

PDR-016



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

MAR 07 1986

Ms. Billie P. Garde  
Government Accountability Project  
1555 Connecticut Avenue, N.W., Suite 202  
Washington, DC 20036

IN RESPONSE REFER  
TO FOIA-86-53, FOIA-86-54,  
AND FOIA-86-55

Dear Ms. Garde:

This is in partial response to your letters dated January 13, 20 and 27, 1986, which were received in this office on January 28, 1986, in which you requested, pursuant to the Freedom of Information Act (FOIA), documents generated or prepared by Victor Stello since his appointment as Acting Executive Director for Operations. In a telephone conversation with Carol Ann Reed of my staff on January 28, 1986, you narrowed the scope of your request to 1) handwritten and typed notes of V. Stello; 2) notes and correspondence dictated by V. Stello; 3) records reflecting V. Stello's decisions and comments, and the records upon which the decisions and comments were based; 4) correspondence and other records prepared by V. Stello's staff which carry out a V. Stello directive; and 5) SECY papers signed by V. Stello.

The documents listed on the enclosed Appendix A are being placed in the NRC Public Document Room (PDR), 1717 H Street, NW, Washington, DC. You may obtain access by presenting a copy of this letter to the PDR staff or by requesting PDR folder FOIA-86-53 in your name.

Documents one, two and enclosures "d" and "e" of document three as listed on the enclosed Appendix B are being withheld in their entirety, and portions of the documents listed on the enclosed Appendix C are being withheld pursuant to Exemption (5) of the FOIA (5 U.S.C. 552(b)(5)) and 10 CFR 9.5(a)(5) of the Commission's regulations. These are drafts of documents or documents which contain advice, opinions, and recommendations. Release of this type of information would tend to inhibit the frank and candid exchange of information in future deliberations and thus would not be in the public interest. There are no reasonably segregable factual portions of the Appendix B documents because release of the facts would permit an indirect inquiry into the predecisional process of the agency. The nonexempt portions of the Appendix C documents are being placed in the PDR.

The remaining portions of document three as listed on enclosed Appendix B are being withheld in their entirety pursuant to Exemption (7)(A) of the FOIA (5 U.S.C. 552(b)(7)(A)) and 10 CFR 9.5(a)(7)(i) of the Commission's regulations. The release of this information would interfere with an ongoing enforcement proceeding.

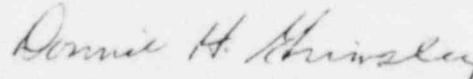
Pursuant to 10 CFR 9.15 of the Commission's regulations, it has been determined that the information withheld is exempt from production or disclosure and that its production or disclosure is contrary to the public interest. The person responsible for this denial is Mr. Victor Stello, Acting Executive Director for Operations.

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This denial may be appealed to the Secretary of the Commission within 30 days from the receipt of this letter. Any such appeal must be in writing, addressed to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should clearly state on the envelope and in the letter that it is an "Appeal from an Initial FOIA Decision."

The review of additional documents subject to your request is continuing. As soon as our review is completed, we will notify you.

Sincerely,



Donnie H. Grimsley, Director  
Division of Rules and Records  
Office of Administration

Enclosures: As stated

APPENDIX A

1. 11/06/85 EDO Principal Correspondence Control #001161 desc: Would Like to be Placed on Mailing List for Solicitations Involving Small Business Innovative Research Program, date due 11/21/85 (1 page).
  - a. SECY Correspondence Control Ticket #85-931 re: Req. Info. Concerning Agency's Involvement in the Small Business Innovative Res. Program--Would Like to Placed on Mailing List, logging date 11/2/85 (1 page).
  - b. 10/29/85 Letter to US NRC from R. Boschwitz (1 page).
  - c. 11/25/85 Letter to The Honorable Rudy Boschwitz from W. Dircks (1 page).
  - d. 01/17/86 Letter to The Honorable Rudy Boschwitz from V. Stello (1 page).
  
2. 11/14/85 EDO Principal Correspondence Control #001179 re: HEU/LEU Conversion Rule, due 11/29/85 (1 page).
  - a. Secy Correspondence Control Ticket #85-969 re: EDO Signature -- for Commission Review Prior to Dispatch Suspense: Nov. 27, Logging Date 11/13/85 (1 page).
  - b. Letter to Commissioners Palladino, Bernthal, Asselstine, Zech and Roberts from J. Lewis, W. Mathews, M. Loewenstein, J. Primack and D. Hirsch (3 pages).
  - c. Letter to D. Hirsch from V. Stello (2 pages).
  - d. Distribution list (1 page).
  
