



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

PDR - 0116
LPDR

Docket No. 50-528

SEP 28 1984

Ms. Lynne Bernabei
General Counsel
Government Accountability Project
1901 Que Street, NW
Washington, DC 20009

IN RESPONSE REFER
TO FOIA-84-524

Dear Ms. Bernabei:

This is in further response to your letter dated June 21, 1984, in which you requested, pursuant to the Freedom of Information Act (FOIA), all documents generated in connection with the civil penalty and/or enforcement action taken by the NRC against the Arizona Public Service Company regarding the Construction Assessment Team (CAT) inspection findings for the Palo Verde Nuclear Generating Station (PVNGS).

The search for additional documents subject to your request has been completed, and we wish to notify you that no additional subject documents were found.

This completes NRC's action on your request.

Sincerely,

A handwritten signature in black ink, appearing to read "J. M. Felton", written over a horizontal line.

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

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PDR FOIA
BERNABE84-524 PDR

GOVERNMENT ACCOUNTABILITY PROJECT

Institute for Policy Studies
1901 Que Street, N.W., Washington, D.C. 20009

(202) 234-9382

June 21, 1984

FREEDOM OF INFORMATION ACT REQUEST

FREEDOM OF INFORMATION ACT REQUEST

FOIA 84-524
Rec'd 6-26-84

Director
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

To Whom It May Concern:

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. §552, et seq., the Government Accountability Project (GAP), requests copies of all agency records and information, including but not limited to notes, letters, memoranda, drafts, minutes, diaries, logs, calendars, tapes, transcripts, summaries, interview reports, procedures, instructions, engineering analyses, drawings, files, graphs, charts, maps, photographs, agreements, handwritten notes, studies, data sheets, notebooks, books, telephone messages, computations, voice recordings, and other data compilations, on which or through which information is transmitted, interim and/or final reports, generated in connection with the civil penalty and/or enforcement action taken by the Nuclear Regulatory Commission ("NRC") against the Arizona Public Service Company regarding the Construction Assessment Team ("CAT") inspection findings for the Palo Verde Nuclear Generating Station (PVNGS), including but not limited to the \$40,000 civil penalty recommended for the CAT Inspection Notice of Violation, the reduction of the civil penalty to \$20,000, any discussion or debate concerning the amount or appropriateness of the civil penalty and/or any discussion, debate or dissent concerning reduction of the civil penalty. The CAT Inspection was conducted largely in September, 1983.

If any records have been destroyed and/or removed, please provide all surrounding records, including but not limited to a list of all records which have been or are destroyed and/or removed, a description of the action(s) taken, relevant date(s), individual, office and/or agency-wide policies and/or justification(s) for the action(s), identification of all personnel involved with the action(s), and any and all records relevant to, generated in connection with, and/or issued in order to implement the action(s).

GAP requests that fees be waived, because "finding the information can be considered as primarily benefitting the general public." 5 U.S.C. §552(a)(4)(A). The Government Accountability Project is a non-profit, nonpartisan public interest organization concerned with honest and open government. Through legal representation, advice, national conferences, films, publications and public outreach, the Project promotes whistleblowers as agents of government accountability. GAP requests the above information as part of an ongoing monitoring project on the adequacy of the NRC's efforts to protect public safety and health at nuclear power plants.

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Director

Office of Administration


June 21, 1984

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For any documents or portions that you deny due to a specific FOIA exemption, please provide an index itemizing and describing the documents or portions of documents withheld. The index should provide a detailed justification of your grounds for claiming each exemption, explaining why each exemption is relevant to the document or portion of the document withheld. This index is required under Vaughn v. Rosen (I), 484 F.2d 820 (D.C.Cir. 1973), cert. denied, 415 U.S. 977 (1974).

I look forward to your response to this request within ten days.

Sincerely yours,



Lynne Bernabei
General Counsel