



RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

FOIA-86-98

RESPONSE TYPE

☒ FINAL☐ PARTIAL

DATE

DEC 1 1987

DOCKET NUMBER(S) (if applicable)

50-424/425

REQUESTER

Charles W. Whitney, Esquire

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 A 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

The records listed on the enclosed Appendix A and the nonexempt portions of the records listed on the enclosed Appendix B are also available in the Vogtle Local Public Document Room (LPDR) located at the Burke County Library, 412 4th Street, Waynesboro, Georgia 30830.

Enclosed are the remaining six response letters to Laurie Fowler that have not been forwarded to you previously. These letters are described on the enclosed Appendix C.

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PDR FOIA
WHITNEY-98 PDR

SIGNATURE, DIRECTOR, DIVISION OF RULES AND RECORDS

Donna H. Burch

PART II B - APPLICABLE FOIA EXEMPTIONS

Records subject to the request that are described in the enclosed Appendices B are being withheld in their entirety or in part under FOIA Exemptions and for the reasons set forth below pursuant to 5 U.S.C. 552(b) and 10 CFR 9.5(a) of NRC Regulations.

1. The withheld information is properly classified pursuant to Executive Order 12356 (EXEMPTION 1)

2. The withheld information relates solely to the internal personnel rules and procedures of NRC. (EXEMPTION 2)

3. The withheld information is specifically exempted from public disclosure by statute indicated: (EXEMPTION 3)

Section 141-145 of the Atomic Energy Act which prohibits the disclosure of Restricted Data or Formerly Restricted Data (42 U.S.C. 2161-2165).

Section 147 of the Atomic Energy Act which prohibits the disclosure of Unclassified Safeguards Information (42 U.S.C. 2167).

4. The withheld information is a trade secret or commercial or financial information that is being withheld for the reason(s) indicated: (EXEMPTION 4)

The information is considered to be confidential business (proprietary) information.

The information is considered to be proprietary information pursuant to 10 CFR 2.790(d)(1).

The information was submitted and received in confidence from a foreign source pursuant to 10 CFR 2.790(d)(2).

5. The withheld information consists of interagency or intraagency records that are not available through discovery during litigation. Disclosure of predecisional information would tend to inhibit the open and frank exchange of ideas essential to the deliberative process. Where records are withheld in their entirety, the facts are inextricably intertwined with the predecisional information. There also are no reasonably segregable factual portions because the release of the facts would permit an indirect inquiry into the predecisional process of the agency. (EXEMPTION 5)

6. The withheld information is exempted from public disclosure because its disclosure would result in a clearly unwarranted invasion of personal privacy. (EXEMPTION 6)

X 7. The withheld information consists of investigatory records compiled for law enforcement purposes and is being withheld for the reason(s) indicated: (EXEMPTION 7)

Disclosure would interfere with an enforcement proceeding because it could reveal the scope, direction, and focus of enforcement efforts, and thus could possibly allow them to take action to shield potential wrongdoing or a violation of NRC requirements from investigators. (EXEMPTION 7(A))

Disclosure would constitute an unwarranted invasion of personal privacy (EXEMPTION 7(C))

X The information consists of names of individuals and other information the disclosure of which would reveal identities of confidential sources. (EXEMPTION 7(D))

PART II C - DENYING OFFICIALS

Pursuant to 10 CFR 9.9 and/or 9.15 of the U.S. Nuclear Regulatory Commission 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 the denial are those officials identified below as denying officials and the Director, Division of Rules and Records, Office of Administration, for any denials that may be appealed to the Executive Director for Operations (EDO).

DENYING OFFICIAL	TITLE/OFFICE	RECORDS DENIED	APPELLATE OFFICIAL	
			SECRETARY	EDO
J. Nelson Grace	Region II Regional Administrator	Partial Denial-- B-1 through B-3		XX

PART II D - APPEAL RIGHTS

The denial by each denying official identified in Part II.C may be appealed to the Appellate Official identified in that section. Any such appeal must be in writing and must be made within 30 days of receipt of this response. Appeals must be addressed as appropriate to the Executive Director for Operations or to the Secretary of the Commission, 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."