3. 12/01/85 EDO Principal Correspondence Control #001226 desc: Encloses Letter from Maureen Hurley re Nuclear Contamination, due date 12/13/85 (1 page).
  - a. SECY Correspondence Control Ticket #84-1021 re: Nuclear Contamination, logging date 11/27/85 (1 page).
  - b. 11/19/85 letter to Congressional Liaison from Arlen Specter (1 page).
  - c. 10/26/85 letter to Senator Specter from M. Hurley (1 page)

- d. 01/08/86 letter to The Honorable Arlen Specter from V. Stello (3 pages).
  - e. Prologue and Summary, Cancer Mortality and Morbidity (Incidence) Around TMI, 09/85 (1 page).
4. 12/11/85 EDO Principal Correspondence Control #001242 desc: Encloses Letter from J. G. Martinez Concerning Inspection of Failed Component Parts at Grand Gulf, due date 12/26/85 (1 page).
- a. SECY Correspondence Control Ticket #85-1036 re: Concerns About Failed Component Parts at the Grand Gulf 1 Reactor, logging date 12/6/85 (1 page).
  - b. 11/26/85 letter to N. Palladino from P. Sarbanes (1 page).
  - c. 11/15/85 letter to Mr. Sarbanes from J. Martinez (1 page).
  - d. 01/15/86 letter to The Honorable Paul Sarbanes from V. Stello (2 pages).
  - e. Distribution for EDO Ticket 001242 (1 page).
5. 12/19/85 EDO Principal Correspondence Control #001278 desc: Encloses Letter from Cindee Virostek re B&W Apollo, due date 01/06/86 (1 page).
- a. SECY Correspondence Control Ticket #85-1083 re: Req. for documents relating to B&W's Apollo plants, logging date 12/18/85 (1 page).
  - b. 12/16/85 letter to NRC from J. Murtha (1 page).
  - c. 12/9/85 letter to John P. Murtha from Cindee Virostek w/attachment, undated, concerns (2 pages).
  - d. 4/1/81 news article re: NRC Checks Out Apollo Facility (1 page).
  - e. 1/14/86 letter to The Honorable John P. Murtha from Victor Stello, Jr. (1 page).
  - f. Distribution list for letter dated 1/14/86 to the Honorable John P. Murtha from Victor Stello, Jr. (1 page).
6. 12/19/85 EDO Principal Correspondence Control #001277, Desc: Encloses letter from Winford Nettles RE Burial of Nuclear Waste at Barnwell, South Carolina Site, due date 01/06/86 (1 page).

- a. SECY Correspondence Control Ticket #85-1084, re: Burial of Waste at the Barnwell Dump Site, Logging Date 12/18/85 (1 page).
  - b. 11/25/85 letter to Mr. Carlton Kammerer from Lawton Chiles (1 page).
  - c. 11/1/85 letter to Senator Lawton M. Chiles from Winford Nettles (1 page).
  - d. Chart, Ionizing Radiation (1 page).
  - e. 1/8/86 letter to The Honorable Lawton Chiles from Victor Stello, Jr. (1 page).
7. 12/23/85 EDO Principal Correspondence Control #001284, Desc: Encloses LTR from Virginia Trozzi RE Proposed Compactor-Incinerator at B&W Facilities at Parks Township & Apollo, due date 01/10/86 (1 page).
- a. SECY Correspondence Control Ticket #85-1070, re: Opposes operation of B&W's facilities at the Apollo and Parks Township, PA, Logging Date 12/13/85 (1 page).
  - b. 12/3/85 letter to NRC from John P. Murtha (1 page).
  - c. 11/26/85 letter to Congressman John P. Murtha from Virginia Trozzi (1 page).
  - d. 11/27/85 letter to Congressman John P. Murtha from Virginia Trozzi (1 page).
  - e. 1/28/86 letter to The Honorable John P. Murtha from Victor Stello, Jr. (2 pages).
8. 12/23/85 EDO Principal Correspondence Control #001285, desc: Encloses ltr fm Cindee Virostek re B&W Facilities at Apollo and Parks Township, due date 01/10/86 (1 page).
- a. Correspondence Control Ticket, SECY Number 85-1069, re: Opposes operation of B&W's facilities at Apollo and Parks Township, PA, Logging Date 12/13/85 (1 page).
  - b. 12/2/85 letter to NRC from John P. Murtha (1 page).
  - c. Undated letter to The Honorable John P. Murtha from Cindee Virostek (1 page).
  - d. Undated enclosure to letter to The Honorable John P. Murtha from Cindee Virostek, re: asking for detailed description of the Laboratory (Gas Lab) Activities (1 page).

