

FOIA-84-741 AND 84-742

RESPONSE TYPE

FINAL

☒ PARTIAL 7<sup>TH</sup>

DATE

MAR 23 1987

DOCKET NUMBER(S) (if applicable)

REQUESTER

MR. DEVINE AND MS. DIXON

## 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 F 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.

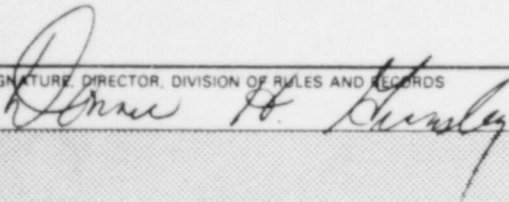
In view of NRC's response to this request, no further action is being taken on appeal letter dated \_\_\_\_\_.

## 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

SIGNATURE, DIRECTOR, DIVISION OF RULES AND RECORDS

8703260236 870323  
PDR FOIA  
DEVINE84-741 PDR

APPENDIX FRECORDS MAINTAINED IN THE PDR UNDER THE ABOVE REQUEST NUMBER

<u>NUMBER</u>	<u>DATE</u>	<u>DESCRIPTION</u>
1.	6/14/84	Testimony Before Subcommittee on Energy and the Environment Committee on Interior and Insular Affairs U.S. House of Representatives (6 pages)
2.	7/10/84	Memorandum for Richard H. Vollmer from I.T. Yin, subject: Comments on SSER License Condition 2.C (11) Prepared By The Diablo CanyonPiping Peer Review Panel (9 pages)
3.	7/26/84	Memo for Harold R. Denton from James Lieberman, subject: GAP JULY 16, 1984 2.206 PETITION REGARDING DIABLO CANYON (1 page)

# GOVERNMENT ACCOUNTABILITY PROJECT

Institute for Policy Studies

1901 Que Street, N.W., Washington, D.C. 20009

(202) 234-9382

September 13, 1984

Director  
Office of Administration  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

FREEDOM OF INFORMATION  
ACT REQUEST

FOIA-84-742

Rec'd 9-17-84

To Whom It May Concern:

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. §552, the Government Accountability Project (GAP) requests copies of any and all agency records and information, including but not limited to notes, letters, memoranda, drafts, minutes, diaries, logs, calendars, tapes, transcripts, summaries, interview reports, procedures, instructions, files, graphs, engineering analyses, charts, maps, photographs, agreements, handwritten notes, studies, data sheets, notebooks, books, telephone messages, computations, voice recordings, and any other records relevant to and/or generated in connection with the interim directors' decision under 10 C.F.R. 2.206 in response to July 27, 1984, July 29, 1984, July 30, 1984, and July 31, 1984 petitions filed under 10 C.F.R. 2.206 on behalf of Timothy O'Neill and James McDermott. We request that each responsive document be identified by the allegation number(s) to which it may relate.

If any of the materials covered by this request have been destroyed and/or removed, please provide all surrounding documentation, including but not limited to a description of the action(s) taken, relevant date(s), and justification(s) for the action(s).

GAP requests that fees be waived, because "findings information can be considered as primarily benefitting the general public," 5 U.S.C. §552(a)(4)(A). GAP is a non-profit, non-partisan public interest organization concerned with honest and open government. Through legal representation, advice, national conferences, films, publications and public outreach, the project promotes whistleblowers as agents of government accountability. We are requesting the above information as part of an on-going monitoring project on the adequacy of the NRC's efforts to protect public safety and health at nuclear power plants.

For any documents or portions that you deny due to the specific FOIA exemption, please provide an index itemizing and describing the documents or portions of documents withheld. The index should provide a detailed justification of your grounds for claiming each exemption, explaining why such exemption is relevant to the document or portion of the document withheld. This index is required under Vaughn v. Rosen(I), 484 F.2d 820 (D.C. Cir. 1973), cert. denied, 415 U.S. 977 (1974).

We look forward to your response to this request within ten days.

Yours truly,

*Thomas Devine*  
Thomas Devine  
Legal Director

*Crystal Dixon*  
Crystal Dixon  
Legal Intern

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# GOVERNMENT ACCOUNTABILITY PROJECT

Institute for Policy Studies

1904 ~~Que Street~~ N.W. Washington, D.C. 20009

1555 Conn. Avenue, N.W.

Suite 202

(202) 234-9381

September 13, 1984

Director  
Office of Administration  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

FREEDOM OF INFORMATION  
ACT REQUEST

FOIA-84-741

Rec'd 9-17-84

To Whom It May Concern:

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If any of the materials covered by this request have been destroyed and/or removed, please provide all surrounding documentation, including but not limited to a description of the action(s) taken, relevant date(s), and justification(s) for the action(s).

GAP requests that fees be waived, because "findings information can be considered as primarily benefitting the general public," 5 U.S.C. §552(a)(4)(A). GAP is a non-profit, non-partisan public interest organization concerned with honest and open government. Through legal representation, advice, national conferences, films, publications and public outreach, the project promotes whistleblowers as agents of government accountability. We are requesting the above information as part of an on-going monitoring project on the adequacy of the NRC's efforts to protect public safety and health at nuclear power plants.

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We look forward to your response to this request within ten days.

Yours truly,  
*Thomas Devine*  
Thomas Devine  
Legal Director

*Crystal Dixon*  
Crystal Dixon  
Legal Intern

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