



U.S. NUCLEAR REGULATORY COMMISSION
PDR-016
RESPONSE TO FREEDOM OF
INFORMATION ACT (FOIA) REQUEST

NRC FOIA REQUEST NUMBER(S) FOIA-88-68	
RESPONSE TYPE	
<input checked="" type="checkbox"/> FINAL	<input type="checkbox"/> PARTIAL
DATE APR 26 1988	
DOCKET NUMBER(S) (if applicable) 50-482	

REQUESTER LYKINS, DANIEL R.	50-482
---------------------------------------	---------------

PART I - RECORDS RELEASED OR NOT LOCATED (See checked boxes)

<input type="checkbox"/>	No agency records subject to the request have been located.
<input type="checkbox"/>	No additional agency records subject to the request have been located.
<input checked="" type="checkbox"/>	Agency records subject to the request that are identified in Appendix C are already available for public inspection and copying in the NRC Public Document Room, 1717 H Street, N.W., Washington, DC.
<input type="checkbox"/>	Agency records subject to the request that are identified in Appendix _____ are being made available for public inspection and copying in the NRC Public Document Room, 1717 H Street, N.W., Washington, DC, in a folder under this FOIA number and requester name.
<input type="checkbox"/>	The nonproprietary version of the proposal(s) that you agreed to accept in a telephone conversation with a member of my staff is now being made available for public inspection and copying at the NRC Public Document Room, 1717 H Street, N.W., Washington, DC, in a folder under this FOIA number and requester name.
<input type="checkbox"/>	Enclosed is information on how you may obtain access to and the charges for copying records placed in the NRC Public Document Room, 1717 H Street, N.W., Washington, DC.
<input checked="" type="checkbox"/>	Agency records subject to the request are enclosed. Any applicable charge for copies of the records provided and payment procedures are noted in the comments section.
<input type="checkbox"/>	Records subject to the request have been referred to another Federal agency(ies) for review and direct response to you.
<input type="checkbox"/>	In view of NRC's response to this request, no further action is being taken on appeal letter dated _____.

PART II A - INFORMATION WITHHELD FROM PUBLIC DISCLOSURE

Certain information in the requested records is being withheld from public disclosure pursuant to the FOIA exemptions described in and for the reasons stated in Part II, sections B, C, and D. Any released portions of the documents for which only part of the record is being withheld are being made available for public inspection and copying in the NRC Public Document Room, 1717 H Street, N.W., Washington, DC, in a folder under this FOIA number and requester name.

Comments

* The records are identified on the enclosed Appendix D.
The record identified on the enclosed Appendix E is being withheld from public disclosure pursuant to the FOIA exemption described in and for the reasons stated in Part II, sections B, C, and D.

8805060248 880426
PDR FOIA
LYKINS88-68 PDR

SIGNATURE, DIRECTOR, DIVISION OF RULES AND RECORDS

Ronnie H. Hummel

PART II B - APPLICABLE FOIA EXEMPTIONS

Records subject to the request that are described in the enclosed Appendices E are being withheld in their entirety or in part under FOIA Exemptions and for the reasons set forth below pursuant to 5 U.S.C. 552(b) and 10 CFR 9.5(a) of NRC Regulations.

1. The withheld information is properly classified pursuant to Executive Order 12356 (EXEMPTION 1)
2. The withheld information relates solely to the internal personnel rules and procedures of NRC. (EXEMPTION 2)
3. The withheld information is specifically exempted from public disclosure by statute indicated: (EXEMPTION 3)

Section 141-145 of the Atomic Energy Act which prohibits the disclosure of Restricted Data or Formerly Restricted Data (42 U.S.C. 2161-2165).

Section 147 of the Atomic Energy Act which prohibits the disclosure of Unclassified Safeguards Information (42 U.S.C. 2167).

4. The withheld information is a trade secret or commercial or financial information that is being withheld for the reason(s) indicated: (EXEMPTION 4)

The information is considered to be confidential business (proprietary) information.

The information is considered to be proprietary information pursuant to 10 CFR 2.790(d)(1).

The information was submitted and received in confidence from a foreign source pursuant to 10 CFR 2.790(d)(2).

