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FREEDOM OF INFORMATION ACT REQUEST

Mr. Joseph Felton, Director
Division of Rules and Records
Office of Administration
Nuclear Regulatory Commission
Washington, D.C. 20555

FREEDOM OF INFORMATION
ACT, REQUEST

FOIA-81-43
rec'd 2-3-81

In re: FOIA-80-578

Dear Mr. Felton:

I have just received your letter of Jan. 21, 1981, with enclosures in reply to my request of Nov. 17, 1980 under the Freedom of Information Act. You mention that your refusal to send the 15 letters and memos listed in your Appendix B may be appealed, and I want to inform you that I will pursue such an appeal promptly and vigorously.

Let me note, however, that your reply strikes me as puzzlingly unresponsive to my original request. I asked for "reports, memoranda, drafts, statements of data, and other working documents relevant to the report of the Task Force on Interim Operation (Indian Point...and any other subsequent reports, memoranda, or correspondence pertaining thereto...." It is rather striking that with the sole exception of the first item actually sent (a brief note of transmittal of preliminary findings to Commissioner Hendrie, dated June 13, 1980), nothing in either Appendix A or Appendix B antedates the submission of the Task Force Report itself. I thought it self-evident that my request for "any other subsequent reports" etc. was an addendum for the sake of completeness and that the major emphasis of the request was on antecedent material, but on re-reading my letter I see that perhaps I failed to make clear what I wanted.

In fact, I have just noticed what appears to be a typographical error in my original request: I intended the first word after the colon in line 2 to be "all" and it came out as "real." Of course, "all reports, memoranda... relevant to the report" would have included much more than you inventoried, and only now do I realize that the letter did not say what I intended.

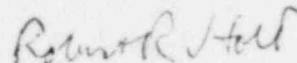
Let me clarify my letter of Nov. 17, 1980, therefore. It is clear, from the Commission's recent order instructing the ASLB about the forthcoming hearings on the Union of Concerned Scientists' charges of unsafe conditions at Indian Point, that the 6/80 report of the staff's Task Force is to play a critical part, and that the Commissioners expect it to be subjected to careful critique. For the necessary scrutiny to take place, it is vital to have full information on precisely those matters which the Commission noted were not included in the report itself: its methodology, assumptions, data, and procedures. Because a group with which I am associated is considering intervening on the grounds of inadequacies in the Task Force's analysis, it is necessary

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in the public interest for us to have access to documentary materials describing the CRAC code, the procedures followed in modifying the WASH-1400 approach to computing probabilities, just what accident scenarios were considered, what assumptions were made about releases of which fission products at times, what assumptions were made in the computation of consequences about the pathogenicity of various types of exposure to varying quantities of alpha, beta, and gamma radiation, etc. Of particular interest are documentary records demonstrating how decisions were made concerning the analysis of accidents and consequences at Indian Point, including computations of the effects of the changes ordered by Mr. Harold Denton.

I trust that by now it is apparent why, with these desires and expectations, I found the materials you sent of so little interest, and how tangential even the materials listed in Appendix B and withheld are to my purposes and interests. Therefore, this is a formal request reiterating my earlier request (of 11/17/80) for all "reports, memoranda, drafts, statements of data, and other working documents relevant to the report of the Task Force on Interim Operation of Indian Point, submitted to the Commissioners in June 1980, and any other subsequent reports, memoranda, or correspondence pertaining thereto up to 11/14/1980." In accordance with 10 CFR Section 9.8, I expect a response within 10 working days or sooner, in light of the fact that my counsel and I consider that this request has been pending since Nov. 17, 1980.

Sincerely yours,



Robert R. Holt, Ph.D.
Professor of Psychology

RRH:bb