



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

PDR 014

MAY 24 1985

Ms. Lynne Bernabei
Government Accountability Project
1555 Connecticut Avenue, NW
Suite 202
Washington, DC 20036

IN RESPONSE REFER
TO FOIA-85-123

Dear Ms. Bernabei:

This is in further response to your letter of February 19, 1985, in which you requested, pursuant to the Freedom of Information Act (FOIA), three categories of documents relating to the Waterford Steam Electric Station, Unit 3.

We previously made available documents identified in a letter to you dated April 11, 1985.

The records identified on the enclosed Appendix D are subject to your FOIA request and are already available in the NRC Public Document Room (PDR).

The staff is continuing to review additional records subject to your request. We will notify you upon completion of this review.

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

Enclosure: As stated

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APPENDIX D
DOCUMENTS SUBJECT TO FOIA-85-123 ALREADY IN PDR

Category 2

1. 08/10/84 Letter from J. M. Cain, LP&L, to Darrell G. Eisenhut, NRR, PDR Accession No. 8408140284.
2. 08/27/84 Letter from J. M. Cain, LP&L, to Darrell G. Eisenhut, NRR, PDR Accession No. 8409040047.
3. 09/04/84 Letter from J. M. Cain, LP&L, to Darrell G. Eisenhut, NRR, PDR Accession No. 8409060288.
4. 09/14/84 Letter from J. M. Cain, LP&L, to Darrell G. Eisenhut, NRR, PDR Accession No. 8409180267.
5. 09/18/84 Letter from J. M. Cain, LP&L, to Darrell G. Eisenhut, NRR, PDR Accession No. 8409210123.
6. 09/28/84 Letter from J. M. Cain, LP&L, to Darrell G. Eisenhut, NRR, PDR Accession No. 8410020267.
7. 10/19/84 Letter from J. M. Cain, LP&L, to Darrell G. Eisenhut, NRR, PDR Accession No. 8410230009.
8. 10/31/84 Letter from J. M. Cain, LP&L, to Darrell G. Eisenhut, NRR, PDR Accession No. 8411020297.
9. 11/21/84 Letter from J. M. Cain, LP&L, to Darrell G. Eisenhut, NRR, PDR Accession No. 8411260388.
10. 12/06/84 Letter from J. M. Cain, LP&L, to Darrell G. Eisenhut, NRR, PDR Accession No. 8412100024.
11. 01/15/85 Letter from J. M. Cain, LP&L, to Darrell G. Eisenhut, NRR, PDR Accession No. 8501220278.

GOVERNMENT ACCOUNTABILITY PROJECT

1555 Connecticut Avenue, N.W., Suite 202
Washington, D.C. 20036

(202) 232-8550

February 19, 1985

FREEDOM OF INFORMATION ACT REQUEST

**FREEDOM OF INFORMATION
ACT REQUEST**

FOIA-85-123

Rec'd 2-21-85

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, status reports, and all other records relevant to or generated in connection with the following:

- (1) Any meetings, discussions or other briefings between or among the following offices of the NRC concerning the decision to grant a low-power license to the Waterford Steam Electric Station, Unit 3, which was issued on December 18, 1984: The Commissioners or their offices; the Office of General Counsel; the Office of Executive Legal Director; the Office of Inspection and Enforcement; Revion V; the NRC Staff; the Office of Nuclear Reactor Regulation; the Office of Investigations; and the Office of Inspector and Auditor. This request includes all transcripts of briefings of the Commission and/or the Commissioners by NRC, the Waterford Task Force, OI, Darrell Eisenhut or Dennis Crutchfield;
- (2) Supplemental Safety Evaluation Report No. 9, issued concerning Waterford 3 in the December, 1984-January, 1985 time period. This request

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includes all documents which support or justify the conclusions found in the SSER 9; all documents discussing the impact of SSER 9 on the motions to reopen the record pending before the Atomic Safety and Licensing Appeal Board; and all input from witnesses or alleged, including but not limited to George Hill and his document review

- (3) Any arrangements, agreements, contracts or other understandings between or among the Waterford Task Force, the NRC, NRR, Mr. Crutchfield, or OI, on the one hand, and any witness or alleged, on the other hand. This request includes but is not limited to copies of the contracts or agreements; documents related to any OIA investigation into the issue of retaining and paying witnesses; any briefing of the Commission on this matter; and any proposed or effected action taken as a result of discussion of the propriety of paying witnesses or alleged who make allegations to the NRC about potential safety problems at nuclear power plants.

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.

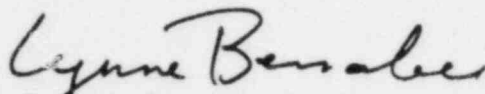
For any documents or portions that you deny due to a specific FOIA exemption, please provide an index itemizing and describing

Page Three
FOIA Request
February 19, 1985

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).

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

Sincerely yours,



Lynne Bernabei
General Counsel