



PDR-016

RESPONSE TO FREEDOM OF
INFORMATION ACT (FOIA) REQUEST

NRC FOIA REQUEST NUMBER(S)

FOIA-86-596 & 86-793

RESPONSE TYPE

☒ FINAL☐ PARTIAL

DATE

DOCKET NUMBER(S) (if applicable)

FEB - 9 1988

REQUESTER

Robert Epting (Steven Katz)

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

☐ No agency records subject to the request have been located.☐ No additional agency records subject to the request have been located.☐ Agency records subject to the request that are identified in Appendix _____ are already available for public inspection and copying in the NRC Public Document Room, 1717 H Street, N.W., Washington, DC.☒ Agency records subject to the request that are identified in Appendix 0* 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.☐ 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.☐ 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.☐ 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.☐ Records subject to the request have been referred to another Federal agency(ies) for review and direct response to you.☐ 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

*Copies of Appendix 0 records are also being placed at the Local Public Document Room, 1313 New Bern Avenue, Raleigh, North Carolina. Please note that personal privacy information relating to Ms. Patty Miriello has been deleted from the record identified at number 0-2 as noted on Appendix 0 to protect Ms. Miriello's personal privacy. This completes NRC's action on these requests.

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PDR FOIA
KATZ86-596 PDR

SIGNATURE DIRECTOR, DIVISION OF RULES AND RECORDS

APPENDIX 0RECORDS MAINTAINED IN THE PDR UNDER THE ABOVE REQUEST NUMBER

<u>NUMBER</u>	<u>DATE</u>	<u>DESCRIPTION</u>
1.	1/19/85	Calibration Data Sheets (10 pgs.)
2.	12/12/86	Memorandum for J. Nelson Grace from James Y. Vorse, subject: "Shearon Harris Nuclear Power Plant: Alleged Falsification of Radiation Exposure Records, and Alleged Discrimination (Q2-86-017)," with attachment: Report of Inquiry. (38 pgs.) - <u>Information Deleted</u>

Coalition for Alternatives to
Shearon Harris

CASH

237 McCauley St.

Chapel Hill, NC 27514

919-967-6812

Mr. Harold L. Denton
Director of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Office of Reactor Regulation
Washington, D.C. 20555

50-444
FREEDOM OF INFORMATION
ACT REQUEST

FOIA-86-596
Rec'd 8-6-86

Dear Mr. Denton,

Pursuant to the Freedom of Information Act (5 U.S.C. 522, et seq.), the Coalition for Alternatives to Shearon Harris (CASH), and Wells Eddleman, pro se., requests copies of any, and all, NRC records and information, including but not limited to notes, records, letters, memoranda, drafts, minutes, diaries, summaries, interview reports, procedures, instructions, engineering plans, drawings, files, graphs, charts, handwritten notes, studies, data sheets, interim and final reports, status reports, and any and all records relevant to and or generated in connection with the Petition for the issuance of a Show Cause Order, pursuant to 10 CFR 2.202, as requested by CASH Petition to Institute Proceedings pursuant to 10 CFR 2.206, dated 2 July 1986.

This request includes but is not limited to information gathered during the investigation into:

1. The activation of the Emergency Notification System, particularly the events of 28 June 1986, and the apparent noncompliance, by C.P.&L, and the North Carolina Emergency Management Office with the terms of 10 CFR Part 50, Appndx. E, during that event;
2. The apparent dissemination of misinformation during the evening of 28 June 1986, by various organizations responsible under the Emergency Notification System (including but not limited to personnel within SHNPP, Chatham County, Sheriffs Department, North Carolina Highway Patrol, and Mr. Mack Harris of the Media Department at C.P.&L; state the nature of the investigation, if any, which occurred in light of the events of 28 June 1986.
3. The prospective changes in the Emergency Management Plan in light of the incident on 28 June 1986.
4. Give all documents, as stated in paragraph one of this request, which are relevant to the investigation of C.P.&L. and Ms. Mirriello; particularly information concerning the contentions, as stated in CASH's 2.202 request.

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5. Give all documents relevant to the investigation of pipe welds, as stated in the Mirriello contentions, particularly the evidence attached to CASH's 1986 petition.

6. Any and all evidence which was developed during the investigation of the Mirriello contentions or related investigations concerning possible violations of the ASME Boiler and Pressure Vessel Code, section XI, Article IWB 3000 (1930 Edition of the Shearon Harris Pre-Service Inspection Manual).

7. The Directors investigation and evaluation of the Psychological Stress Argument, and particular reference to the events at Chernoble and 29 June 1986.

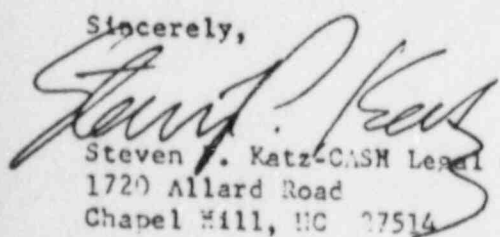
8. Copies of any and all SALP reports concerning the operation of nuclear power plants by C.P.&L. (Brunswick Plant), and plants under construction by C.P.&L. (Shearon Harris Plant).

