



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

PDR-016

JUL 7 1986

Ms. Billie Pirner Garde, Director
Environmental Whistleblower Clinic
Government Accountability Project
1555 Connecticut Avenue, NW, Suite 202
Washington, DC 20036

IN RESPONSE REFER
TO FOIA-86-179

Dear Ms. Garde:

This is in response to your letter dated March 6, 1986, which we treated as a request, pursuant to the Freedom of Information Act (FOIA), for the document denied in Mr. Felton's September 17, 1984, letter to you and any additional documents concerning the June 29, 1984, meeting between TUECO officials and the NRC staff regarding the investigations concerning illegal use of drugs at the Comanche Peak plant.

The documents listed on the enclosed Appendix A are being placed in the NRC Public Document Room (PDR), 1717 H Street, NW, Washington, DC. The documents listed on the enclosed Appendix B are already available in the PDR. These documents came into the possession of Region IV employees subsequent to the processing of FOIA-84-677.

The document denied in NRC's response to FOIA-84-677 and listed on the enclosed Appendix C has been re-reviewed. This document is being withheld from public disclosure pursuant to Exemption (5) of the FOIA (5 U.S.C. 552(b)(5)) and 10 CFR 9.5(a)(5) of the Commission's regulations. This document is a draft which is clearly predecisional because it was prepared prior to and in the course of reaching a final agency decision. As such, this draft does not reflect a final agency position. Exemption (5) was intended to permit the agency's withholding of such documents to preserve the free and candid internal dialogue necessary for the careful formulation of agency decisions. Segregation and disclosure of the factual information contained in this document would reveal the staff's evaluation of which facts were important.

Pursuant to 10 CFR 9.9 of the Commission's 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 this denial are the undersigned and Mr. Robert Martin, Regional Administrator, Region IV.

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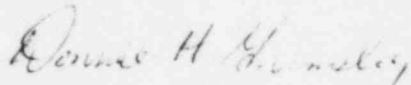
Ms. Garde

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This denial may be appealed to the Commission's Executive Director for Operations within 30 days from the receipt of this letter. As provided in 10 CFR 9.11, any such appeal must be in writing, addressed to the Executive Director for Operations, 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."

This completes action on your request.

Sincerely,



Donnie H. Grimsley, Director
Division of Rules and Records
Office of Administration

Enclosures: As stated

Appendix A

1. 12/1/82 Utilities Nuclear Security Division, Policy regarding Employee Illicit Drug Use (1 page)
2. 4/26/83 Memorandum, Paul S. Check to Richard C. DeYoung, sub: "Reports of Discussions with Texas Utilities Generating Company (TUGCo) on Drug and Alcohol Abuse" (1 page) attached, Discussions with Texas Utilities Generating Company (TUGCo) Company policy on drug and alcohol abuse (26 pages)
3. 4/4/84 TUGCo office memorandum to John Rumsey, subject: "Screening Program Review" (1 page) attached, Nuclear Contractor Personnel Screening, Audit Guide (1 page)
4. 4/5/84 TUGCo office memorandum to John Rumsey, subject: "Screening Program Review" (1 page) attached, Nuclear Contractor Personnel Screening, Audit Guide (1 page)
5. 8/6/84 TUGCo office memorandum to John Rumsey, subject: "Screening Program Review" (1 page) attached, Nuclear Contractor Personnel Screening, Audit Guide (1 page)
6. 8/14/84 TUGCo office memorandum to John Rumsey, subject: "Screening Program Review" (1 page) attached, Nuclear Contractor Personnel Screening, Audit Guide (1 page)
7. 9/17/84 Letter, Harry L. Conklin, Brown & Root, Inc. to James Kelly enclosing form of basic safety rules for Job #35-1195 (2 pages)
8. Undated Contractor/sub-contractor Access Agreement Procedure Policy for Meeting 10 CFR 73.55 Security Requirements for Persons Requiring Unescorted Access to Vital and Protected Areas of Comanche Peak Steam Electric Station Indicated on Purchase Order or Contract (6 pages) attached,
 - Request for Unescorted Access Form A (1 page)
 - Request for Unescorted Access Form B (1 page)
 - Comanche Peak Steam Electric Station Administration Manual, Processing of Personnel No. STA-906 (8 pages)
 - Personnel Screening Program, Procedure No. STA-901, Revision No. 2 (4 pages)
9. 10/25/82 Inspection and Enforcement Manual, Temporary Instruction 2596/1, Licensee Drug and Alcohol Programs (11 pages)
10. Undated Brown & Root, Inc., Medical Examination Record Form (2 pages)
11. Undated Central Medical Laboratory, Inc., Laboratory Drug Screen Form #4 (1 page)
12. Undated Texas Utilities Generating Company Application for Employment Form (2 pages)

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13. Undated Title 10, Energy, 72.91, Chapter 1, Subpart I. Training and Certification of ISFSI Personnel (2 pages)
14. 9/17/84 Draft 1, SSER, Allegation Group: Miscellaneous No. 18 (5 pages)

Appendix B

1. NUREG-0703 Potential Threat to Licensed Nuclear Activities from Insiders (Insider Study)
2. NUREG-0903 Survey of Industry and Government Programs to Combat Drug and Alcohol Abuse
3. NUREG/CR-2297 Security Management Techniques and Evaluation Checklists
ASA No. 635 for Security Force Effectiveness
R5, 1S
4. NUREG/CR-2075 Standards for Psychological Assessment of Nuclear Facility Personnel
5. NUREG/CR-2076 Behavioral Reliability Program for the Nuclear Industry

Appendix C

1. Undated Draft letter to Texas Utilities Electric Company from R.L. Bangart with attached Draft Inspection Report No. 50-445/84-22, 50-446/84-07