



Reg. Files

UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

FILE NUMBER

REG. & UTIL. FAC. 50-329330

February 14, 1978



NOTE TO: Files

SUBJECT: COMMUNICATIONS FROM THOMAS J. McTIERNAN, DIRECTOR,  
OFFICE OF INSPECTOR AND AUDITOR TO HOWARD SHAPAR  
AND CHAIRMAN HENDRIE -- MIDLAND LICENSING PROCEED-  
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Attached is a copy of a memorandum dated September 27 from Thomas McTiernan to Howard Shapar concerning the remanded Midland construction permit proceeding. Attached to that memorandum is a transmittal note from Mr. McTiernan to Chairman Hendrie dated September 28, 1977. On Friday, February 10, 1978, in connection with the Executive Legal Director's office's handling of a FOIA request by Mr. Myron Cherry, the Office of the General Counsel first learned that these papers had been transmitted to Chairman Hendrie. We have reviewed the September 27 memorandum from an ex parte perspective and determined that this document might be an ex parte communication within the meaning of 10 CFR 2.780. We therefore are placing these papers in the Commission's Public Document Room and will have them served upon those on the Midland service list.

*James L. Kelley*

James L. Kelley  
Deputy General Counsel

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