ISHAM, LINCOLN & BEALE/
Attorneys for
Consumers Power Company