- e. 8/7/63 Chart on Nuclear Materials and Equipment Corp. (1 page).
  - f. 1/15/86 letter to The Honorable John P. Murtha from Victor Stello, Jr. (1 page).
9. 12/23/85 EDO Principal Correspondence Control #001283, Desc: Encloses letter from Virginia Trozzi re: B&W Facilities - Parks Township & Apollo, due date: 01/10/86 (1 page).
- a. SECY Correspondence Control Ticket #85-1065, re: B&W nuclear facilities Parks Township and Apollo, logging date 12/13/85 (1 page).
  - b. 12/9/85 letter to Congressional Liaison, NRC, from Arlen Specter, U.S.S. (1 page).
  - c. 11/17/85 letter to The Honorable Arlen Specter from Virginia Trozzi (1 page).
  - d. 1/14/86 letter to The Honorable Arlen Specter from Victor Stello, Jr. (2 pages).
10. 12/27/85 EDO Principal Correspondence Control #001296, Desc: Encl. letters from Barbara S. Bush, Coalition for Responsible Energy Education, Requesting Extension of Comment Period for NUREG 0956, Reassessment of Source Term, due date: 01/13/86 (1 page).
- a. SECY Correspondence Control Ticket #85-1096, re: Req. for extension for comment period for NUREG-0956--reassessment of the tech basis for estimating source term, logging date 12/26/85 (1 page).
  - b. 12/18/85 letter to NRC from Dennis DeConcini (1 page).
  - c. 10/27/85 letter to Docketing and Service Branch, NRC from Barbara S. Bush (1 page).
  - d. 8/7/85 Federal Register Notice, re: Issuance of NUREG-0956 (1 page).
  - e. 10/5/85 letter to Docketing and Service Branch, NRC from Barbara S. Bush (1 page).
  - f. 1/17/86 letter to The Honorable Dennis DeConcini from Victor Stello, Jr. (1 page).
11. 01/00/86 Activity Schedule (1 page).

12. 01/06/86 EDO Principal Correspondence Control #001309, Desc: Encloses letter from Angela Winchester RE Emergency Planning Around Limerick, due date: 01/21/86 (1 page).
  - a. Correspondence Control Ticket #86-009, re: Expresses concern about the oper of the Limerick fac and req info on emer plan, logging date 1/2/86 (1 page)
  - b. 12/20/85 letter to Congressional Liaison, NRC, from Arlen Specter, U.S.S. (1 page).
  - c. 12/6/85 letter to The Honorable Arlen Specter from Angela Winchester (1 page).
  - d. 1/28/86 letter to The Honorable Arlen Specter from Victor Stello, Jr. (1 page).
13. 01/07/86 Memo for Chairman Palladino, Commissioner Roberts, Commissioner Asselstine, Commissioner Bernthal, and Commissioner Zech from V. Stello re: AEOD Case Study Report - "Therapy Misadministrations Reported to NRC Pursuant to 10 CFR 35.42" with no enclosures (1 page).
14. 01/08/86 Note to H. Denton from T. Rehm re: Papers needed (1 page)
15. 01/10/86 Memo for J. Taylor from V. Stello re: Control of NRC Rulemaking (1 page).
16. 01/10/86 Memo for J. Davis from V. Stello re: Control of NRC Rulemaking (1 page).
17. 01/10/86 Memo for Chairman Palladino, Commissioner Roberts, Commissioner Asselstine, Commissioner Bernthal, and Commissioner Zech from V. Stello re: AEOD Case Study Report - "Loss of Safety System Function Events" (AEOD/C504) (1 page).
18. 01/10/86 Memo for J. Taylor from V. Stello re: Monitoring the Completion of Generic Issues (1 page).
19. 01/10/86 Memo for Office Directors from T. Rehm re: Management (1 page).
  - a. Getting Things Done (1 page).
20. 01/13/86 Memo for J. Davis from V. Stello re: Control of NRC Rulemaking (1 page).
21. 01/13/86 Memo for Office Directors from V. Stello re: Senior Management Absences (1 page).