5. The withheld information consists of interagency or intraagency records that are not available through discovery during litigation. Disclosure of predecisional information would tend to inhibit the open and frank exchange of ideas essential to the deliberative process. Where records are withheld in their entirety, the facts are inextricably intertwined with the predecisional information. There also are no reasonably segregable factual portions because the release of the facts would permit an indirect inquiry into the predecisional process of the agency. (EXEMPTION 5)
6. The withheld information is exempted from public disclosure because its disclosure would result in a clearly unwarranted invasion of personal privacy. (EXEMPTION 6)
7. The withheld information consists of investigatory records compiled for law enforcement purposes and is being withheld for the reason(s) indicated: (EXEMPTION 7)

Disclosure would interfere with an enforcement proceeding because it could reveal the scope, direction, and focus of enforcement efforts, and thus could possibly allow them to take action to shield potential wrongdoing or a violation of NRC requirements from investigators. (EXEMPTION 7(A))

Disclosure would constitute an unwarranted invasion of personal privacy (EXEMPTION 7(C))

The information consists of names of individuals and other information the disclosure of which would reveal identities of confidential sources. (EXEMPTION 7(D))

PART II C - DENYING OFFICIALS

Pursuant to 10 CFR 9.9 and/or 9.15 of the U.S. Nuclear Regulatory Commission 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 persons responsible for the denial are those officials identified below as denying officials and the Director, Division of Rules and Records, Office of Administration, for any denials that may be appealed to the Executive Director for Operations (EDO).

DENYING OFFICIAL	TITLE/OFFICE	RECORDS DENIED	APPELLATE OFFICIAL	
			SECRETARY	EDO
Robert D. Martin	Regional Administrator, Appendix E Region 4			X

PART II D - APPEAL RIGHTS

The denial by each denying official identified in Part II.C may be appealed to the Appellate Official identified in that section. Any such appeal must be in writing and must be made within 30 days of receipt of this response. Appeals must be addressed as appropriate to the Executive Director for Operations or 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."

APPENDIX C

RECORDS ALREADY IN THE PDR

	<u>Date</u>	<u>Description</u>	<u>Accession No.</u>
1.	11/3/87	Licensee Event Report (LER) 87-048.	871120133
*2.	12/4/87	Inspection Report, 50-482/87-27.	8712090250
3.	12/7/87	Letter from Callan to Withers transmitting inspection report 50-482/87-27.	8712090235
4.	12/21/87	Inspection Report 50-482/87-31.	8712300072
5.	12/21/87	Letter from Callan to Withers transmitting Inspection Report 50-482/87-31.	8712300065
6.	10/28/87	Letter from L. J. Callan to B. Withers re meeting on 10/21/87 w/attachments.	8711030098

*This clarifies the applicable accession number provided at Appendix A-1 of our 3/30/88 response.

APPENDIX D

FOIA 88-68

Release

	<u>DATE</u>	<u>DESCRIPTION</u>
1.	4/3/74	Drawing, Wolf Creek, Ultimate One Line Diagram (1 page)
2.	8/7/74	Drawing, Wolf Creek, by Bechtel, Gaithersburg Md, SNUPPS, Lower Medium Voltage System Class IE 4.16 Single Line Meter and Relay Diagram (1 page)
3.	2/23/79	Drawing, Wolf Creek, by Bechtel, Gaithersburg Md, Indoor metal clad switchgear, heavy duty (1 page)
4.	11/21/82	Drawing, Wolf Creek, by Switchgear, Phila, Pa Bechtel changes for Wolf Creek (1 page)
5.	10/18/86	Wolf Creek Clearance Order sheet, No. 86-0960 NB with continuation sheet (2 pages)
6.	10/20/86	Wolf Creek Clearance Order sheet, No. 86-0978 NB with continuation sheet (2 pages)
7.	6/6/87	Wolf Creek Work Request No. 60224-87 for Switchgear cubicle & Bus /NB02 (1 page) <u>attached</u>
8.	10/14/87	Attachment "A" Swgr. Bus Sign-off Sheet (1 page)
9.		Attachment "B" Swgr. Cubicle Sign-off Sheet (2 pages) Continued p 2

