



CHAIRMAN

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

October 1, 1985

The Honorable Edward J. Markey, Chairman  
Subcommittee on Energy Conservation and Power  
Committee on Energy and Commerce  
United States House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman:

Your letter, dated August 13, 1985, inquired whether the public interest presents any continuing need to maintain the confidentiality of materials sent by the Commission in responding to your two questions about certain aspects of Region II's regulatory performance at Grand Gulf nuclear power station. We assume that you refer specifically to the October 19, 1984 Report of the Office of Inspector and Auditor (including the transmittal memorandum of that date from Sharon Connelly to the Commission) and to my August 9 letter enclosure entitled, "Analysis." We had requested confidentiality for those documents in light of ongoing consideration of them within this agency and at the Department of Justice.

As you correctly noted, the Commission has itself reached conclusions and taken various actions. Moreover, the Justice Department has now notified us that it has concluded whatever consideration it believed was warranted. Accordingly, we withdraw our blanket request to you for confidentiality with respect to the referenced documents. Indeed, we have made public the major portion of these materials, partly in response to a Freedom of Information Act (FOIA) request which included the October 19, 1984 Report within its scope. However, the FOIA review that was conducted determined to withhold some names and identifiers for privacy considerations. In that light we ask you to continue to protect the marked names and identifiers in both documents. (Marked and expurgated copies are enclosed.) The names are those of non-executive personnel whose cooperation was key to achieving sound results. Some of those named have neither the expectation nor the desire to find their identities spotlighted. It was decided that it was not inconsistent with other dictates of the public interest to give consideration to their privacy interests.

In addition, the FOIA review determined that certain portions of predecisional advice provided by the Office of Inspector and Auditor should be withheld. We believe that release of these opinions and recommendations would be detrimental to the quality of the agency's decisional processes. Release of such material would hinder the Commission's ability in the future to receive

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frank and candid opinions and recommendations from its employees. These three sentences are marked and we seek your continued cooperation in maintaining their confidentiality. (Expurgated copies are enclosed).

Sincerely,

Original signed by  
Nunzio J. Palladino

Nunzio J. Palladino

Enclosure:  
Marked and  
Expurgated  
Copies

cc: Rep. Carlos Moorhead