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RELATED CORRESPONDENCE

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

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December 16, 1994

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In the Matter of
GEORGIA POWER COMPANY, *et. al.*
(Vogtle Electric Generating Plant, Units 1 and 2)
Docket Nos. 50-424-OLA-3 and 50-425-OLA-3

Gentlemen:

At page three of the "NRC Staff Amended Response To Intervenor's Second Interrogatories And Request For Production Of Documents," dated September 22, 1994, the Staff offered the parties an opportunity to inspect the NRC Office of Investigations (OI) file in Atlanta, Georgia, regarding the subject investigation. Counsel for Georgia Power subsequently requested such an inspection, and the Staff agreed to make the file available for inspection by no later than December 15, 1994. See Tr. at 688-90.

The file has a number of documents (listed below) which are either attorney/client communications or consist of non-factual, predecisional information reflecting the decision process used by OI in preparing its report. Pursuant to LBP-94-26, 40 NRC 93, 99 (1994), and 10 C.F.R. 2.790, such documents will not be made available for inspection. Documents which contain segregable factual information are listed separately and will be available for inspection in redacted form.

Documents from the subject OI file which have previously been identified in Staff discovery responses and which were (1) withheld, or (2) made available in redacted form, are not listed, and will not be included in the OI file documents being made available for inspection. Pursuant to 10 C.F.R. § 9.35 (b)(1), charges for copies of documents will be assessed at the rate of 20 cents per page.

Arrangements to inspect the OI file should be made by contacting Carolyn Evans, Region II Counsel.

The following documents (items 1 - 96) are being withheld:

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Attorney-client documents

1. Memo for Ben Hayes from James Fitzgerald and John Cordes dated 8/7/91 (1 page).
2. Memo for James Fitzgerald through Ben Hayes from James Vorse transmitted 7/23/91 (3 pages).
3. Robinson memo to file dated 1/29/91 re conference with Chuck Mullins (1 page).
4. Robinson memo to file dated 1/28/91 re conference with Chuck Mullins (1 page).
5. Note re 9/25/90 conference with Chuck Mullins (1 page).
6. Vorse memo to file dated 2/25/93 re conference with Daryl Shapiro (1 page).
7. Memo for Ben Hayes from James Fitzgerald, dated 2/12/93 (2 pages).
8. Note dated 2/12/93 re 2/10/90 OGC analysis (1 page).
9. Copy of item 7.
10. Memo for James Taylor from William Parler, dated 2/10/93 (1 page cover note and 6 page analysis).
11. Copy of item 10, with fax cover sheet and control ticket sheet.
12. Note dated 7/14/93 (1 page) re conversations with NRC counsel.
13. Memo for Ben Hayes from James Fitzgerald, dated 8/28/90 (7 pages).
14. Fax copies of items 1 and 2 above, with handwritten entries.
15. Note to Lawrence Chandler, and others, from David Matthews, dated 4/13/93 (2 pages).
16. Robinson's handwritten note of conversation with Charles Barth, dated 5/11/93 (unrelated note on same page of conversation with Mosbaugh on 5/11/93 available for inspection).
17. Fax from Robinson to Daryl Shapiro, transmitted 3/17/92 (2 pages).
18. Tate memo to file, dated 8/8/91, of conversation with Carolyn Evans (1 page).
19. Note to Robinson from Charles Barth, dated 8/17/93 (1 page), with 7-page attachment.

20. Robinson memo to file, dated 5/24/93, of conversation with Charles Barth (1 page).
21. Fax from Robinson to Charles Barth, transmitted 5/11/93 (3 pages).
22. Draft note from J. Vorse to James Fitzgerald, dated 6/18/91 (1 page).
23. E-mail note from Robinson to Charles Barth, transmitted 3/1/94 (1 page).
24. Note to Lawrence Chandler, and others, from David Matthews, dated 8/17/93 (3 pages).

