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Cosmos Broadcasting Corporation
A CBS Affiliate

March 7, 1988

FREEDOM OF INFORMATION
ACT REQUEST
FOIA-88-163
Rec'd 3-11-88

Freedom of Information Officer
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

FREEDOM OF INFORMATION REQUEST

Dear Sir or Madam:

This is a request for information under the provisions of the Freedom of Information Act as amended (5 U.S.C. 552).

I request that you send me a copy of a report which I believe is dated Sept. 1, 1987, from the resident inspector at the Davis-Besse nuclear power plant to Region III of the Nuclear Regulatory Commission. To assist in your search, I believe that the report concerns allegations about an incident that occurred at Davis-Besse on Dec. 31, 1986, where the plant manager was ordered into the plant after he had been drinking at a New Year's Eve party.

I also request that you send me copies of any documents written in response to the allegations contained in the resident inspector's report. Such documents would include, but are not limited to, correspondence between the NRC and Toledo Edison about the allegations, reports on the allegations by NRC investigators, and internal NRC documents concerning the allegations.

For your information, I previously submitted this identical request as FOIA-87-612. No documents were released as a result of that request. One of the exemptions cited by the NRC in denying access was exemption 7(A), with the agency saying that disclosure would interfere with an enforcement proceeding. I believe that the enforcement proceeding is now concluded, and I therefore ask that you release the requested documents.

I am making this request in my capacity as a news reporter for WTOL-TV. I hope to use the requested information for a news story.

If all or any part of this request is denied, please cite the specific exemption(s) which you think justifies your refusal to release the information and inform me of your agency's administrative appeal procedures available to me under the law.

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PDR FOIA
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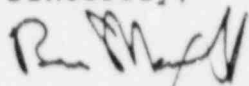
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If there are any fees for searching for, or copying, the records I have requested, please supply the records without informing me if the fees do not exceed \$10.00.

As you know, the Act permits you to reduce or waive the fees "if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester." I believe that my request fits this category, and I therefore ask that you waive any fees.

I would appreciate your handling this request as quickly as possible, and I look forward to hearing from you within 10 working days, as the law requires.

Sincerely,



Bruce Maxwell
Reporter