



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

PDR-016

JUL 26 1984

Mr. George N. Holmes
Investigator
Fleming, Betts & Cooke
Attorneys at Law
6900 Texas Commerce Tower
Houston, TX 77002

IN RESPONSE REFER
TO FOIA-84-529

Dear Mr. Holmes:

This is in response to your letter dated June 21, 1984, in which you requested, pursuant to the Freedom of Information Act, copies of all data as relates to investigations, inspection surveillances, monitoring or other regulatory functions as pertain to Gulf Nuclear, Incorporated.

Enclosed are the documents listed on Appendix A.

Portions of document 22 have been deleted in order to withhold the names of individuals receiving radiation exposure. Because disclosure of this information would constitute a clearly unwarranted invasion of personal privacy it is being withheld from public disclosure pursuant to Exemption (6) of the Freedom of Information Act (5 U.S.C. 552(b)(6)) and 10 CFR 9.5(a)(6).

Pursuant to 10 CFR 9.9 of the Commission'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. John T. Collins, Regional Administrator, Region IV.

This denial may be appealed to the Commission'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."

Sincerely,

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

Enclosures: As stated

APPENDIX A

| | <u>DATE</u> | <u>ORIGINATOR</u> | <u>RECIPIENT</u> | <u>DOCUMENT DESCRIPTION</u> |
|-----|-------------|-----------------------------------|----------------------------|---|
| 1. | 6/22/84 | John T. Collins | Region IV | Daily Staff Notes |
| 2. | 6/21/84 | Region IV | Distributed | Preliminary Notification of Event or Unusual Occurrence - PNO-IV-84-09A Subject: "Overexposure to Gulf Nuclear, Incorporated Employee" |
| 3. | 6/6/84 | Region IV | Distributed | Preliminary Notification of Event or Unusual Occurrence - PNO-IV-84-09 Subject: "Overexposure to Gulf Nuclear, Incorporated Employee" |
| 4. | 5/11/84 | R. J. Doda (RIV) | Anne E. Payne | Letter |
| 5. | 4/18/84 | Gulf Nuclear Inc. | Bob Doda | Letter w/enclosed pkgng slip |
| 6. | 2/8/84 | Region IV | Distributed | Preliminary Notification of Event or Unusual Occurrence - PNO-IV-83-10D Subject: "Court Decision Regarding Americium-241 Exposure Incident" |
| 7. | 2/8/84 | W. L. Brown (RIV Reg. Counsel) | J. T. Collins | Memorandum - Subject: "Texas Court of Appeals Decision in Gulf Nuclear Case" |
| 8. | 12/14/83 | R. J. Doda | R. Ratliff | Letter |
| 9. | 2/8/84 | P. S. Check (for J. Collins) | Region IV | Daily Staff Notes |
| 10. | 2/2/84 | R. A. Ratliff | R. J. Doda | Letter w/enclosure (Court of Appeals Ruling) |
| 11. | 1/24/84 | Texas Dept. of Health | NRC, RIV | Letter w/enclosed memo from Oscar Mulhern to R. Ratliff |
| 12. | 12/20/83 | Gulf Nuclear, Paul Nixon | B. Hoffman | Letter |
| 13. | 1/19/84 | Texas Dept. of Health (Ratliff) | R. Doda (RIV) | Letter |
| 14. | 1/19/84 | Texas Dept. of Health (Wilson) | A. Acree RSO Gulf Nucl. | Letter w/encl., Notice of Violation Memo from Oscar R. Mulhern thru R. Ratliff, dated 12/29/83 |