22. 01/14/86 Memo for Chairman Palladino from V. Stello re: Organizational Change in Region II (1 page).
  - a. 01/13/86 Memo for J. Grace from V. Stello re: Organizational Change on TVA Plants (1 page).
23. 01/14/86 Memo for S. Chilk from V. Stello re: Staff Requirements - M 851107A - List of High Priority Items in the Next Budget Cycle (1 page).
  - a. Distribution (1 page).
24. 01/14/86 Memo for J. Davis, J. Taylor, and R. Martin from V. Stello re: Kerr-McGee Briefing (1 page).
25. 01/21/86 Letter to S. Niemczyk from R. Minogue re: 11/26/85 and 12/27/85 letters (concurrence copy) (1 page).
  - a. 01/21/86 Letter to S. Niemczyk from R. Minogue re: 11/26/85 and 12/27/85 letters (original) (1 page).
  - b. cc's for 01/21/86 Niemczyk letter (1 page).
26. 01/24/86 Memo for Office Directors and Regional Administrators from V. Stello re: Hiring Freeze (1 page).
27. 01/24/86 Memo for H. Denton, J. Taylor, G. Cunningham, J. Grace from V. Stello re: Vogtle Readiness Review Program (1 page).
28. 01/24/86 Memo for W. Kane from V. Stello re: Note of Appreciation (1 page).
29. 01/27/86 Memo for H. Denton, J. Davis, R. Minogue, J. Taylor, G. Cunningham, T. Murley, J. N. Grace, J. Keppler, R. Martin, and J. Martin from V. Stello re: Review of SES Performance Plans (1 page)
30. 01/27/86 Memo for R. Minogue from V. Stello re: Requested Input by Research to Commission Papers and Briefings (1 page).
31. 01/27/86 Memo for Chairman Palladino, Commissioner Roberts, Commissioner Asselstine, Commissioner Bernthal, and Commissioner Zech from V. Stello re: Shoreham Emergency Planning Exercise (1 page).
  - a. 01/24/86 Memo for J. Taylor from V. Stello re: Participation in the Shoreham Emergency Planning Exercise (2 pages).
32. 01/28/86 Memo for J. Roe, H. Denton, J. Taylor, R. Minogue, J. Davis, G. Cunningham, J. Sniezek, R. Scroggins, P. Norry, C. Heltemes, T. Rehm, T. Murley, J. Grace, J. Keppler, R. Martin, and J. Martin from V. Stello re: Meeting on Five Year Plan (1 page).



APPENDIX B

1. Undated Draft Question 4: To what extent does the Commission now employ PRA in regulatory decision making? What are the limitations of PRAs? What are the dominant uncertainties which limit the application of PRAs? (3 pages).
2. Undated Draft Memo for Commissioner Bernthal from V. Stello re: Rulemaking on Financial Qualifications (3 pages).
3. 1/22/86 Memorandum for Sharon R. Connelly from T. A. Rehm, Subject: TVA (1 page).
  - a. TVA Issues Summary for Sequoyah and Watts Bar (3 pages):
  - b. Sequoyah and Corporate Issues (27 pages).
  - c. Watts Bar Issues (38 pages).
  - d. 1/16/85 Memorandum for Office Directors from T. A. Rehm, Subject: Chairman/EDO Priority List (1 page).
  - e. Priority Issues (3 pages).

APPENDIX C

1. 1/13/86 Memorandum for Robert B. Minogue, from Victor Stello, Jr.,  
Subject: Control of NRC Rulemaking (2 pages).
2. 1/13/86 Memorandum for Chairman Palladino, From Victor Stello, Jr.,  
Subject: TVA Corporate Changes (1 page).
3. 1/24/86 Letter to The Honorable Edward J. Markey from Nunzio J.  
Palladino (6 pages).
  - a. Additional Views of Commissioner Asselstine (7 pages).
  - b. Distribution (1 page).
4. 1/28/86 Memorandum for Carlton Kammerer from Victor Stello, Subject:  
Budget Testimony (1 page).
  - a. Draft FY 1987 Budget Testimony (15 pages).
  - b. Appendix A (1 page).
  - c. Appendix B (1 page).
  - d. Appendix C (2 pages).
5. 1/28/86 Memo for C. Kammerer from V. Stello re: Synar Letter of 1/24/86  
(1 page).
  - a. 01/24/86 Letter for Mr. C. Kammerer from M. Synar re:  
01/04/86 accident (1 page).