

NUCLEAR REGULATORY COMMISSION WASHINGTON, D.C. 20555

July 7, 1981

MEMORANDUM FOR SAMUEL J. CHILK, SECY

Please attach my views on the review of ALAB-639 to any memorandum you issue on this matter and insure that they are published in the NRC Issuances. (24. Lea - 81-350)

Victor Gilinski

cc: Chairman Palladino
Commissioner Bradford
Commissioner Ahearne

L. Bickwit, GC D. Rathbun, OPE

8501280138 840809 PDR FOIA GLASSPI84-393 PDR 7-78

UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

In the Matter of
Houston Lighting & Power Company Et Al.
(South Texas Project, Units 1 and 2

Docket Nos. 50-498 OL 50-499 OL

COMMISSIONER GILINSKY'S VIEWS REGARDING REFUSAL TO REVIEW ALAB-639

By refusing to review the Appeal Board's decision in this case, the Commission has again lost an opportunity to provide much needed guidance to the agency's adjudicatory boards and staff. NRC's inspections of licensed facilities play a crucial role in assuring the safe construction and operation of such facilities. The success of these inspections sometimes depends upon information provided by the employees of the licensees and their contractors, and in those cases, these employees are often willing to provide information to NRC's inspectors only in confidence. This case makes it clear that a coherent policy is needed which strikes a reasonable balance between protecting sources of information and the public's right of access to safety information. The Commission should itself decide that policy rather than allow it to develop haphazardly.

SHAW, PITTMAN, POTTS & TROWBRIDGE A PARTHERSHIP OF PROFESSIONAL CORPORATIONS 1800 M STREET, N. W. TELEV 89-2623 (SHAWLAW WSH) WASHINGTON, D. C. 20036 CABLE "SHAWLAW" TELECOPIER (202) 822-1099 & 822-1199 TELEPHONE (202) 822-1000 RAPIFAX 100 WRITER'S DIRECT DIAL NUMBER (202) 822-1072 (202) 822-1169 May 18, 1984 FREEDOM OF INFORMATION Mr. J.M. Felton, Director ACT REQUEST Office of Administration FOIA-84-393 Rec'd5-21-84 Division of Rules and Records United States Nuclear Regulatory Commission Washington, D.C. 20555 Re: Freedom of Information Act Request Dear Mr. Felton: Pursuant to the Freedom of Information Act, 5 U.S.C. § 552 and 10 C.F.R. Part 9, with respect to each of the below-listed NRC personnel, I hereby request copies of the following categories of documents which have been signed or otherwise sponsored, in whole or in part, by the individuals listed below: (1) all prefiled testimony filed in NRC construction permit or operating licensing hearings; (2) all speeches or published papers on subjects relating to nuclear power; (3) all memoranda (excluding final, published NRC inspection and investigation reports) referencing the South Texas Project. The NRC personnel covered by this request are: 1. Victor Gilinsky 2. Victor Stello 3. Karl V. Seyfrit 4. William C. Seidle 5. H. Shannon Phillips 6. Ross B. Landsman 7. Joseph I. Tapia 8. Ramon E. Hall William G. Hubacek 9. I hereby agree to pay the prescribed fees for locating and copying the records sought by this request. 8412180009

SHAW PITTMAN, POTTS & TROWBRIDGE A PARTNERSHIP OF PROFESSIONAL CORPORATIONS

> Mr. J.M. Felton, Director May 18, 1984 Page Two

w. 4 11 "

Please call me if you have any questions about the scope of this request.

Sincerely,

Harry H. Glasspiegel
Harry H. Glasspiegel