

RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST
(CONTINUATION)

FOIA NUMBER(S):
FOIA — 91-162

DATE:
JUN 4 1 1991

PART II B — APPLICABLE EXEMPTIONS

Records subject to the request that are described in the enclosed Appendix(es) C are being withheld in their entirety or in part under the Exemption No. (s) and for the reason(s) given below pursuant to 5 U.S.C. 552(b) and 10 CFR 9.17(a) of NRC regulations.

<input type="checkbox"/>	1. The withheld information is properly classified pursuant to Executive Order. (Exemption 1)
<input type="checkbox"/>	2. The withheld information relates solely to the internal personnel rules and procedures of NRC. (Exemption 2)
<input type="checkbox"/>	3. The withheld information is specifically exempted from public disclosure by statute indicated. (Exemption 3)
<input type="checkbox"/>	Sections 141-145 of the Atomic Energy Act, which prohibits the disclosure of Restricted Data or Formerly Restricted Data (42 U.S.C. 2161-2165).
<input type="checkbox"/>	Section 147 of the Atomic Energy Act, which prohibits the disclosure of Unclassified Safeguards Information (42 U.S.C. 2167).
<input type="checkbox"/>	4. The withheld information is a trade secret or commercial or financial information that is being withheld for the reason(s) indicated. (Exemption 4)
<input type="checkbox"/>	The information is considered to be confidential business (proprietary) information.
<input type="checkbox"/>	The information is considered to be proprietary information pursuant to 10 CFR 2.790(d)(1).
<input type="checkbox"/>	The information was submitted and received in confidence pursuant to 10 CFR 2.790(d)(2).
<input type="checkbox"/>	5. The withheld information consists of interagency or intraagency records that are not available through discovery during litigation. (Exemption 5). Applicable Privilege:
<input type="checkbox"/>	Deliberative Process. Disclosure of predecisional information would tend to inhibit free and frank exchange of ideas essential to the deliberative process. Where records are withheld in their entirety, the facts are inextricably intertwined with the predecisional information. There also are no reasonably segregable factual portions because the release of the facts would permit an indirect inquiry into the predecisional process of the agency.
<input type="checkbox"/>	Attorney work product privilege. (Documents prepared by an attorney in contemplation of litigation.)
<input type="checkbox"/>	Attorney-client privilege. (Confidential communications between an attorney and his/her client.)
<input checked="" type="checkbox"/>	6. The withheld information is exempted from public disclosure because its disclosure would result in a clearly unwarranted invasion of personal privacy. (Exemption 6)
<input type="checkbox"/>	7. The withheld information consists of records compiled for law enforcement purposes and is being withheld for the reason(s) indicated. (Exemption 7)
<input type="checkbox"/>	Disclosure could reasonably be expected to interfere with an enforcement proceeding because it could reveal the scope, direction, and focus of enforcement efforts, and thus could possibly allow recipients to take action to shield potential wrongdoing or a violation of NRC requirements from investigators. (Exemption 7 (A))
<input type="checkbox"/>	Disclosure would constitute an unwarranted invasion of personal privacy. (Exemption 7 (C))
<input type="checkbox"/>	The information consists of names of individuals and other information the disclosure of which could reasonably be expected to reveal identities of confidential sources. (Exemption 7 (D))
<input type="checkbox"/>	OTHER

PART II C — DENYING OFFICIALS

Pursuant to 10 CFR 9.25(b) and/or 9.25(c) of the U.S. Nuclear Regulatory Commission regulations, it has been determined that the information withheld is exempt from production or disclosure, and that its production or disclosure is contrary to the public interest. The persons responsible for the denial are those officials identified below as denying officials and the Director, Division of Freedom of Information and Publications Services, Office of Administration, for any denials that may be appealed to the Executive Director for Operations (EDO).

DENYING OFFICIAL	TITLE/OFFICE	RECORDS DENIED	APPELLATE OFFICIAL		
			EDO	SECRETARY	IG
Thomas T. Martin	Regional Administrator, Reg. I	Appendix C	X		

PART II D — APPEAL RIGHTS

The denial by each denying official identified in Part II C may be appealed to the Appellate Official identified there. Any such appeal must be made in writing within 30 days of receipt of this response. Appeals must be addressed, as appropriate, to the Executive Director for Operations, to the Secretary of the Commission, or to the Inspector General, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should clearly state on the envelope and in the letter that it is an "Appeal from an Initial FOIA Decision."

WINSTON & STRAWN

FREDERICK H. WINSTON (1901-1986)
CLAUDE W. STRAWN (1907-1986)

1400 L STREET N.W.
WASHINGTON, D.C. 20005-3502

(202) 371-5700

FACSIMILE (202) 371-9860

CHICAGO OFFICE
35 WEST WACKER DRIVE
CHICAGO, ILLINOIS 60601
(312) 336-5500

NEW YORK OFFICE
175 WATER STREET
NEW YORK, NEW YORK 10038-4907
(212) 268-2500

April 17, 1991

FREEDOM OF INFORMATION
ACT REQUEST

FOIA-91-162

Rec'd 4-19-91

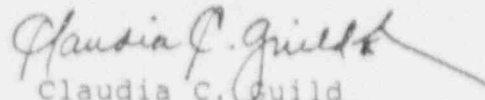
Mr. Donnie Grimsley
Director
Division of Rules and Records
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Grimsley:

Pursuant to the provisions of the Freedom of Information Act (5 U.S.C. § 552) and to the Nuclear Regulatory Commission's (NRC) policies and regulations (10 C.F.R. Part 9, Subpart A), we request all correspondence to and from the NRC regarding allegations with respect to Northeast Utilities' Millstone and Connecticut Yankee (Haddam Neck) nuclear power stations, to the extent that such information is not confidential or otherwise exempt from public disclosure.

