



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

June 14, 2005

IA-04-216

Sherrice A. Knisely, Esquire
7841 Ridge Avenue, B161
Philadelphia, PA 19128

SUBJECT: YOUR REQUEST FOR INFORMATION REGARDING NRC OFFICE OF
INVESTIGATIONS REPORT NO. 1-2004-026

Dear Ms. Knisely:

This is in reference to your letter dated June 2, 2005, wherein you informed us that you will be representing Shirley Knisely with regard to Individual Action (IA) No. 04-216 and NRC Office of Investigations (OI) Report No. 1-2004-026, the results of which were sent to Shirley Knisely on May 19, 2005. In your letter, you also requested that all future communication regarding this matter be sent to your attention, and you informed us that Ms. Knisely requests a Predecisional Enforcement Conference (PEC) with the NRC. I will be in touch with you in the near future to arrange a date and time for the PEC.

In your letter, you requested "a copy of the complete investigation file in this matter." As discussed with you by Mr. Karl Farrar, Counsel, Region I, NRC, on June 7, 2005, it is the policy of the NRC in non-discrimination cases to only release, prior to enforcement actions, the transcript or sworn statement of the OI interview of the individual with whom the PEC will be held, and not to release any other OI report information, including transcripts and/or sworn statements, of other individuals interviewed in the case. Mr. Farrar also informed you that the NRC will provide you with a copy of Ms. Knisely's sworn statement or her OI interview. Ms. Knisely's sworn statement is enclosed with this letter. Additionally, you may request, under the Freedom of Information Act (FOIA), the remaining investigation information after any enforcement action is taken in this case.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be made available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (RARS) component of the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm.html> (the Public Electronic Reading Room). However, the NRC will delay making available a copy of this letter until an enforcement decision has been made. At that time, in accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be made available to the Public, if enforcement action is taken.

Certified Mail
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S. Knisely

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This letter will be maintained by the Office of Enforcement (OE) in a NRC Privacy Act system of records, NRC -3, "Enforcement Actions Against Individuals." The NRC -3 system notice, which provides detailed information about this system of records, can be accessed from our Web site at <http://www.nrc.gov/reading-rm/foia/privacy-systems.html>.

Thank you for your cooperation. If you have any questions regarding this matter, you may contact me at (610) 337-6952

Sincerely,

/RA/

Pamela J. Henderson, Chief
Medical Branch
Division of Nuclear Materials Safety

Enclosure:
Sworn Statement of Ms. Shirley Knisley

S. Knisely

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