

**GARDE LAW OFFICE**

230 NORTH MORRISON STREET  
APPLETON, WISCONSIN 54911

BILLIE PIRNER GARDE\*

\*OF COUNSEL TO

HARDY & JOHNS  
HOUSTON, TEXAS

Also Admitted in Texas

(414) 730-5538  
FAX (414) 730-8841

April 1, 1996

U.S. Nuclear Regulatory Commission  
Freedom of Information and  
Publication Services Division  
Office of Administration  
Washington, D.C. 20555

**FREEDOM OF INFORMATION  
ACT REQUEST**

*FOIA-96-155  
Rec'd 4-9-96*

ATTN: Ms. Carol Ann Reed (Fax 301-415-5130)

Re: Freedom of Information Act Request

Dear Ms. Reed:

I have reviewed numerous documents related to allegations made by my client, Mr. Roger Backen against Entergy Operations, Inc. (Entergy) the operator of Riverbend Nuclear Station. These have included letters from the NRC to Mr. Backen. Contrary to the claims of the Region IV, NRC representatives I do not feel that office has been responsive to Mr. Backen concerning any allegation he has made since 1989.

To wit, pursuant to 5 U.S.C. (a) (4) (A), provide copies of any and all agency records and information, including but not limited to notes, letters, memoranda, drafts, minutes, diaries, logs, calendars, tapes, transcripts, summaries, interview reports, investigation reports, procedures, instructions, engineering analyses, drawings, files, graphs, charts, maps, photographs, agreements, handwritten notes, studies, data sheets, notebooks, books, telephone messages, computations, interim and/or final reports, status reports, congressional correspondence, allegation summaries, allegation management system information reflecting, relevant to, referred to, reviewed in connection with, or generated in connection with:

**Any proposed, planned, in-progress or completed inspection, audit, surveillance and/or investigation of the Riverbend Nuclear Station that involves the allegations of former Entergy Operations Inc. (Entergy) Quality Assurance employee Mr. Roger Backen including but not limited to the following specific reports, documents and related attachments:**

/. 4-91-A-0056

*FIA 1/1*

One Massachusetts Avenue, N.W., Suite 800  
Washington, D.C. 20001  
(202) 289-8990 FAX (202) 289-8992

9607160185 960401  
PDR FOIA  
GARDE96-155 PDR

2. RIV-91-A-0056

3. RIV-95-A-0057

4. OI-4-91-008

5. 4-89-A-101

6. NRC Inspection Report 50-458/90-09

7. Any documents related to discussion of findings by NRC w/RBS Mgmt. concerning April 2-6, 1990 NRC Inspection referred to in April 30, 1990 letter to J. Deddens, Senior VP, GSU from S. Collins, NRC.

8. OI-4-95-016  
See 4-9-96 D. Rosano  
e-mail.

This request includes all agency records as defined in the Code of Federal Regulations and the agency manual, whether they currently exist in the official "working" investigative or other files, or at any other location, including private residences.

If any records covered by this request have been destroyed and/or removed, after this request, 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, and those relevant to or generated in connection with implementing the action(s).

For any documents or portions of documents 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).

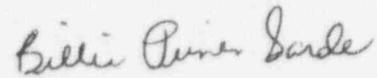
I request that any fees related to your compliance with this Freedom of Information Act request be waived, as the production of this information is in the public interest and will contribute significantly to public understanding of the operations and activities of government. 5 U.S.C. Sec. 552 (a) (4) (A).

This firm has retained the services of Sandra L. Shepard to assist in gathering the requested information. Please send your response and direct all inquiries to her at the following address and phone number:

Sandra L. Shepard  
1899 L Street, N.W., Suite 1250  
Washington, D.C. 20036  
(202) 296-5600

I anticipate a complete or partial response to this request within ten (10) working days, as required by FOIA. I hope to receive your full cooperation.

Sincerely,



Billie Pirner Garde

cc: James Lieberman (Fax 301-415-3431)  
Director of Enforcement

J.E. Dyer (Fax 817-860-8278)  
Director, Division of Reactor Projects  
NRC, Region IV

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HOUSTON, TEXAS

Also Admitted in Texas

June 4, 1996

U.S. Nuclear Regulatory Commission  
Freedom of Information and  
Publication Services Division  
Office of Administration  
Washington, D.C. 20555

ATTN: Mary Jean Pool

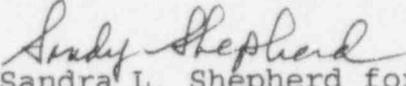
Re: FOIA 96-155

Dear Ms. Pool:

Enclosed, as you requested, is a notarized copy of an Authorization, signed by our client, Roger J. Backen, authorizing you to release records responsive to the above-referenced FOIA directly to the NRC's Public Document Room in Washington, D.C.

Please feel free to contact me if you have any questions about this request or if you need any additional information. I can be reached at: Garde Law Office, One Massachusetts Avenue, N.W., Suite 800, Washington, D.C. 20001; (202) 289-8990; Fax (202) 289-8992.

Sincerely,

  
Sandra L. Shepherd for  
Billie Pirner Garde

Enclosure

RECEIVED  
96 JUN -7 P 3:54  
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**AUTHORIZATION**

By my signature below, I authorize the Nuclear Regulatory Commission to release to the NRC Public Document Room in Washington, D.C. all records requested on my behalf by Billie Firner Garde and/or Sandra L. Shepherd of Garde Law Office, including but not limited to, those documents requested in FOIA No. 95-155.

A copy of this authorization should be given the full force and effect of the original.

5/23/96  
Date

Roger Backen  
Roger J. Backen

Subscribed and sworn to before me  
this 23 day of May, 1996.

Sam Hadger  
Notary Public

My Commission Expires: at death