



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

NOV 19 1984

PDR - 014

Docket No. 50-483/486

Ms. Michelle Varricchio  
Government Accountability Project  
1901 Que Street, NW  
Washington, DC 20009

IN RESPONSE REFER  
TO FOIA-84-701

Dear Ms. Varricchio:

This is in response to Mr. John Clewett's letter dated August 22, 1984, in which he requested, pursuant to the Freedom of Information Act (FOIA), copies of any and all agency records relevant to or generated in connection with the interviews held by three NRC staffers on June 12, 1984, concerning the Callaway nuclear plant, and/or relevant to or generated in connection with any of the specific allegations made during those interviews.

Appendix A lists documents that are being placed in the NRC Public Document Room (PDR), 1717 H Street, NW, Washington, DC, where they will be available for public inspection and copying in file number FOIA-84-701 (Clewett).

Documents B1 through B5 of Appendix B are investigatory records compiled for law enforcement purposes. Portions of these documents are being withheld from public disclosure pursuant to Exemption (7)(D) of the FOIA (5 U.S.C. 552(b)(7)(D)) and 10 CFR 9.5(a)(7)(iv) of the Commission's regulations, because disclosure of the withheld portions of information would disclose the identify of a confidential source.

Documents 1, 2, and 3 of Appendix C contain information which constitutes advice, opinions and recommendations of the staff. This information is being withheld from public disclosure pursuant to Exemption (5) of the FOIA (5 U.S.C. 552(b)(5)) and 10 CFR 9.5(a)(5).

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Document 4 of Appendix C is an investigatory record compiled for law enforcement purposes and is being withheld from public disclosure pursuant to Exemption (7)(A) of the FOIA (5 U.S.C. 552(b)(7)(A)) and 10 CFR 9.5(a)(7)(i) of the Commission's regulations, because disclosure of the information would interfere with an enforcement proceeding.

Appendix D lists documents previously supplied to GAP.

Appendix E lists documents, subject to this request, that are already available in the PDR for public inspection and copying.

Pursuant to 10 CFR 9.9 of the NRC's 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 this denial are the undersigned and Mr. James G. Keppler, Regional Administrator, Region III (Chicago).

This denial may be appealed to the NRC's Executive Director for Operations within 30 days from the receipt of this letter. As provided in 10 CFR 9.11, any such appeal must be in writing, addressed to the Executive Director for Operations, 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."

The staff is continuing to search for additional records subject to your request. We will notify you when that search is completed.

Sincerely,



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

Enclosures: As stated

APPENDIX A

- A1 6/18/79 Memo to Region III Files from Hansen, Subject: Callaway Cooling Tower Concrete (1 page)
- A2 7/12/79 Memo to Region III Files from Knop, Subject: Callaway Cooling Tower Power (1 page)
- A3 5/21/80 Licensee Report Evaluation Form: Licensee Reports per 10 CFR 50.55(e) (1 page)
- A4 Undated Draft Letter to Union Electric Co. from Fiorelli (1 page)
- A5 3/29/83 Licensee Report Evaluation Form: Licensee Reports Per 10 CFR 55.55(e) (1 page)
- A6 Undated Announcement by Citizens Concerned About Callaway, titled: An Appeal to Callaway Nuclear Workers - Rich Parks (3 pages)
- A7 6/12/84 NRC Form 307 - Allegation Data Form
- A8 7/2/84 Computer Print-out, Allegation Tracking System - Allegation Number: RIII-84-A-0081 (2 pages) Allegation Number: RIII-84-A-0082 (2 pages)

APPENDIX B

- B1 5/11/79 Letter to Fiorelli from Olson w/enclosures (1 page)
  - 1. 5/2/79 Dept. of Labor, OSHA Form: Complaint (2 pages)
  - 2. 5/11/79 Letter to Allegor from Olson (2 pages)
  
- B2 6/8/79 Memo to R III Files: Callaway, from Knop, Subject: Callaway Cooling Tower Concrete w/attachments (1 page)
  - 1. 5/8/79 Memo to Files from Fiorelli (1 page)
  - 2. 5/23/79 Memo to Files from Foster (2 pages)
  
- B3 6/12/84 Allegor Confidentiality Agreement (1 page)
  
- B4 Undated Allegor Identification Sheet (1 page)
  
- B5 8/13/84 Letter to Allegor from Weil in ATS No. R III-84-A-0082 (1 page) with 8/10/84 letter to Carpenter, GAP, from Weill (1 page)