



Nuclear
RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

NRC FOIA REQUEST NUMBER(S)
FOIA - 89-256
 RESPONSE TYPE
 FINAL PARTIAL
 DATE **OCT 12 1989**
 DOCKET NUMBER(S) (if applicable)

REQUESTER

Airozo, Dave

PART I. - AGENCY RECORDS RELEASED OR NOT LOCATED (See checked boxes)

- No agency records subject to the request have been located.
- No additional agency records subject to the request have been located.
- Requested records are available through another public distribution program. See Comments Section.
- Agency records subject to the request that are identified on Appendix(es) _____ are already available for public inspection and copying in the NRC Public Document Room, 2120 L Street, N.W., Washington, DC 20555.
- Agency records subject to the request that are identified on Appendix(es) L are being made available for public inspection and copying in the NRC Public Document Room, 2120 L Street, N.W., Washington, DC, in a folder under this FOIA number and requester name.
- The nonproprietary version of the proposal(s) that you agreed to accept in a telephone conversation with a member of my staff is now being made available for public inspection and copying at the NRC Public Document Room 2120 L Street, N.W., Washington, DC, in a folder under this FOIA number and requester name.
- Agency records subject to the request that are identified on Appendix(es) _____ may be inspected and copied at the NRC Local Public Document Room identified in the Comments Section.
- Enclosed is information on how you may obtain access to and the charges for copying records placed in the NRC Public Document Room, 2120 L Street, N.W., Washington, DC.
- Agency records subject to the request are enclosed.
- Records subject to the request have been referred to another Federal agency(ies) for review and direct response to you.
- You will be billed by the NRC for fees totaling \$ 28.60
- In view of NRC's response to this request, no further action is being taken on appeal letter dated _____ No _____

PART II. A - INFORMATION WITHHELD FROM PUBLIC DISCLOSURE

Certain information in the requested records is being withheld from public disclosure pursuant to the exemptions described in and for the reasons stated in Part II, sections A, C, and D. Any released portions of the documents for which only part of the record is being withheld are being made available for public inspection and copying in the NRC Public Document Room, 2120 L Street, N.W., Washington, DC, in a folder under this FOIA number and requester name.

COMMENTS

Twenty pages are enclosed. The grand total amounts to:

$$\begin{array}{r}
 243 \text{ pages} \\
 - 100 \text{ free pages} \\
 \hline
 143 \text{ pages at } 204 \text{ per page equals } \$28.60.
 \end{array}$$

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PDR FOIA
AIROZ089-256 PDR

SIGNATURE, DIRECTOR, DIVISION OF FREEDOM OF INFORMATION AND PUBLICATIONS SERVICES

Walter H. Chindley

FOIA - 89.256
(Final Response)

APPENDIX L

RECORDS RELEASED TO REQUESTER

1. 3-2-89 Memo from Halman to Bradburne
re Request for Documents w/
attachments (20 pages)

June 7, 1989
Washington, D.C.

Mr. ^{Donnie} Grimsley
Director, Division of Rules & Records
Office of Administration & Resources Management
U.S. Nuclear Regulatory Commission
Washington, D.C.

FREEDOM OF INFORMATION
ACT REQUEST

FOIA-89-256
Rec'd 6-1-89

Dear Mr. Grimsley:

Pursuant to the Freedom of Information Act, I hereby request the following material:

- 1) All records pertaining to the Office of Inspector & Auditor's August 12, 1988 decision to open a formal inquiry into charges that Office of Investigations deputy director Roger Fortuna and/or other OI or NRC regional personnel failed to adequately carry out their duties.
- 2) All records pertaining to Office of Inspector & Auditor personnel travel to Daytona Beach, Fla. to interview Douglas Ellison, a former employee of Niagara Mohawk Power Corp. This request includes, but is not limited to, all travel vouchers, requests for travel funds, hotel bills and receipts, and miscellaneous costs and receipts related to the trip. The OIA personnel who traveled to Florida for this purpose include OIA Director Sharon Connelly and OIA staffer Mark Kesner. In addition, James Blaha, the assistant for operations in the Office of the Executive Director for Operations, accompanied the OIA personnel. This request pertains to Blaha as well as the OIA personnel. The time frame is around the last week of August, 1988.
- 3) Receipts for hotel accommodations and food purchased for OIA personnel or Blaha or Ellison, for the period September 1 through September 16, 1988. The hotel in question is an Embassy Suites hotel located in suburban Washington, D.C. I would also like any information regarding whether Blaha or other NRC personnel had Ellison registered at the hotel as an NRC employee and if the hotel charged NRC the 'government rate' for Ellison's room.
- 4) Any records of telephone conversations or other contact between NRC Chairman Lando Zech and EDO Victor Stello, OIA director Sharon Connelly or General Counsel William Farler between August 18 and September 1, 1988. Zech was traveling in the Soviet Union at the time.
- 5) Any correspondence between or among Zech, Stello, Connelly or Farler dated September 1 or 2, 1988 which is related to the OIA investigation of Roger Fortuna or the investigation of charges brought by Doug Ellison.
- 6) Any correspondence between or among Connelly, Stello and Farler regarding the agency's pursuit of audio tapes that are in the possession of anti-nuclear activist Stephen Comley. The time period I'm interested in is August 12, 1988 through March 24, 1989.

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7) Any correspondence or other records of discussion between or among Zech, Connelly, Stello, Parler, Ellison and consultant Alan Rosenthal or any of their assistants or staff regarding the disposition of an Internal Revenue Service form 1099 for Ellison's 'consulting' services for the NRC. The time period I'm interested in is March 13, 1989 through April 1, 1989.

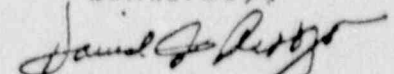
8) Any correspondence or other records of discussion between or among Connelly, Parler, Stello or Zech or any of their assistants regarding the Department of Justice's written memorandum declining to pursue allegations by Ellison against Fortuna. The time period I'm interested in is July 1, 1988 through April 1, 1989.

9) All records pertaining to or making reference to a contract signed by NRC's Ed Halman and Doug Ellison dated September 1, 1988. The contract calls for Ellison to provide 'consulting' services to NRC in return for an hourly wage. Sharon Connelly is the contract project officer. The contract's FIN number is B8169. The B&R number is 80-19-01-00. The time period I'm interested in is September 1, 1988 through April 1, 1989.

This request is made on behalf of Inside N.R.C., a McGraw-Hill newsletter with readers in government, industry, and non-profit organizations. The information I am seeking will be used in the preparation of news articles, which will benefit the public. Therefore, I ask that all search and copying fees be waived. If they are not, McGraw-Hill is prepared to pay normal NRC fees.

If you have any questions, please call 202-463-1659.

Sincerely,



Dave Airoza
Managing Editor
Inside NRC