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Mary E. Wagner
Counsel for the NRC Staff
Nuclear Regulatory Commission
Washington, D. C. 20555 D

'85 FEB 15 A11:04

Dear Ms. Wagner,

We are in receipt of your response of February 4 to our motion of January 15, 1985. It contains two errors that need to be corrected on the public record.

You incorrectly state at page 6, concerning deletions in the copy of our motion sent for review to the Centers for Disease Control, that

> The Staff's intent to influence, according to the Aamodts, is shown by the fact that virtually every other page of the Aamodt June 21, 1984 Motion was not copied and sent to Dr. Caldwell.

We object to this explanation. It is incorrect and deceptive. It compounds the deception to attribute it to us. Surely, you were aware of our disagreement with this explanation. Our letter of January 22, 1985 to Allan Greenspun is attached to refresh your memory.

The Staff is wrong when it asserted on page 10 at footnote 7 that the Gamble draft reports had been available in the NRC public document room for a number of years. The Staff knows better. The drafts were first provided by Three Mile Island Alert during the Remanded hearing this past fall.

Please correct your filing accordingly.

Very truly yours,

Marjorie M. Aamodt

cc: TMI-1 Service List

Dr. Thomas Cochran

DS07

R. D. 5, Box 428
Coatesville, Pennsylvania 19320

January 22, 1985

Alan Greenspun
Justice Department
Washington, D. C.

Dear Mr. Greenspun:

Please accept our apologies for the late provision of the enclosed memorandum of January 15, 1985 and attached copy of the Aamodt motion of June 21, 1984. When similar material was provided to the Attorney General and the Chief Criminal Division by personal delivery to the receptionist in the lobby of the Justice Department's main office, the receptionist would not accept them for you.

The word "similar" in the above paragraph is used advisedly. The copies of the Aamodt motion provided to the Attorney General and Chief Criminal Division may not have had the first page of Affidavit 1 included. If that has happened, the copy of the Aamodt motion enclosed should be used, solely, to represent the number and composition of pages of the document filed with the NRC. We are certain that NRC received both pages of Affidavit 1 since they were both included in the copy of our motion sent to us by the NRC with an August 31, 1984 letter from William J. Dircks to the Commissioners.

Additional information concerning our complaint which we have not yet brought to your attention is that the page numbers (1 through 12) were missing from the copy of our motion sent to us by the NRC on August 31, 1985. We will provide this copy upon your request.

It would appear that the page numbers, where they appeared in the original document filed with the NRC, were removed by the copy the NRC sent to CDC. As can be deduced from the September 7, 1984 letter to Dr. Mills, Dr. Caldwell begins by expressing surprise that the NRC copy of the Aamodt motion and the copy sent by the Pennsylvania Department of Health were different. If the NRC copy had retained the numbers of the original document, the missing pages should have been discovered aside from a comparison with another copy.

Subsequent to the filing of our complaint with the Justice Department, we understand that the NRC has attempted to explain the deletion of pages as due to clerical error. This explanation was provided to various news correspondents on or around January 15, 1985. We request that this apparent attempt to coverup the facts of the matter be investigated. We understand that the NRC has claimed that our motion was provided on both sides of each page and that its clerks erred in providing CDC with a single side. In the first place, our motion was served on the NRC with a single printed side for each page. Secondly, even if both sides of each page were used in the original document, the omission of the backside of each page would not have caused the deletions which were present in the copy NRC supplied CDC.

We would appreciate an acknowledgement concerning the receipt of our complaint, the memorandum of January 15, 1985 and enclosure, and this letter.

Sincerely yours,

Marjorie M. Aamodt

(ORIGINAL SIGNED)

Norman O. Aamodt

cc:
William French Smith
Chief Criminal Division