

FOIA-87-464

RESPONSE TYPE

☒ FINAL

PARTIAL

DATE

DEC 2 1987

DOCKET NUMBER(S) (if applicable)

PDR-016
RESPONSE TO FREEDOM OF
INFORMATION ACT (FOIA) REQUEST

REQUESTER

Mr. David Rubinton, GAP

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 _____ 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

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PDR FOIA
RUBINT087-464 PDR

GOVERNMENT ACCOUNTABILITY PROJECT

1555 Connecticut Avenue, N.W., Suite 202
Washington, D.C. 20036

(202) 232-8550

July 17, 1987

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

FREEDOM OF INFORMATION
ACT REQUEST

FOIA-87-464
Rec'd 7-22-87

Re: Freedom of Information Act Request

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, agency analyses, drawings, files, charts, graphs, maps, photographs, agreements, handwritten notes, studies, data sheets, notebooks, books, telephone messages, computations, voice recordings, any other data compilations, interim and/or final reports, status reports, and any and all other records relevant to and/or generated in connection with a letter dated July 15, 1987 to Ms. Garde and Mr. Condit from Samuel J. Chilk concerning a May 29, 1987, 10 CFR 2.206 petition requesting the establishment of an investigative unit to review allegations concerning the South Texas nuclear power plant. This request includes but is not limited to records of all communications between the NRC and any outside individuals and/or organizations parties concerning this letter and the dates and times such communications were made.

This request includes all agency records as defined in 10 CFR 9.3a(b) and the NRC Manual, Appendix 0211, Parts 1.A.2 and A.3 (approved October 8, 1980) whether they currently exist in the NRC official, "working", investigative, or other files, or at any other location, including private residences. This request does not include responsive records that the Department has never possessed.

If any records covered by this request have been destroyed and/or removed, and/or are destroyed and/or removed after receipt of this request, please provide all surrounding records, including but not limited to a list of all records which have been and/or are destroyed and/or removed, a description of the action(s) taken, relevant date(s), individual, office and/or agency-wide policies and/or justification(s) for the action(s).

87-4925-4445

Director
Office of Administration
July 17, 1987
Page Two

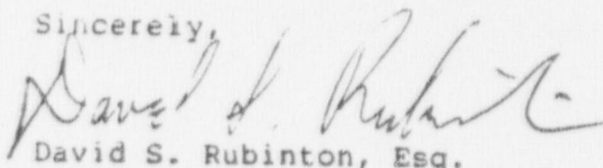
GAP requests that fees be waived, because "finding the information can be considered as primarily benefitting the general public," 5 U.S.C. 552 (a)(4)(a). GAP is a non-profit, nonpartisan public interest organization concerned with open and honest government. GAP is organized under section 501(c)(3) of the IRS Code as a tax-exempt organization. Through public outreach, the Project promotes whistleblowers as agents of government accountability. Through its Citizens Clinic, GAP offers assistance to local public interest and citizens groups seeking to ensure the health and safety of their communities. GAP is currently assisting several citizens groups, local governments and intervenors in the NRC Region IV area concerning the construction of nuclear power plants.

We are requesting the above information as part of an ongoing 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 a 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 each 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. den. 415 U.S. 977 (1974).

We look forward to your response to this request within ten (10) days.

Sincerely,



David S. Rubinton, Esq.
Coordinator, FOIA Litigation Clinic-GAP

Please note our new address:
25 E. Street, NW.
Suite 700
Washington, D.C. 20001
(202) 347-0460