It is important that we obtain any available information as soon as possible. We encourage the NRC to respond promptly, within ten working days as provided by 10 C.F.R. Part 9 and the NRC's policies. We agree to pay such fees as required under 10 C.F.R. § 9.33 et seq. for the search, review, and provision of such records. If you have any questions regarding this request, I can be reached at (202) 371-5876.

Sincerely,


Claudia C. Guild
Legal Assistant

9106250087

APPENDIX B
DOCUMENTS BEING PLACED IN THE PUBLIC DOCUMENT ROOM

NUMBER	DATE	DESCRIPTION
RECORDS MAINTAINED IN ALLEGATION FILE RI-87-A-0051:		
1.	7/17/87	Letter from E. Wenzinger to E. Mroczka, subject: Routine Inspection 50-336/87-11. (15 pages)
2.	5/29/87	Memorandum to File from Geoffrey Grant, subject: Allegation RI-87-A-0051. (2 pages)
3.	5/28/87	Memo to File from Ebe McCabe, subject: Supplementary Information on Allegation RI-87-A-51. (3 pages)
4.	5/28/87	Allegation Panel Decisions. (2 pages)
5.	Undated	Memorandum to File regarding 5/20/87 telephone conversation with allexer. (1 page)
6.	Undated	Allegation Description. (1 page)
7.	Undated	Inspection Report- Feeder for Millstone Unit 2 and Haddam Neck - Allegation RI-87-A-0051 Review. (1 page)
8.	Sept/87	Qualification Report - Grafoil Gasket Retrofit for Litton/VEAM Connectors. (48 pages)
RECORDS MAINTAINED IN ALLEGATION FILE RI-90-A-0027:		
9.	7/27/90	Memo from E. Wenzinger to Office Allegation Coordinator, subject: Closeout of Allegation No. RI-90-A-0027 at Haddam Neck Nuclear Power Station. (1 page)
10.	6/6/90	Memo from John Shedlosky to Allegation File, subject: Allegation RI-90-A-0027 - Radiation Workers Reporting to Site After Consuming Alcoholic Beverages. (1 page)

Re: FOIA-91-162

APPENDIX B
DOCUMENTS BEING PLACED IN THE PUBLIC DOCUMENT ROOM
(Continued)

NUMBER	DATE	DESCRIPTION
11.	3/15/90	Record of Allegation Panel Decisions. (1 page) RECORDS MAINTAINED IN ALLEGATION FILE RI-90-A-0089:
12.	8/1/90	Sample Record of Allegation Panel Decisions. (1 page) RECORDS MAINTAINED IN ALLEGATION FILE RI-90-A-0182:
13.	10/17/90	Sample Record of Allegation Panel Decisions. (1 page)

APPENDIX C
DOCUMENTS BEING RELEASED IN PART

NUMBER	DATE	DESCRIPTION
RECORDS MAINTAINED IN ALLEGATION FILE RI-87-A-0051:		
1.	5/29/87	Letter from NRC to individual regarding concerns. (1 page) Portions withheld pursuant to Exemption 6.
2.	5/26/87	Letter from individual to NRC, subject: Issues Presented to the NRC. (2 pages) Portions withheld pursuant to Exemption 6
3.	5/19/87	Letter from Combustion Engineering to Northeast Utilities Service Co. (14 pages) Portions withheld pursuant to Exemption 6.
4.	5/7/87	Allegation Receipt Report. (2 pages) Portions withheld pursuant to Exemption 6.
RECORDS MAINTAINED IN ALLEGATION FILE RI-90-A-0027:		
5.	7/27/90	Letter from NRC to individual, subject: Allegation Concerning Haddam Neck Nuclear Power Station. (5 pages) Portions withheld pursuant to Exemption 6.
6.	3/27/90	Letter from NRC to individual, subject: Concerns You Raised to the NRC Regarding the Haddam Neck Plant. (1 page) Portions withheld pursuant to Exemption 6.
7.	2/23/90	Allegation Receipt Report. (3 pages) Portions withheld pursuant to Exemption 6.
8.	2/7/90	Allegation Receipt Report. (2 pages) Portions withheld pursuant to Exemption 6.
RECORDS MAINTAINED IN ALLEGATION FILE RI-90-A-0089:		
9.	8/28/90	Letter from NRC to individual. (1 page) Portions withheld pursuant to Exemption 6.

APPENDIX C
DOCUMENTS BEING RELEASED IN PART
(Continued)

NUMBER	DATE	DESCRIPTION
10.	7/19/90	Allegation Receipt Report. (2 pages) Portions withheld pursuant to Exemption 6. [Other deleted portions are outside the scope of the request.]
11.	12/4/90	Telephone Report. (1 page) Portion withheld pursuant to Exemption 6.
		RECORDS MAINTAINED IN ALLEGATION FILE RI-90-A-0182:
12.	10/5/90	Allegation Receipt Report. (4 pages) Portions withheld pursuant to Exemption 6.
13.	4/2/91	Letter from NRC to individual. (4 pages) Portions withheld pursuant to Exemption 6.