Documents revealing work process and/or opinions

25. Typed Memo to File regarding Holmes interview, dated 9/27/91 (2 pages).
26. Memo to File regarding subpoenas of GPC officials, dated 9/27/91 (1 page).
27. Typed memo for David Matthews from James Vorse regarding disposition of Vogtle allegations, dated 10/1/91 (1 page).
28. Typed memo for Stewart Ebnetter from James Vorse regarding disposition of Vogtle allegations, dated 8/16/91 (8 pages).
29. 8/15/91 draft of # 18 (9 pages).
30. Memo for Ben Hayes from James Vorse (1 page draft), with attached memo for Ben Hayes from Larry Robinson and Craig Tate regarding GPC counsel, dated 3/14/91 (5 pages).
31. Typed questions (3 pages, undated).
32. Memo from Pierce Skinner to Oscar DeMiranda regarding allegations (5 pages, undated).
33. Memo to file from Steven J. Vias dated 4/6/92 (1 page) regarding 8/90 NRC team inspection findings with 2 draft reports (14 pages).
34. Fax from Louis Wheeler to Robinson, transmitted 11/22/93, containing draft slides of the 11/22/93 status briefing of NRC management by the Vogtle Coordinating Group (VCG) (8 pages).
35. Fax copy of draft slides of the 11/22/93 status briefing of NRC management by the VCG (16 pages), containing handwritten comments; note to VCG members from Louis Wheeler (1 page); and copy of e-mail message dated 11/15/93 from Robinson to Louis Wheeler (1 page).

36. Copy of slides of the 1/4/94 status briefing of NRC management by the VCG containing Robinson's handwritten comments (12 pages).
37. Fax copy of draft slides of the 12/22/93 status briefing of NRC management by the VCG, transmitted 12/22/93 (8 pages).
38. Copy of VCG's analysis dated 2/9/94 (48 pages), with cover memo containing Robinson's handwritten comments (2 pages).
39. Discussion of proposed enforcement action (2 pages, typed, undated).
40. Draft version of the 3/24/94 memo to the Commissioners from James Taylor regarding additional information related to SECY-94-075.
41. Subpoenas to testify before a federal grand jury in the United States District Court for the Northern District of Georgia (15 pages).
42. Draft subpoenas to testify before a federal grand jury in the United States District Court for the Northern District of Georgia (15 pages).
43. Draft letter from Ben Hayes to the FBI, dated 10/4/91, regarding tape enhancement (1 page).
44. Draft Partial Director's Decision, dated 8/4/91, concerning 2.206 Petition of Hobby and Mosbaugh (31 pages).
45. "VOGTLE 2.206 STATUS," dated 8/6/91 (3 pages).
46. Memo from Luis Reyes to Darl Hood, dated 7/31/91 (1 page), with attachment regarding the proposed Partial Director's Decision on the 2.206 Petition of Hobby and Mosbaugh (28 pages).
47. "GPC: 2.206 RESPONSE MAJOR MILESTONES," dated 8/5/91 (1 page)
48. Follow-up questions to ask in OI's investigation (7 typed pages, undated).
49. Questions to ask in OI's investigation (1 typed page, with handwritten inserts, undated).
50. Handwritten "Case Chronology" entries (52 pages).
51. Draft OI presentation slides (3 pages, undated).
52. Fax, transmitted 6/18/91, from Vorse to Dan Murphy, of draft letter regarding investigative strategy (3 pages).
53. Memo from Luis Reyes to Vorse, dated 5/9/91 (1 page), with drafts regarding proposed special team inspection findings (51 pages).

54. Copy of 4/9/90 GPC slide 10, containing Robinson's handwritten inserts.
55. Handwritten notes (1 page, undated), attached to excerpt from Hobby/Mosbaugh 2.206 petition.
56. Typed notes regarding GPC counsel (4 pages, undated).
57. Draft memo to Hayes from Robinson/Tate regarding GPC counsel (3 pages, undated).
58. Questions to ask in OI's investigation (2 typed pages, undated).
59. Chart concerning investigative activities (1 page, undated).
60. Questions to ask in OI's investigation (7 typed pages, undated).
61. OI Presentation Slides used to brief DOJ attorneys, dated 1/9/92 (18 pages)(first slide titled "CASE BRIEF - PLANT VOGTLE"), containing Robinson handwritten notations.
62. Fax from DOJ's Victor Stone to Robinson, transmitted 6/23/93, regarding draft DOJ conclusions (7 pages).
63. "STATUS REPORT AND SUGGESTED INVESTIGATIVE PLAN" (5 pages, undated).
64. Chart regarding grand jury subpoenas (1 page, undated).
65. Fax from Robinson/Tate to Vorse, transmitted 9/10/91, regarding interaction with DOJ and grand jury subpoenas (1 page).
66. Typed notes regarding presentation made to DOJ on 11/2/92 (4 pages).
67. Notes regarding questions to ask Cash (19 typed pages, undated).
68. Notes regarding questions to ask Stringfellow (14 typed pages, undated).
69. Notes regarding questions to ask Bockhold (20 typed pages, undated).
70. Notes regarding questions to ask Majors (9 typed pages, undated).
71. Notes regarding questions to ask McCoy (16 typed pages, undated).
72. Notes regarding questions to ask Hairston (17 typed pages, undated).
73. Notes regarding questions to ask Shipman (14 typed pages, undated).

