

VII. THE NRC'S ARBITRARY AND CAPRICIOUS REFUSAL TO IDENTIFY, AND EITHER DISCLOSE OR WITHHOLD UNDER AN EXEMPTION, NRC DOCUMENTS REQUESTED UNDER THE FREEDOM OF INFORMATION ACT BARS PUBLIC EXAMINATION OF NRC DECISIONS.

On June 30, 1982, MVPP's counsel, the Government Accountability Project, brought suit against the NRC on behalf of Mr. Thomas Applegate, another Government Accountability Project client, to obtain documents it had requested under the Freedom of Information Act, 5 U.S.C. § 552, et seq. On November 23, 1981, Mr. Applegate, through his counsel, requested copies of all "notes, memoranda, telephone logs, tapes, diaries and/or other records prepared by U.S. government employees in connection with the August 7, 1981 OIA Report entitled 'Special Inquiry re: Adequacy of IE Investigation 50-358/80-9, at the William H. Zimmer Nuclear Power Station,'" or the investigation leading up to the Report. The request specifically included early drafts or proposed supplements to the OIA Report. None were produced; nor was there even an admission of their existence. At no time was the Harpster interview, Attachment 6, identified by the NRC. Only after Mr. Applegate filed suit against the NRC was the Harpster interview produced as an interview prepared in connection with the OIA Report. See August 10, 1982 Letter of Richard Parrish, attached and incorporated herein as Attachment 25. MVPP, Mr. Applegate and their shared counsel believe the NRC arbitrarily and capriciously refused to identify documents clearly responsive to a proper request under FOIA.

This conduct illustrates further why the NRC should not be allowed to monitor the reinvestigation and QCP at Zimmer without public input. The Freedom of Information Act ("FOIA" or "Act") was enacted explicitly to allow citizens access to information about government processes. The NRC apparently is unable to

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Notice of Correction has been served by mailing copies first class postage prepaid, this 3rd day of November, 1982, to the following:

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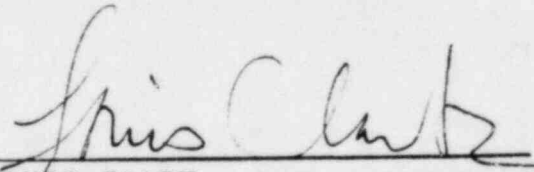
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