

GOVERNMENT ACCOUNTABILITY PROJECT

Institute for Policy Studies
1901 Que Street, N.W., Washington, D.C. 20009

(202) 234-9382

March 22, 1983

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

Attention: Nina Toms

Dear Ms. Toms:

This is in continuing communication regarding our February 14, 1983 request for information on behalf of our client, Mr. E. Earl Kent. In conversation with you on March 8 and again today you indicated that the NRC personnel that you contacted regarding my request were not aware of any "stop-work order" issued to the Midland Nuclear Power Plant in or around July 1982.

In reviewing the appropriate documents, please recontact the Inspection and Enforcement (I&E) personnel who were involved with implementation of the May 3, 1982 "stop-work order" issued by the Atomic Safety and Licensing Board as a result of serious discrepancies with Quality Assurance implementation in the soils remedial work. Specifically, we request 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, engineering analyses, drawings, files, graphs, charts, 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 NRC I&E inspections and evaluations of Consumers construction activities on the soils work that led to the "Spessard" memo.

Include in this request all of the above information related to the resolution of the issues raised in the "Spessard" memo. In particular, we request copies of any inspection evaluation forms and staff comments in the period of March through August 13, 1982.

I hope that the above information will clarify my February 14 request.

I look forward to your response to this request within ten days.

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PDR FOIA
GARDEB3-90
PDR

Sincerely,

Billie Pinner Garde 54-329
BILLIE PIRNER GARDE
Director, Citizens Clinic for
Accountable Government

BPG/ea

GOVERNMENT ACCOUNTABILITY PROJECT

Institute for Policy Studies

1901 Que Street, N.W., Washington, D.C. 20009

(202) 234-9382

February 16, 1983

FREEDOM OF INFORMATION
ACT REQUEST

FOIA-83-90

Rec'd 2-22-83

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

To Whom It May Concern:

On behalf of our client, Mr. E. Earl Kent, and pursuant to both the Freedom of Information Act (5 U.S.C. §552) and the Privacy Act (5 U.S.C. §552a), we request copies of all notes, memoranda, telephone logs, tapes, diaries, Inspection Evaluation Forms, and/or other records prepared by U.S. government employees in connection with the July 1982 Stop Work Order issued to the Midland Nuclear Power Plant by the Nuclear Regulatory Commission. The above request includes, but is not limited to, communications between Nuclear Reactor Regulation, the Nuclear Regulatory Commission and the Advisory Committee on Reactor Safety.

If any material covered by this request has been destroyed and/or removed, please provide all surrounding documentation, including but not limited to a description of the action(s) taken, relevant date(s) and justification for the action(s).

Mr. Kent 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). The Government Accountability Project is a non-profit, nonpartisan public interest organization concerned with honest and open government. Through legal representation, advice, national conferences, films, publications and public outreach, the Project promotes whistle-blowers as agents of accountable government. We are requesting the above information on behalf of our client for a 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 of documents that you deny due to a specific exemption, please provide an index itemizing and describing the documents or portions of documents withheld. The index should provide a detailed justification of your ground(s) for claiming each exemption, explaining why each exemption is relevant to the document or portion withheld. This index is required under Vaughn v. Rosen (I), 484 F.2d 820 (D.C.Cir. 1973), cert. denied, 415 U.S. 977 (1974).

We look forward to hearing from you within ten working days.

Yours truly,

Billie Garde

BILLIE GARDE
Director, GAP Citizens Clinic

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BG/my