APPENDIX A

RECORDS MAINTAINED AMONG PDR FILES

1. Undated Cover sheet entitled "Examples/Samples of Weld Process Sheets" provided by QC Inspectors @ PPP, S. George and Conf. Source, with attached examples (6 pages)
2. Undated Cover sheet bearing names of "B Shift" workers with attached xerox sheet of Pullman Power Products Corporation envelope and xerox copies of Weld Rod Stores Requisition sheets (9 pages)
3. Undated Cover sheet entitled "PPP Memo's--Some Used in Report" with attached Memo--Long Form sheets and Weld Process Sheets (13 pages)
4. Undated Inspection synopsis sheets beginning with page entitled 195' EL Turbine (handwritten) with attached Walk Down sheets (handwritten) and Storage Inspection Report Sheets (51 pages)
5. Undated Handwritten notes of inspection (6 pages)
6. Undated Confidential cover sheet to Bob Burch with attached Storage Inspection Report Sheets, handwritten notes, and diagrams (19 pages)
7. 3/20/82 Pullman Power Products Quality Assurance Program, Organization, with attached diagrams of Drawing Change Notices and an oversized sheet containing diagrams (4 pages)
8. 6/4/82 Pullman Power Products Vogtle Project Procedure, "Field Storage Procedure" (15 pages)
9. 7/2/82 Note to All Department Heads from J. J. Corcoran, re: Personnel changes to become effective on July 6, 1982 with a second note pertaining to additional personnel changes and a document entitled "Investigation of Pullman-Higgins to Address NRC areas of concern" (6 pages) Note: Very poor xerox copy
10. 4/27/83; Various Pullman Power Products Storage Inspection Report sheets with attached handwritten inspection notes (42 pages)
11. 4/28/83; Various Storage Inspection Report, Handwritten notes (Aux Walk Down), and other handwritten inspection notes (98 pages)
12. 5/5/83 Storage Inspection Report sheets, typed procedures, and Walk Down sheets (24 pages)
13. 8/29/83 Interoffice Correspondence from Bill Kearse to Hanger Q.C. Inspectors, re: IX-50 (2 pages)
14. 9/28/83 Contractor's Nonconformance Report, re: Square groove welds (2 pages)

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15. 9/28/83 Contractor's Nonconformance Report, re: Part No. 1001 on rear bracket (1 page)
16. 10/10/83 Weld report (1 page)
17. 11/28/83 Nonconformance report, re: Pipe Rack X4CP (1 page)
18. 11/28/83 Nonconformance report, re: Verification of preheat (3 pages)
19. 12/12/83 Nonconformance report, re: Rod requisition dated 12/9/83 (1 page)
20. 12/13/83 Nonconformance report, re: Plate P26 (1 page)
21. 4/20/84 Memo for James P. O'Reilly from John A. Olshinski, re: Distribution of draft inspection materials and internal memoranda to licensees (2 pages)
22. 5/2/84 Memo for William J. Dircks from James P. O'Reilly, re: Release of internal regional memorandum to licensee (1 page)
23. 6/12/84 Memo for A. R. Herdt thru J. A. Olshinski from J. B. Lankford, re: Vogtle: Alleged intimidation/harassment of QC welding inspectors and possible falsification of QC inspection records by Pullman Power Products (2 pages)

APPENDIX B

RECORDS PARTIALLY WITHHELD UNDER EXEMPTION 7D

1. 5/24/83 Memo--Long Form re: Confusion among Q.C. inspectors concerning acceptability of fillet weld size at skewed "T" joints, with attached diagram (2 pages)
2. 1984, early Memo--Long Form re: Report of various welds, with a second memo dated 1/17/84, re: Sign off on P315 on B12 R0004, and attached Weld Rod Stores Requisition sheets (7 pages)
3. 2/23/84 Allegation/Concern Report sheets, re: Various concerns/allegations concerning welds, improper inspection, improper practices of Pullman Power, etc. (10 pages)

APPENDIX C

1. 7/11/86 Letter to Laurie Fowler from Donnie H. Grimsley, with attached Appendix D (FOIA-86-43) (2 pages)
2. 10/6/86 Letter to Laurie Fowler from Donnie H. Grimsley, with attached Appendices E through H (FOIA-86-42) (8 pages)
3. 11/20/87 Letter to Laurie Fowler from Donnie H. Grimsley, with attached Appendix I (FOIA-86-42) (3 pages)
4. 9/3/87 Letter to Laurie Fowler from Donnie H. Grimsley, with attached Appendices J and K (FOIA-86-42)(4 pages)
5. 10/14/87 Letter to Laurie Fowler from Donnie H. Grimsley, with attached Appendices L through N (FOIA-86-42) (6 pages)
6. 10/23/87 Letter to Laurie Fowler from Donnie H. Grimsley, with attached Appendices O and P (FOIA-86-42) (4 pages)

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WRITER'S DIRECT DIAL NUMBER

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CHARLES W. WHITNEY

February 14, 1986

Mr. Donnie H. Grimsley
United States Nuclear Regulatory
Commission
Washington, D.C. 20555

FREEDOM OF INFORMATION
ACT REQUEST

FOIA-86-98
Rec'd 2-20-86

Re: Freedom of Information Act Request

Dear Mr. Grimsley:

Under the provisions of the Freedom of Information Act, 5 U.S.C. 552, I am requesting access to any and all documents released to Ms. Laurie Fowler at the law offices of Brian Spears, pursuant to FOIA Request Nos. 86-42 and 86-43. If there are any fees for searching for, or copying, the records I have requested, please let me know and I will be glad to make arrangements for immediate payment.

If, for any reason, all or any part of this request is denied, please cite the specific exemptions which you think justify your refusal to release the information, and inform me of the appeal procedures available to me under the law. I would appreciate your handling this request as quickly as possible, and I look forward to hearing from you within ten days, as the law stipulates.

Sincerely yours,

Charles W. Whitney
Charles W. Whitney

CWW/jdm

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