

FOIA/PA REQUEST

Case No:

2002-005A

Date Rec'd:

3-15-2002

Action Off:

BROWN

Related Case:

(2002-0073)

David DeKok

Feb. 26, 2002

FOIA/PA Officer
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Re: Freedom of Information Appeal, FOIA/PA 2002-73

Dear Sir or Madam

On Nov. 15, 2001, I filed a Freedom of Information request with the U.S. Nuclear Regulatory Commission seeking, among other things, "all documents between the years 1957-73 in the files of the Advisory Committee on Reactor Safeguards pertaining to the licensing of the Saxton experimental reactor in Saxton, Pa., (Docket 50-146) subsequent license amendments and any other issues at the Saxton plant addressed by the ACRS."

My request said the documents I was interested included, but were not limited to, "hearing transcripts, correspondence, committee minutes, and memos."

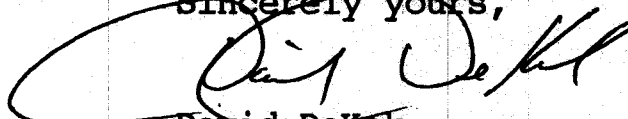
On Feb. 13, 2002, the NRC replied that "no additional records were located other than records that were provided in response to your previous FOIA request, FOIA-91-17." Pursuant to the Freedom of Information Act, I appeal this determination.

As I noted in my FOIA request, I was provided with almost nothing from the ACRS pertaining to Saxton in FOIA-91-17, nor did I locate much in the NRC Public Document Room. I also noted that I found several unique ACRS documents relating to Saxton in the private papers of Abel Wolman, who was on the ACRS, in the archives of Johns Hopkins University. These were clearly not a complete set of ACRS Saxton documents, which leads me to suspect their are other documents I have not seen which the NRC possesses.

Saxton, for example, was discussed at length at the 19th meeting of the ACRS on Sept. 10-12, 1959, in Washington. Where is the transcript of this meeting? Where are the transcripts of the Saxton licensing hearings? These are examples of documents that have not been provided or made available to me.

I would respectfully request that a more extensive search be conducted for ACRS documents relating to Saxton. Thank you.

Sincerely yours,



David DeKok

**RESPONSE TO FREEDOM OF
INFORMATION ACT (FOIA) / PRIVACY
ACT (PA) REQUEST**

2002-0073

1

RESPONSE
TYPE

FINAL



PARTIAL

REQUESTER

David DeKok

DATE

FEB 13 2002

PART I. - INFORMATION RELEASED

- ☐ No additional agency records subject to the request have been located.
- ☐ Requested records are available through another public distribution program. See Comments section.
- ☒ **APPENDICES**
A, B Agency records subject to the request that are identified in the listed appendices are already available for public inspection and copying at the NRC Public Document Room.
- ☒ **APPENDICES**
C Agency records subject to the request that are identified in the listed appendices are being made available for public inspection and copying at the NRC Public Document Room.
- ☐ Enclosed is information on how you may obtain access to and the charges for copying records located at the NRC Public Document Room, 2120 L Street, NW, Washington, DC.
- ☐ **APPENDICES**
A*, C Agency records subject to the request are enclosed.
- ☐ Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (see comments section) for a disclosure determination and direct response to you.
- ☐ We are continuing to process your request.
- ☐ See Comments.

PART I.A - FEES

AMOUNT *

\$



You will be billed by NRC for the amount listed.



None. Minimum fee threshold not met.



You will receive a refund for the amount listed.



Fees waived.

* See comments
for details**PART I.B - INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE**

- ☐ No agency records subject to the request have been located.
- ☐ Certain information in the requested records is being withheld from disclosure pursuant to the exemptions described in and for the reasons stated in Part II.
- ☐ This determination may be appealed within 30 days by writing to the FOIA/PA Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Clearly state on the envelope and in the letter that it is a "FOIA/PA Appeal."

PART I.C COMMENTS (Use attached Comments continuation page if required)

To fulfill the requirement of providing 100 free pages, enclosed are copies of documents A/1 through A/25, and A/29; and C/1 through C/17.

With regard to Item 1 of your request, no additional records were located other than records that were provided in response to your previous FOIA request, FOIA-91-17. Additionally, other information with regard to Item 2 was released in response to your previous FOIA request, FOIA-91-282. The responses to both of your previous requests are identified on enclosed Appendix B.

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Carol Ann Reed

David DeKok

Nov. 15, 2001

Division of Freedom of Information
and Publication Services
Office of Administration and Resources Management
Nuclear Regulatory Commission
Washington, D.C. 20555

FOI/PA REQUEST

Case No: 2002-0073
Date Rec'd: 1-2-02
Action Off: Brown
Related Case:

Re: Freedom of Information request

Dear Sir or Madam:

Pursuant to the Freedom of Information Act, I would like
copies of the following:

--All documents between the years 1957-73 in the files of the
Advisory Committee on Reactor Safeguards pertaining to
licensing of the Saxton experimental reactor in Saxton, Pa.,
subsequent license amendments, and any other issues at the
Saxton plant addressed by the ACRS. This should include, but
not be limited to, hearing transcripts, correspondence,
committee minutes, and memos. Saxton was a joint project of
General Public Utilities Corp. and Westinghouse. The AEC/NRC
docket number for Saxton was 50-146.

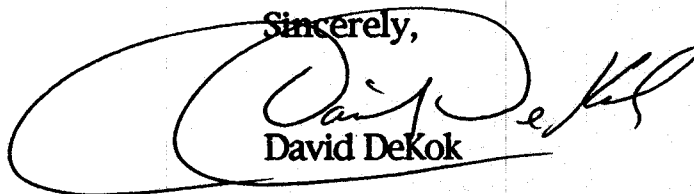
I have previously examined the public Saxton file in the NRC
public document room in Washington and found almost nothing
from the ACRS on the Saxton licensing, even though it was
deeply involved in the process. I have found several unique
ACRS documents relating to Saxton in the private papers of
Abel Wolman, who was on the ACRS, at Johns Hopkins
University. These were clearly not a complete set, which leads
me to suspect there are other documents I have not seen in the
ACRS files. Saxton, for example, was discussed at length the
19th meeting of the ACRS Sept. 10-12, 1959, in Washington.

--All documents between the years 1963 and 1980 in the files of the Advisory Committee on Reactor Safeguards pertaining to the Oyster Creek nuclear plant near Toms River, N.J. This should include, but not be limited to, hearing transcripts, correspondence, committee minutes, and memos that are not presently in the NRC Public Document Room in Washington, D.C.. Oyster Creek was owned by the Jersey Central Power & Light Co. subsidiary of General Public Utilities Corp. Its docket number was 50-219.

Pursuant to the Freedom of Information Act, I also request "Representative of the News Media" status, which entitles me to a waiver of search fees and 100 pages of free copying. These documents are needed for my ongoing research into the history of General Public Utilities Corp., which will eventually result in a book. I am the author of one previous book, *Unseen Danger: A Tragedy of People, Government, and the Centralia Mine Fire*, published in 1986 by University of Pennsylvania Press and republished last year by iUniverse.com. A review of my book is enclosed. In addition, I have been a newspaper reporter for more than 25 years.

Thank you for your attention to this request.

Sincerely,

A handwritten signature in black ink, appearing to read 'David DeKok', is written over a large, loopy circular flourish. The signature is written in a cursive style.

David DeKok