APPENDIX D

FOIA 88-68

Release

Pg 2

	<u>DATE</u>	<u>DESCRIPTION</u>
10.	10/16/87	Continued from pg 1 Attachment "C" Potential Transformer Sign-off Sheet (1 page) <u>Attached</u>
11.	10/16/87	Attachment "D" Restoration Sign-off Sheet (1 page)
12.	6/16/87	Figure 10, Temporary Procedure Change Form, Minor - 87-140 (1 page) <u>attachments</u> - all marked INFO ONLY
13.	1/14/87	Figure 11, Temporary Procedure Change Form, Minor - 87-011 (1 page)
14.	10/24/86	Figure 11, Temporary Procedure Change Form, Minor - 86-223 (1 page)
15.	11/1/86	Figure 11, Temporary Procedure Change Form, Minor - 86-237 (1 page)
16.	Undated	Procedures (4 pages)
17.	Undated	Attachment "B" forms only (2 pages)
18.	10/1/86	KG&E Switchgear Inspection and Testing, 13.8 KV and 4.16 KV, Revision 0, Minor Cl. (10 pages)
19.	Undated	Attachment "A" thru "D", forms only (4 pages)
20.	10/14/87	Wolf Creek Change to Clearance Order, No. 87-0876-NB (2 pages) <u>Attached</u>
21.	10/13/87	Wolf Creek Clearance Order, No. 87-0876-NB with continuation sheet (3 pages)
22.	10/14/87	Attachment "B" thru "D" Swgr. Cubicle Sign-off sheets No. NB0202 (4 pages)

APPENDIX D

FOIA 88-68

Pg 3

Release

	<u>DATE</u>	<u>DESCRIPTION</u>
23.	10/14/87	Attachment "B" Swgr. Cubicle Sign-off sheets No. NB0203 (2 pages)
24.	10/14/87	Attachment "B" thru "D" Swgr. Cubicle Sign-off sheets No. NB0204 (4 pages)
25.	10/14/87	Attachment "B" thru "D" Swgr. Cubicle Sign-off sheets No. NB0205 (4 pages)
26.	10/14/87	Attachment "B" thru "D" Swgr Cubicle Sign-off sheets No. NB0206 (4 pages)
27.	10/14/87	Attachment "B" thru "D" Swgr Cubicle Sign-off sheets No. NB0207 (4 pages)
28.	10/14/87	Attachment "B" thru "D" Swgr Cubicle Sign-off sheets No. NB0208 (4 pages)
29.	10/14/87	Attachment "B" thru "D" Swgr Cubicle Sign-off sheets No. NB0209 (4 pages)

APPENDIX D

FOIA 88-68

Release

Pg 4

	<u>DATE</u>	<u>DESCRIPTION</u>
30.	10/14/87	Defect/Deficiency Report No. 87-103, Proposed LER No. 87-048 (3 pages)
31.	10/14/87	Attachment "A" thru "D" Swgr. Bus Sign-off sheets No. NB02 (5 pages)
32.	10/14/87	Wolf Creek Shift Supervisor Log Sheets (4 pages)
33.	10/14/87	Wolf Creek Control Room Log Sheets (4 pages)
34.	10/15/87	OSHA Opening Conference list of names (1 page)
35.	10/15/87	Wolf Creek News Release (2 pages)
36.	10/15/87	Region IV, NRC, Morning Report of the Wolf Creek injury to electrician (1 page)

APPENDIX D

FOIA 88-68
Pg 5

Release

<u>DATE</u>	<u>DESCRIPTION</u>
37. 10/15/87	Wolf Creek Switchgear Inspection and Testing, 13.8 KV and 4.16 KV, Revision 1, Classification: Minor (16 pages)
38. 10/16/87	Attachment "B" thru "D" Swgr. Cubicle Sign-off sheets, Cubicle No. NB0213 (5 pages)
39. 10/16/87	Attachment "B" thru "D" Swgr. Cubicle Sign-off sheets, Cubicle No. NB0214 (5 pages)
40. 10/16/87	Attachment "B" thru "D" Swgr. Cubicle Sign-off sheets, Cubicle No. NB0215 (5 pages)
41. 10/16/87	Attachment "B" thru "D" Swgr. Cubicle Sign-off sheets, Cubicle No. NB0216 (5 pages)
42. 10/16/87	Attachment "B" thru "D" Swgr. Cubicle Sign-off sheets, Cubicle No. NB0217 (5 pages)
43. 10/16/87	Attachment "A" thru "D" Swgr. Cubicle Sign-off sheets, Cubicle No. NB0222 (11 pages)
44. 10/16/87	Preliminary Notification of Event or Unusual Occurrence - PNO-IV-87-55, Wolf Creek. subject: Cessation of Outage Activities (2 pages)