CASH requests that fees be waived, because finding that the information can be considered as primarily benefiting the public, pursuant to 5 USC 552 (a)(4)(a). CASH is a non-profit, public interest organization committed to and concerned with the health and safety of it's member, and of the surrounding communities, and is particularly concerned about the potential harm which may result if adequate protective measures are not taken to correct the problems outlined in CASH petition for Show Cause.

For any documents or portions of documents which you may deny due to specific FOIA exceptions, please provide an index itemizing and describing the documents and portions withheld. The index should provide a detailed justification for your grounds for claiming each exemption, explaining why each exemption is justified and relevant to the portion of the document withheld. (This index is required by Vaughn v Rosen I, 424 F2d 820 (D.C.Cir. 1973), cert. denied. 415 U.S. (1974).

Thank you for your continued cooperation, and we look forward to hearing from you. If I can be of an help please call at (919) 929-1870 or at the number listed on the letterhead.

Sincerely,


Steven A. Katz-CASH Legal Committee
1720 Allard Road
Chapel Hill, NC 27514

cc: Local Field Office
Regional Office

C.A.S.H.Coalition for
Alternatives to
Shearon HarrisNovember 3, 1986
Steven F. Katz
CASH Legal Committee
237 McCauley St.Chapel Hill, NC 27514
(919) 929-1870Donnie Grimsley
Division of Rules and Records
Office of Administration
US Nuclear Regulatory Commission
Washington, DC 20555FREEDOM OF INFORMATION
ACT REQUESTFREEDOM OF INFORMATION ACT REQUESTFOIA-86-793
Rec'd 11-12-86

Dear Mr. Grimsley,

Pursuant to the Freedom of Information Act (5 U.S.C. 522, et seq.), the Coalition for Alternatives to Shearon Harris (CASH), and Wells Eddleman, pro.se., requests copies of any, and all, NRC records and information, including but not limited to notes, records, letters, memoranda, drafts, minutes, diaries, summaries, interview reports, procedures, instructions, engineering plans, drawings, files, graphs, charts, handwritten notes, studies, data sheets, interum and final reports, status reports, and any and all records relevant to and or generated in response to:

1. The investigation of allagations, complaints or arguments presented to the NRC, NRR, or the IO, by Ms. Patty Mirriello. Particularly the investigation, which we understand is considered closed by the IO, of the multiple affidavits presented by Ms. Mirriello concerning:
 - a. harrasment, intimidation and blacklisting, by CP&L or it's agents at the Shearon Harris and Brunswick Nuclear Power Plants.
 - b. documents related to the inservice inspection process at the Shearon Harris Plant.
 - c. documents related to Ms. Mirriello's personel radiation records while employed by CP&L or it's agents.
2. The CASH/Eddleman Brief, filed with the Commission on October 6, 1986, and documentation concerning:
 - a. Remedial action, additions, modifications either contemplated or taken by Carolina Power and Loght Co, the State of North Carolina, the varrious Counties and other quasi-govern mental entities involved in the planning for or participation in the Emergency Preparedness Plan (evacuation plan) for the Shearon Harris Nuclear Power Plant, since the Full Scale Exercise of the plan in May of 1985; or,
 - b. changes in the "on-sight prepared ness" for the SHNPP.
3. NRC investigation of incidences, allagations, or remedial action taken by the NRC, CP&L or it's agents in response to the discharge of CP&L or agents employees and subsequent Department of Labor investigations

Apex: 362-4717 • Cary: 828-0088, 832-8558 • Chapel Hill: 942-1112, 967-6812, 968-0567
Durham: 683-3209, 683-3209 • Hillsboro: 732-8245 • Pittsboro: 542-4144 • Raleigh: 828-0088

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in particular the McWeeney and VanBeck D.O.L. claims, investigations, and subsequent administrative actions, orders and appeals.

4. Provide the above requested documentation concerning the CASH/Eddlemen 2.206 Show Cause Petition filed with the Director of Reactor Regulation on October 17, 1986 and any and all documentation generated which relates to:

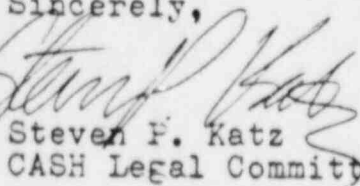
- a. QA/QC arguments contained therein;
- b. Wrongful discharge of employees as stated in the arguments contained therein; and,
- c. information concerning arguments and allegations concerning the investigation of placement numbers and procedures from the confidential informant.

In our opinion, it is appropriate in this case that search charges be waived, pursuant to 5 USC 522(a)(4)(A), "...because furnishing the information can be considered as primarily benefiting the general public". CASH is a non-profit organization serving it's local members and the public at large in the effort to assure that full public participation be had in the NRC's licensing and regulatory process.

For any documents or portions of documents which you may deny due to specific FOIA Exceptions, please provide an index describing and documenting the portions withheld, and a justification for claiming such an Exemption as required by Vaughn v Rosen, 484 F.2d 820 (D.C.Cir, 1983).

We are looking forward to your prompt reply.

Sincerely,



Steven F. Katz
CASH Legal Committee