

GADSBY & HANNAH

437 MADISON AVENUE  
NEW YORK, N. Y. 10022  
(212) 759-9030  
TELEX: 667291-LAWRIP

ONE POST OFFICE SQUARE  
BOSTON, MASSACHUSETTS 02109  
(617) 357-8700  
TWX 710-321-6905  
CABLE: GADHAN

1129 TWENTIETH STREET, N. W.  
WASHINGTON, D. C. 20036  
(202) 429-2750

August 1, 1984  
CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

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

FREEDOM OF INFORMATION  
ACT REQUEST  
FOIA-84-650  
Rec'd 8-7-84

Re: Freedom of Information Act Request

Dear Sir:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, et seq., as amended, and the implementing regulations appearing at 10 C.F.R. Part 9 et seq., request is hereby made for production, for inspection and copying, of the documents identified in the numbered paragraphs below. As used in those numbered paragraphs, the term "Document" means any recorded information or recorded communication in whatever form, including without limitation, correspondence, letters, memoranda, including any memorandum or report of a meeting or telephone or other conversation, journal, diary, contract, agreement, study, report, handwritten or other note, sketch, picture, plan, chart, computer print-out or card, or any other written, recorded, transcribed, filmed or graphic matter. "Document" also means all copies of documents, by whatever means made, if the copy bears any other marking or notation not found on the original.

With this definition in mind, request is hereby made for the following materials:

1. A document of approximately 237 pages in length authored by George Hill and probably (but not necessarily) set up in the form of an affidavit or sworn statement and submitted (or merely prepared) in connection with NRC proceedings (or activities of any sort) related to the construction of a nuclear powered steam electric generating installation on the West Bank of the Mississippi River between Taft and Killona in St. Charles Parish, Louisiana, about twenty-five miles west of New Orleans (hereinafter referred to as

"Waterford III"). This document may have been prepared or submitted in support of or in connection with the \$20,000 civil penalty finally imposed by the NRC on Louisiana Power & Light Company, the licensee for Waterford III, on March 16, 1983. A copy of the NRC order imposing that civil penalty is attached hereto as Exhibit A. The requested document would probably have been submitted prior to March of 1983, however, though not necessarily.

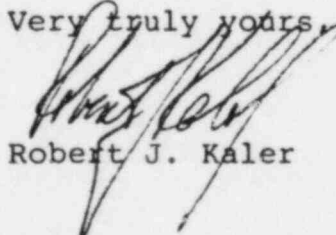
In the event that the Nuclear Regulatory Commission determines that any of the above-requested documents contains information which falls within any of the statutory exemptions to mandatory disclosure, it is requested that such information be reviewed for possible discretionary disclosure, see 10 C.F.R. Part 2.790, and that any and all reasonably segregable portions of such documents be produced. See 10 C.F.R. Part 9.5(b).

If the Nuclear Regulatory Commission determines that any document or portion thereof will not be made available to the undersigned, or that this request will not, in whole or in part, be complied with, prompt notice of such determination is solicited. In addition, the undersigned requests that such notice include complete identification of the withheld documents (or portions thereof) by the title, author date, and nature of such material, and an explanation of all the legal and factual bases for the Nuclear Regulatory Commission's determination to deny disclosure. Finally, it is requested in responding to this letter that the Nuclear Regulatory Commission adhere to the time limitations set forth in 5 U.C.S. § 552(a)(6)(A). See also 10 C.F.R. Part 9.9.

The undersigned hereby agrees to pay the reasonable and direct costs of locating and reproducing the requested documents to the extent required by 5 U.S.C. § 522(a)(4)(A) and 10 C.F.R. Part 9.14. However, prior notice to the undersigned is requested should the Nuclear Regulatory Commission determine that such costs will exceed a total of \$100. Please feel free to telephone me at (617) 357-8700 should you have any questions concerning this request, or if I can provide you with any further assistance in identifying the requested documents.

Thank you for your assistance in this matter. I look forward to hearing from you in the near future.

Very truly yours,

  
Robert J. Kaler

RJK/jrg

Enclosure