APPENDIX D

FOIA 88-68

Pg 6

Release

<u>DATE</u>	<u>DESCRIPTION</u>
45. 10/19/87	Wolf Creek Programmatic Deficiency Report (PDR), (10 pages)
46. 10/19/87	Wolf Creek Interoffice Correspondence, Gary Boyer to Station Distribution, subject: Suspension of Refueling Outage (2 pages)
47. 10/19/87	Wolf Creek Operations Report by Ronn Smith (2 pages)
48. 10/20/87	Letter, Bart D. Withers, Wolf Creek, to R. D. Martin, Region IV NRC, subject: Curtailement of Outage Related Activities (4 pages)
49. 10/21/87	Wolf Creek Refueling Outage II Status Meeting (4 pages)
50. 11/21/87	Wolf Creek Interoffice Correspondence, subject: Use of Procedures (1 page)
51. Undated	News Release - 1 - unsigned, Wolf Creek typewritten pages and photocopies of pictures (8 pages)

APPENDIX D

FOIA 88-68

Release

Pg 7

	<u>DATE</u>	<u>DESCRIPTION</u>
52.	Undated	Handwritten statements of Wolf Creek personnel re accident (5 pages)
53.	Undated	Various drawings of electrical equipment power systems (6 pages)
54.	10/14/87	Reportable Event Number 10331. (1 page)
55.	12/21/86	Facsimile Transmittal Sheet, w/attached WCNOG Programmatic Deficiency Report. (15 pages)

APPENDIX E

RECORD WITHHELD IN ENTIRETY

EXEMPTION 5

1. Undated Draft letter from Callan to Withers, Wolf Creek Nuclear Operating Corporation (2 pages) w/enclosure:
 - a) Draft Notice of Violation and Proposed Imposition of Civil Penalty. (6 pages)

BRYAN, LYKINS, HEJTMANEK & WULZ, P.A.

ATTORNEYS AT LAW

115 EAST SEVENTH STREET

P.O. BOX 797

TOPEKA, KANSAS 66601

JOHN J. BRYAN
R. DANIEL LYKINS
DANTON C. HEJTMANEK
DAN L. WULZ
CATHLEEN M. REEDER

TELEPHONE
AREA CODE 913
235-5671

January 25, 1988

**FREEDOM OF INFORMATION
ACT REQUEST**

FOIA-88-68
Rec'd 1-29-88

Mr. Donny Grimsley
Director
Division of Rules and Records
Nuclear Regulatory Commission
Washington, DC 20555

RE: Thomas Arehart

Dear Mr. Grimsley:

Enclosed is an authorization signed by Darlene Arehart, the wife of the late Thomas Arehart, which will allow you to send us information that we request in this letter. This office represents Darlene Arehart regarding the death of her husband, Thomas Arehart, on October 14, 1987, at the Wolf Creek Nuclear Plant near Burlington, KS. Pursuant to the Freedom of Information law we request on behalf of our client your complete file regarding your investigation of the Arehart accident.

Sincerely,

R. Daniel Lykins
R. Daniel Lykins

RDL/sat

Enclosure

cc: Darlene Arehart

8804280203

AUTHORIZATION FOR RELEASE OF INFORMATION

TO: Nuclear Regulatory Commission
Washington, DC 20555

The undersigned hereby authorizes you to release copies of or permit copying of any documents or records pertaining to the undersigned to Dan Lykins of BRYAN, LYKINS, HEJTMANEK & WULZ, P.A., Attorneys at Law, 115 East Seventh Street, P.O. Box 797, Topeka, Kansas 66601.

A PHOTOCOPY OF THIS AUTHORIZATION MAY BE USED WITH EQUAL FORCE OF THE ORIGINAL.

All such expenses for production or inspection are to be borne by the said firm.

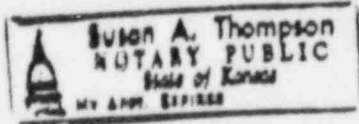
Daniel R. Arkant
Name

BT, Box 164
Address

491-46-8809
Social Security Number

STATE OF KANSAS, COUNTY OF Shawnee, ss:

BE IT REMEMBERED that on this 25 day of January, 19 88, before me, a Notary Public in and for the County and State aforesaid, appeared Daniel R. Arkant, who is personally known to me to be the person who executed the foregoing Authorization, and such person duly acknowledged the execution of the same.



Susan A. Thompson
Notary Public

My Commission Expires:

4-17-89

**OVERSIZE
DOCUMENT
PAGE PULLED**

SEE APERTURE CARDS

NUMBER OF OVERSIZE PAGES FILMED ON APERTURE CARDS 1

**APERTURE CARD/HARD COPY AVAILABLE FROM RECORD SERVICES BRANCH, TIDC
FTS 492-8989**