APPENDIX A (CONTINUED)

| DATE | ORIGINATOR | RECIPIENT | DOCUMENT DESCRIPTION |
|--------------|---------------------------------------|------------------------------------|---|
| 15. 8/31/83 | Region V | Distributed | Preliminary Notification of Event or Unusual Occurrence - PNO-V-83-36 Subject: "Preliminary Investigation By The State of California On An Alleged Radioactive Material Spill" |
| 16. 9/6/83 | John T. Collins | Edgar D. Bailey Tex Dept Health | Letter |
| 17. 8/29/83 | Courts of Appeals | Gulf Nuclear Inc. | Court of Appeals Ruling |
| 18. 6/24/83 | David K. Lacker Tex Dept of Health | Robert J. Doda RIV | Letter with enclosure, "Abnormal Occurrence Description" |
| 19. 10/27/82 | | | Certificate of Approval of Design for Special Form Radioactive Material. |
| 20. 1/7/83 | | | Registry of Radioactive Sealed Sources and Devices Table 1 Drawing |
| 21. 5/6/83 | David K. Lacker Tex Dept of Health | Mr. Robert Doda | Letter |
| 22. 4/17/83 | John F. May State of Tex | Mr. Brian E. Berwick | Letter w encl, "Temporary Injunction Order", w order to Gulf Nuclear, Inc. "Emergency Order Impounding Sources of Radiation" |
| 23. 4/26/83 | Region IV | Distributed | Preliminary Notification of Event or Unusual Occurrence - PNO-IV-83-10C Subject: "Exposure to Americium-241" |
| 24. 4/26/83 | John T. Collins | Region I | Daily Staff Notes |
| 25. 3/30/83 | John R. Haygood Tex Dept Health | Robert J. Doda | Letter |
| 26. 3/24/83 | Charles R. Meyer | Richard A. Ratliff | Inter Office Memo |
| 27. 1/26/83 | | | Drawing & survey readings |
| 28. 1/27/83 | | | Radiation Survey Log Sheet |
| 29. UNDATED | | | Gulf Nuclear packing slip |

APPENDIX A (CONTINUED)

| DATE | ORIGINATOR | RECIPIENT | DOCUMENT DESCRIPTION |
|-------------|--|--|---|
| 30. 2/24/83 | C. P. Hopcraft VP, Gulf Nucl | Lewis Calvisino Dept of Labor NY | Letter |
| 31. 3/30/83 | Region IV | Distributed | Preliminary Notification of Event or Unusual Occurrence - PNO-IV-83-10B Subject: "Exposure to Americium-241" |
| 32. 3/30/83 | John T. Collins | Region IV | Daily Staff Notes |
| 33. 3/28/83 | Region IV | Ditributed | Preliminary Notification of Event or Unusual Occurrence - PNO-IV-83-10A Subject: "Exposure to Americium-241" |
| 34. 3/28/83 | P. S. Check for John T. Collins | Region IV | Daily Staff Notes |
| 35. 3/21/83 | John T. Collins | Region IV | Daily Staff Notes |
| 36. 3/18/83 | Region IV | Distributed | Preliminary Notification of Event or Unusual Occurrence - PNO-IV-83-10 Subject: "Exposure to Americium-241" |
| 37. 3/1/83 | Ralph S. Heyer RIV | Richard Ratliff | Letter |
| 38. 2/14/83 | Myu A. Campbell State Agrmnt Off. | Robert J. Doda | Memo Subject: "Improperly Packaged Radiography Source" |
| 39. 1/29/83 | R. A. Zieber Nuclear Energy Services | Lewis Calvisino Dept of Labor NY | Letter w encl survey reading, survey log sheet |
| 40. 12/5/83 | C. A. Hooker RIV | R. J. Everett RIV | Memo, Subject: "Contaminated Sealed Source - Great Guns, Inc." |
| 41. 12/1/83 | Robert J. Doda | Richard Ratliff | Letter |
| 42. 11/1/83 | C. T. Oberg Rad. Spec NRC RIII | R. J. Everett | Memo, Subject: "Excessive Surface Radiation Levels From A Package Shipped By Gulf Nuclear Inc. to 3M Co." |
| 43. 11/1/83 | Gulf Nucl | 3M Company | Packing slip, shipment insp record |
| 44. 7/14/82 | NRC, Wm. Dircks | Lloyd Bentsen Senator | Letter |
| 45. 6/22/82 | Lloyd Bentsen | Carlton C. Kammerer, Dir. NRC | Letter |
| 46. 5/25/82 | Walter Peeples Jr., Gulf Nucl | Lloyd Bentsen | Letter, encl, "What is Wrong With The Nuclear Industry?" |