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December 7, 1982

The Honorable Nunzio Palladino
 Chairman
 United States Nuclear Regulatory Commission
 Washington, D.C. 20555

Dear Mr. Chairman:

In response to my request, Mr. David Gamble, a former member of the staff of the NRC Office of Inspector and Auditor (OIA), has provided the Subcommittee documents pertaining to the OIA inquiry into certain aspects of the Zimmer matter. In his cover letter, Mr. Gamble raises questions about the integrity of the OIA investigation of the adequacy of the NRC Region III investigation of Mr. Thomas Applegate's Zimmer allegations.

Of particular concern is that Mr. Gamble was directed to remove documents from the OIA offices with the result that no mention was made of these documents in the NRC response to a Freedom of Information Act (FOIA) request submitted by the Government Accountability Project (GAP). Moreover, it appears that at least one important Zimmer document which remained in the OIA files, the document summarizing the OIA interview with Mr. Harpster, was neither included in the OIA Zimmer report nor mentioned in response to the GAP FOIA request.

The withholding of such documents had the effect of placing the Zimmer situation in a more favorable light than was justified by the facts. The withholding of these documents contributed to the delay in public recognition of the true status of the Zimmer project.

Accordingly, I would appreciate your providing me the following information: (1) the reason for Mr. Gamble being directed to remove documents from the OIA offices; (2) the basis for the NRC not indicating to GAP the existence of these documents; (3) the rationale for the failure to include Mr. Harpster's interview in the OIA Zimmer report of August 7, 1981; (4) the results of any NRC inquiry into the propriety of OIA withholding Zimmer documents; and (5) an enumeration of steps taken by the Commission to insure against further acts of improper withholding of documents.

Sincerely,

M. Udall
 MORRIS K. UDALL
 Chairman

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