

FREEDOM OF INFORMATION ACT REQUEST

Mr. Frederick Hebdon
Division of Site Safety and Analysis
Office of Nuclear Reactor Regulation
Washington, D.C. 20555

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FOIA-78-320.
Rec'd in DLR
11-14-78

November 2, 1978

Dear Mr. Hebdon:

I am an intervenor in the Allens Creek nuclear power plant hearings. In a phone conversation Monday October 30, I asked that you send me and Ann Wharton (another intervenor) free copies of your Final Environmental Impact Study on the Allens Creek project, giving you our address. You said that you would. I then asked if all intervenors were similarly entitled to the study, and you said that you would check with your lawyer. Although Ann Wharton and I have not received our copies of the study, I assume that we will within 10 days of our phone conversation.

I note that four other intervenors have received free copies of this study from you, as well as copies of previous safety reports on the Allens Creek project (the latter-- also free-- either from you or a colleague of yours also present at the meeting when the copies were distributed). Please also send Ann Wharton and me copies of these safety reports within 10 days of this letter.

I am also writing to you now regarding the other intervenors. Our situation is this: we were given five working days' notice by the U.S. Nuclear Commission's licensing board to submit supplementary petitions to intervene, stating "with reasonable specificity" our contentions, based on details of the new plant. Inasmuch as we taxpayers paid to have you write these studies and paid to have them published, and the officials we support are setting forth rules for the hearings which make it mandatory that we have the studies, I submit that not only six, but all of the intervenors are entitled to copies of the studies. This information is all the more urgently needed because the final safety report is unavailable to us-- it hasn't even been published yet! [Therefore, under the Freedom of Information Act (5 U.S.C. Sec. 552), I request that you send me a copy of the section of the pertinent legal document (per your lawyer) detailing the rights of intervenors in the situation I have described.] If no reply is received in 10 days, I will consider that you have denied my request for this information.

xerox:
John Hill, Attorney General,
State of Texas
Richard Lowerre, Assistant Attorney
General, Texas

Sincerely,
Kathryn Hooker
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