

~~CONFIDENTIAL~~

David DeKok  
113 Conoy St.  
Harrisburg, Pa. 17104  
March 26, 1995

Executive Director for Operations  
Nuclear Regulatory Commission  
Washington, D.C. 20555

APPEAL OF INITIAL FOIA DECISION  
95-A10-E [FOIA-95-68]  
Rec'd 4-3-95

Re: Appeal from Initial FOIA Decision

Dear Sir:

In a letter of Feb. 8, 1995, I submitted a Freedom of Information Act request seeking all documents relating to an investigation conducted by the AEC's Region I Division of Compliance of alleged irregularities connected with the construction of the Oyster Creek Nuclear Plant in the late 1960s. My source of information about this investigation was a 1973 letter to Commissioner William O. Doub of the AEC (enclosed).

I was subsequently informed by Region I that no documents pursuant to this investigation could be located. It was suggested that any findings of such an investigation would have been included in inspection reports for that period, which I was planning to locate at under another FOIA request filed earlier. I accepted that argument and told Region I to close out the request. The NRC Division of Freedom of Information and Publications Services subsequently sent me a letter closing out FOIA 95-68.

However, when I examined the Oyster Creek inspection reports requested under FOIA 95-36, I found a cover letter (enclosed) for a report on an investigation that appeared to be the one I was looking for. The report itself, however, was missing. The letter in question was dated Nov. 4, 1969, and was from J.P. O'Reilly, chief of reactor inspection, to D.J. Skovholt, assistant director for reactor operations.

Pursuant to the Freedom of Information Act, I appeal and ask that a further search be conducted for the investigation report that was formerly attached to that cover letter.

Thank you for your attention to this request.

Sincerely,

A handwritten signature in dark ink, appearing to read "David DeKok", written over a horizontal line.

David DeKok

enc.