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July 13, 1990

\* ADMITTED IN PA  
\* ADMITTED IN NJ  
\* ADMITTED IN DC  
\* ADMITTED IN MA

By Facsimile and U.S. Mail

FREEDOM OF INFORMATION ACT REQUEST

Mr. Donnie H. Grimsley  
Freedom of Information Act Officer  
Nuclear Regulatory Commission  
Washington, D.C. 20555

FREEDOM OF INFORMATION  
ACT REQUEST

FOIA-90-316  
Rec'd 7-13-90

Dear Mr. Grimsley:

This is a request under the Freedom of Information Act, 5 U.S.C. 552 concerning NRC OI Investigation 4-89-008.

The NRC is hereby requested to produce the following documents:

1. The following exhibits to the NRC Office of Investigation Report entitled Comanche Peak Steam Electric Station: Alleged Improprieties by Brown & Root, Inc. (Case No. 4-89-008) (hereinafter OI Request):
  - a. Ex. 1(b);
  - b. Ex. 5;
  - c. Ex. 7;
  - d. Ex. 9;
  - e. Ex. 10;
  - f. Ex. 11;
  - g. Ex. 12;
2. All documents obtained by OI from Mr. T. Louis Austin and/or Brown & Root, Inc.;
3. All correspondence between Mr. Austin, the Lawfirm of Shaw, Pittman, Potts and Trowbridge and/or the Lawfirm of Bishop, Cook, Purcell & Reynolds and OI;

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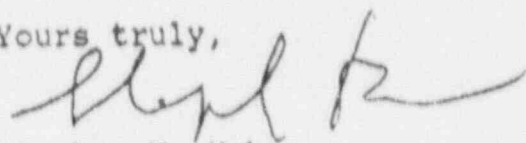
4. All copies of or excerpts from Mr. Austin's calendar (See OI Report pp. 13);
5. All documents received from Mr. Glen G. Magnuson, Jr., or other attorneys who represent, or formerly represented Mr. Austin and/or Brown & Root, Inc.;
6. All draft copies of the Macktal/Brown & Root, Inc. settlement agreement;
7. All documents related, directly or indirectly, to OI's "attempts" to obtain a copy of Magnuson's notes, memorandum and/or work product. (See "Investigator's Note" on page 16 of the OI Report);
8. All documents received from or concerning in any way Mr. Bill Bedman;
9. A copy of the settlement check (front and back) referenced on pages 18-19 of the OI Report;
10. A copy of the "note from Ellis" referenced on page 19 of the OI Report;
11. A copy of the Ellis tape recording of Macktal referenced on page 16 of the OI Report;
12. All documents created by Mr. Ben Hayes, directly or indirectly, related to the OI investigation or Report;
13. All documents which identify which employees and/or Commissioner(s) of the NRC obtained a copy or notice of the OI Report and/or the findings of the OI.
14. A copy of the notes taken by Mr. Magnuson at the Macktal/Magnuson/Austin meeting(s) and any memorandum(s) or documents prepared by or for Mr. Magnuson concerning said meeting;
15. A copy of all documents prepared by or for Mr. Magnuson in any way concerning Mr. Macktal;

16. All documents obtained by OI from Texas Utilities Electric Co. (TUEC), Bishop, Cook, Purcell and Reynolds, attorneys representing Brown and Root, TUEC, Garde, Austin, Government Accountability Project (GAP) and/or Trial Lawyers for Public Justice (TLPJ);
17. All documents obtained from GAP, TLPJ, Public Citizen, Arnold and Porter and Jackson and Campbell.

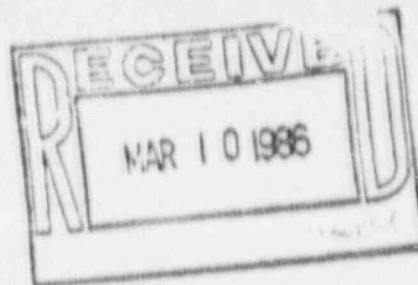
For the purposes of this request "document" shall mean every writing of every type and description, and every other instrument or device by which, through which or on which information has been recorded and/or preserved, including but not limited to memoranda, including those reflecting meetings, discussions or conversations, notes, letters, drawings, files, graphs, charts, maps, photographs, deeds, agreements, contracts, handwritten notes, diaries, logs, ledgers, studies, data sheets, notebooks, books, appointment calendars, telephone bills, telephone messages, receipts, vouchers, minutes of meetings, pamphlets, computations, calculations, accounting(s), financial statements, voice recordings, computer printouts, computer discs and programs, and other data compilations, device or media on which or through which information of any type is transmitted, recorded or preserved. The term "document" also means every copy of a document when such copy is not an identical duplicate of the original.

We request that all fees be waived. We also request that all documents be produced within ten days.

Yours truly,



Stephen M. Kohn



MAR 05 1986

Ms. Billie Pinner Garde  
Government Accountability Project  
1555 Connecticut Avenue, N. W. Suite 202  
Washington, DC 20036

Dear Ms. Garde:

On Monday, March 3, 1986, you and an individual who you identified as "Charlie", visited NRC Headquarters in Bethesda, Maryland. "Charlie" indicated he had some concerns regarding the construction practices at the Comanche Peak plant site and provided the staff with three of the concerns. In addition, it is my understanding that he has more concerns to provide to the staff. Therefore, the staff would like to set up a transcribed interview with him as soon as possible. The staff would be prepared to conduct this interview immediately upon completion of our interview of Mr. J. Macktal scheduled on March 11, 1986 in Region IV. I also understand that during a conversation with the staff on March 4, you indicated that two individuals (unidentified) had contacted you to assist in bringing additional allegations to our attention. We would request that interviews with both of these individuals be scheduled to follow immediately upon completion of the interview with "Charlie", or the following day as time permits.

During these interviews, it will be necessary for the staff to obtain from these individuals their full name, mailing address, telephone number where they may be contacted, position or relationship to the Comanche Peak facility, and nature of all the allegations in as much detail as possible.

Please advise me if the foregoing can be arranged. I can be contacted on telephone number (301) 492-7425.

Sincerely,

Vincent S. Noonan, Director  
PWR Project Directorate #5  
Division of PWR Licensing-A

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PDR

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