



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

PDR-011a
CPDR

Docket No. 50-329

NOV 15 1983

Mr. Ron Winslow
The Wall Street Journal
Dow Jones & Company, Inc.
22 Cortlandt Street
New York, NY 10007

IN RESPONSE REFER
TO FOIA-83-589

Dear Mr. Winslow:

This is in further response to your letter dated September 28, 1983, in which you requested, pursuant to the Freedom of Information Act (FOIA), a copy of a report by NRC's Office of Inspection and Enforcement dated January 3, 1980, regarding a review of a material false statement at Midland nuclear plants 1 and 2, all associated and supporting records to that report, and any reports prepared in response.

By letter dated November 1, 1983, we provided a partial response to your request and informed you that additional records subject to your request were undergoing review. Review has now been completed.

At this time, we are making available the eight remaining records identified at the following numbers on the documentation list which was attached to the subject January 3, 1980, memorandum which we sent to you by letter dated November 1, 1983.

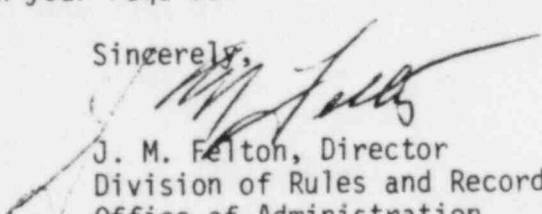
3a	5j
3d	7a
3e	7b
5b	7d

These records, as identified on enclosed Appendix B, are being placed in the NRC Public Document Room and will be filed in folder FOIA-83-589 under your name. We have now made all records listed on the documentation list publicly available with the exception of the large drawings which are referenced at category one on the documentation list. You informed Ms. Robinson during a telephone conversation on November 14, 1983, that you are not interested in the drawings.

In addition, we are enclosing the records, and excerpts of records, which are identified on enclosed Appendix C.

This completes NRC's action on your request.

Sincerely,


J. M. Felton, Director
Division of Rules and Records
Office of Administration

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PDR FOIA
WINSLOW83-589 PDR

Enclosures: As stated

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Sept. 28, 1983

Nuclear Regulatory Commission
1717 H St. NW
Washington, D.C. 20555

FREEDOM OF INFORMATION
ACT REQUEST

FOIA-83-589
Rec'd 10-6-83

Dear Sirs:

This request is made under the federal Freedom of Information Act.

Please send me a copy of report by the NRC's Office of Inspection and Enforcement and dated on or about Jan. 3, 1980 regarding a review of a material false statement at Midland nuclear plants 1 and 2. I would also like all associated and supporting documents and memos to that report, including any reports prepared in response.

As you know, the FOI Act provides that if portions of a document are exempt from release, the remainder must be segregated and disclosed. Therefore, I will expect you to send me all non-exempt portions of the records which I have requested as soon as possible. I am particularly interested in the Jan. 3, 1980 report itself.

I promise to pay reasonable search and duplication fees in connection with this request. However, if you estimate the total fees will exceed \$100, please call me so that I may authorize any greater expenditure.

As I am making this request in the capacity of a journalist and this information is of timely value, I will appreciate your calling me at 212-285-8449, collect, if you have any questions. I look forward to receiving your reply within 10 business days as required by law. Thank you.

Yours truly,

Ron Winslow

Ron Winslow
Staff Reporter

8401230627

APPENDIX B

RECORDS IN PDR FOLDER FOIA-83-589

1. 11/3/78 Memo to Vassallo from Olmstead, "Board Notification of Diesel Generator Foundations and Building Settlement at Midland. (No. 3a of documentation list attached to 1/3/80 memorandum to Fortuna - #7 of Appendix A.) (1 page)
2. 11/13/78 Memo to Engelhardt from Vassallo, "Board Notification - Midland Settlement Problem (BN-78-27)". (No. 3d) (1 page)
3. 2/23/79 Region III's report, "Presentation of Investigation Findings of the Settlement of the Diesel Generator Building and Plant Area Fill". (No. 5b) (16 pages)
4. 4/20/79 Memo to Thornburg from Keppler, "Recommendation for Notification of the Licensing Board - Midland Nuclear Project". (No. 3e) (1 page)
5. 9/27/79 Memo to Knight from Rubenstein, "Request for Engineering Priority for Midland Soils Settlement Positions". (No. 7a) (2 pages)
6. 10/16/79 "Summary of September 5, 1979 Meeting on Quality Assurance Aspects of Staff's 10 CFR 50.54(f) request on Soil Settlement Deficiency". (No. 7b) (31 pages)
7. 10/29/79 Memo to Gower from Keppler, "Midland - Recommended Civil Penalty". (No. 5j) (17 pages)
8. 12/3/79 "Summary of November 14, 1979 Meeting with U.S. Corps of Engineers to Observe Soil Settlement at Midland 1 and 2 Site". (No. 7d) (3 pages)

APPENDIX C

RECORDS ALREADY PUBLICLY AVAILABLE IN THE PDR

1. 11/17/78 Memo to Vassallo, "Transfer of Lead Responsibility". (4 pages)
PDR: 7812280343
2. 12/19/79 Letter to Vassallo from Howell, CPCO. (2 pages) PDR: 7912270193
3. 2/11/80 Letter to Vassallo from Howell. (1 page) PDR: 8002190549
4. 7/10/81 Excerpts (pages 1-6, 14-15, 1560, Attachments 16 and 17)
of hearing transcript. (17 pages) PDR: 8107170118
5. 8/4/81 Excerpts (pages 15-18, 24-25, 2802, 2865-2868, 2933-2935) of
hearing transcript. (16 pages) PDR: 8109110309
6. 12/10/81 Excerpts (pages 34-40 re #C of Index) of intervenor's proposed
findings. (10 pages)
7. 12/30/81 Excerpts (pages 17-21 re #III.C. of Index) of NRC's proposed
findings. (7 pages)
8. 4/26/82 Excerpts (pages 51-66 re #C of Index) of CPCO's response to
intervenor's proposed findings. (19 pages) PDR: 8205030334