



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

PDR-016

OCT 31 1986

Ms. Jennifer E. Puntenney  
Executive Director  
Safe Energy Coalition of Michigan  
P.O. Box 331  
Monroe, MI 48161

IN RESPONSE REFER  
TO FOIA 86-A-146  
(FOIA-86-362)

Dear Ms. Puntenney:

This is in partial response to your letter dated August 19, 1986, appealing Mr. Donnie H. Grimsley's letter dated July 16, 1986, which denied eleven documents subject to your Freedom of Information Act (FOIA) request for documents regarding the Fermi plant.

Acting on your appeal, I have carefully reviewed the record in this case and have determined that some additional information can now be made publicly available. Therefore, your appeal is partially granted and partially denied.

The four documents listed on the enclosed Appendix A are now being made publicly available and are enclosed.

The five documents listed on the enclosed Appendix B will continue to be withheld from public disclosure 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 documents listed on Appendix B are investigatory records compiled for law enforcement purposes the release of which would interfere with an ongoing enforcement action. Release of this information could allow those being investigated to learn the scope, direction, and focus of investigatory efforts, and thus could possibly allow them to take action to shield potential wrongdoing or a violation of NRC requirements from investigators.

As stated in Mr. Grimsley's July 16, 1986 letter, the originators of the two documents listed on the enclosed Appendix C have been asked to review these documents and substantiate their original confidential business (proprietary) claim. The NRC has not yet received a response to our request. I will inform you later of my decision concerning these two documents.

8611050440 861031  
PDR FOIA  
PUNTE86-A-146 PDR

Ms. Puntenney

-2-

This is a final agency action on the nine documents listed on Appendices A and B. As set forth in the FOIA (5 U.S.C. 552(a)(4)(B)), judicial review of this decision is available in a district court of the United States, in the district in which you reside, have your principal place of business, or in the District of Columbia.

Sincerely,



Victor Stello, Jr.  
Executive Director for Operations

Enclosures: As stated

APPENDIX A

<u>DATE</u>	<u>DESCRIPTION</u>
1. Undated	Alleger Identification Sheet - RIII - 86-A-0053 (1 page).
2. 03/28/86	Allegation Data Input Form - RIII - 86-A-0053 (1 page).
3. 04/01/86	Allegation Management System - RIII - 86-A-0053 (2 pages).
4. 04/03/86	Memo from C. Weil to J. Hind re: Allegations Regarding Radiation Protection at Fermi 1 and 2 (50-16,50-341) (AMS No. RIII-86-A-0053) (4 pages).

APPENDIX B

<u>DATE</u>	<u>DESCRIPTION</u>
1. 05/07/86	Memo from L. Hueter to C. Weil re: Notification by Licensee (Fermi-2) of Allegations (1 page).
2. 05/09/86	Memo from C. Weil to C. Norelius re: Allegation Regarding Fermi Radiation Protection Program (50-341) (AMS No. RIII-86-A-0083) (1 page).
3. 05/09/86	Alleger Identification Sheet - RIII-86-A-0083 (1 page).
4. 05/09/86	Allegation Management System - RIII-86-A-0083 (1 page).
5. 05/14/86	Letter to an individual from C. Weil (1 page).

APPENDIX C

1. 12/17/83 Radiation Protection Program Evaluation at Detroit Edison's Fermi-II Atomic Power Plant (67 pages).
2. 09/11/84 Memo from R. S. Lenart to Multiple Addressees re: Hydro Nuclear Services Radiation Protection Evaluation, December 1983 w/attachment (129 pages).