74. Memo from Joseph Gray, OE, to Hugh Thompson, dated 6/29/94, regarding status of pending enforcement actions against all licensees (22 pages).
75. Fax cover sheets dated 9/17/93 regarding Robinson's interaction with VCG (4 pages).
76. E-mail from Louis Wheeler to VCG members dated 9/23 regarding Robinson's interaction with VCG (1 page).
77. Fax from Louis Wheeler to Robinson, transmitted 11/22/93, containing excerpts of draft slides for the November 22, 1993 status briefing of NRC management by the VCG (11 pages).
78. Fax from Joe Whitley (DOJ attorney) to Robinson, transmitted 3/24/93, containing copies of DOJ letters regarding the federal grand jury investigation (6 pages).
79. Fax from Robinson to S. Q. Yates (DOJ attorney), transmitted 12/16/92, regarding NRC interaction with DOJ (16 pages).
80. Robinson handwritten memo to file dated 9/27/91 regarding Holmes interview (2 pages).
81. Robinson's handwritten notes regarding investigation strategy, dated 4/7/93 (1 page).
82. Robinson's handwritten note regarding Mike Horton, dated 3/13/92 (1 page).
83. Robinson's handwritten note regarding conference call with Hayes, Roger Fortuna, and Dan Murphy, dated 6/10/93 (1 page).
84. Various undated handwritten notes of Larry Robinson discussing plans, approaches, strategies, questions to ask, issues, opinions, and theories regarding the subject investigation (59 pages).
85. Robinson's miscellaneous handwritten notes regarding the subject investigation, on tablet-sized pieces of paper (22 pages).
86. Robinson's handwritten notes regarding diesel starts (13 pages, undated).
87. Robinson's handwritten notes dated 10/18/93 regarding interaction with VCG (2 pages).
88. Robinson's handwritten notes dated 10/5 regarding interaction with VCG (1 page).
89. Robinson's handwritten notes dated 1/4 regarding a meeting involving Murley and James Taylor regarding proposed enforcement action (1 page).

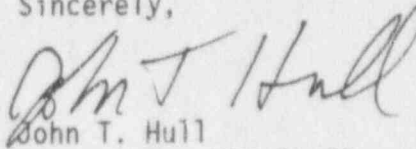
90. Robinson's handwritten notes of a telephone call with Dave Matthews on 8/30/93 regarding the proposed establishment of a reconfigured VCG (1 page).
91. Robinson's handwritten notes of a telephone call with Mike O'Leary (DOJ attorney) on 6/1/93 regarding interaction with DOJ (1 page).
92. Robinson's handwritten notes regarding a meeting with DOJ attorneys on 11/2/92 (1 page).
93. OI investigator Craig Tate's handwritten note discussing investigation, dated 1/13/92 (1 page).
94. Craig Tate memo to file regarding security matters, dated 10/5/90 (1 page).
95. Craig Tate notes regarding GPC counsel (3 pages, undated).
96. Craig Tate notes regarding conference with Vorse and Robinson, dated 8/29/90 (2 pages).

The following documents (items 97 - 107) contain factual material which is segregable from predecisional opinion material, and are available for inspection and copying in redacted form.

97. Summary of testimony of GPC personnel (6 pages, typed).
98. OI Presentation Slides (17 pages, undated)(first slide titled "Presentation Outline" starting with "Synopsis of Issues"), and containing Robinson handwritten notations.
99. OI Presentation Slides made to NRC Staff (13 pages), dated 12/19/91, first slide titled "Case Brief - Plant Vogtle:...."
100. "Case Briefing" regarding operability of diesel generators at Vogtle (4 pages, typed).
101. Robinson handwritten notes (3 pages, undated) beginning with "4/9 Oral Present."
102. OI Presentation Slides (19 pages) for briefing of Senate Subcommittee, dated 4/29/93 (with "confidential" written on cover sheet).
103. OI Presentation Slides (19 pages) for briefing of Senator Joseph Lieberman, dated 4/29/93.
104. OI Presentation Slides (18 pages, undated), first slide titled "Presentation Outline" starting with "Introduction/Purpose."

- 105. Memo for Stewart Ebnetter from James Vorse dated 8/17/92 (4 pages).
- 106. Robinson handwritten note, undated, regarding tapes (1 page).
- 107. OI Presentation Slides (15 pages), first slide titled "SYNOPSIS OF ISSUES", used for the 8/18/93 presentation to the NRC Staff.

Sincerely,

A handwritten signature in cursive script, appearing to read "John T. Hull".

John T. Hull
Counsel for NRC Staff

cc: Service List