



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

JUL 8 1992

Mr. Ted Wendling
The Plain Dealer
1801 Superior Avenue
Cleveland, OH 44114

IN RESPONSE REFER
TO FOIA-92-A-7
(FOIA-92-188)

Dear Mr. Wendling:

I am responding to your letter dated June 10, 1992, in which you appealed Mr. Donnie H. Grimsley's response dated June 3, 1992. Mr. Grimsley's response denied portions of four records subject to your Freedom of Information Act (FOIA) request for information on hospitals and radiopharmaceutical firms. You specifically appeal the deletions on page 18 of the Report of Investigation, Milford Memorial Hospital: Falsification of Records, Case No. 1-87-001.

Acting on your appeal, I have carefully reviewed the record in this case and have determined that the previously withheld information will continue to be withheld from public disclosure pursuant to Exemptions 6 and 7(C) of the FOIA (5 U.S.C. 552(b)(6) and (7)(C)) and 10 CFR 9.17(a)(6) and (7)(iii) of the Commission's regulations. Your appeal is, therefore, denied.

The information withheld consists of the name of a previous place of employment of Dr. Delgado. This information is being withheld because its disclosure would cause a clearly unwarranted invasion of Dr. Delgado's personal privacy and the information is contained in a record compiled for law enforcement purposes. I find that there are overriding privacy and public interests in protecting this information. The interest in disclosing the information does not outweigh the significant privacy interests of Dr. Delgado who could reasonably be expected to be subjected to harassment or other harm.

This is a final agency action. As set forth in the FOIA (5 U.S.C. 552(a)(4)(B)), judicial review of this decision is available in a district court of the United States in the district in which you reside or have your principal place of business or in the District of Columbia.

Sincerely,

A handwritten signature in cursive script, reading "Hugh L. Thompson, Jr.", is written over the typed name.

Hugh L. Thompson, Jr.
Deputy Executive Director for
Nuclear Materials Safety, Safeguards
and Operations Support

THE PLAIN DEALER

OHIO'S LARGEST NEWSPAPER

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April 10, 1992

Donnie Grimsley
Director FOIA and Publication Services
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

FREEDOM OF INFORMATION
ACT REQUESTFOIA-92-188
Rec'd 4-13-92

Dear Mr. Grimsley:

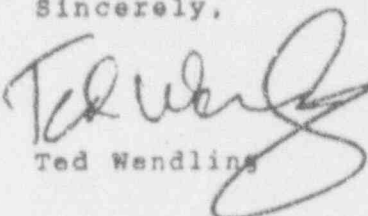
This is a request for access to public records under 5 USC 552, the Freedom of Information Act. Under provisions of that statute, I am asking for copies of the following records:

1. OI investigation reports of the 34 hospitals that have a mark next to the case number on the attached two-page list.
2. A list, similar to the attached document, of all OI investigations of radiopharmaceutical firms and their employees.
3. An EATS system printout of all fines levied against radiopharmaceutical firms. This information, if possible, should include the EA number, name of licensee, location of facility, proposed civil penalty/date and the amount paid/date.

If any of these records are withheld, in whole or in part, I'm requesting a citation of the applicable exemption for each record, or portion thereof, that is being denied. I am also requesting a waiver of search and copying fees, inasmuch as the information gained in this request will be used in stories I am writing for this newspaper.

Thanks for your help. If you have any questions about this request, please call me at (216) 344-4987.

Sincerely,


Ted Wendling

-9211230397

APPENDIX A

RE: FOIA-92-99

CASE NO.	NAME	DATE CLOSED
1-81-006	College/Osteopathic Med.	01/31/83
1-83-006	Cannonsburg General Hospital	05/18/83
1-84-034	Thomas Jefferson University	08/21/88
1-85-006	Glover Memorial Hospital	03/24/88
1-85-014	Mercy Hospital	11/12/85
1-86-01	St. Barnabas Medical Center	08/27/87
1-86-015	Metro Health Center	10/06/87
1-87-001	Milford Medical Hospital	08/11/87
1-87-012	Shady Side Hospital	08/08/88
Q1-88-007	St. Agnes Medical Center	09/22/88
1-88-010	United Hospital/Newark	05/02/89
1-88-011	District of Columbia, Govt.	06/09/89
1-88-0116	District of Columbia, Govt.	02/27/90
1-89-012	Mountainside Hospital	07/31/89
1-90-009	University Medical Center	04/24/90
1-90-012	General Hospital Center	10/26/90
1-90-018	V. A. Medical Center	04/06/91
1-91-002	St. Josephs Hospital & Medical Center	06/20/91

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2-83-002	Hospital Metropolitano	06/17/83
Q2-83-042	Humana Hospital	02/02/84
Q2-85-006	St. Thomas Hospital	04/19/85
Q2-85-014	V. A. Hospital	06/02/86
2-85-016	Humana Hospital, Greenbrie	07/24/87
Q2-85-022	Jefferson Memorial Hospital	08/14/86
2-87-007	Rappahannock General Hospital	10/27/88
2-87-011	St. Mary's Hospital	07/01/88
2-87-017	United Hospital Center	01/18/88
Q2-88-006	Lee County Hospital	01/31/89
2-89-012	Potomac Valley Hospital	03/16/90
2-90-002	Virginia Heart Institute	04/11/90
2-90-006	Davis Memorial Hospital	06/04/90
2-91-002	Humana Hospital, Greenbrie	05/28/91
2-91-006	V. A. Medical Center	10/04/91
A2-91-007	Stuart Circle Hospital	08/29/91
A2-91-011	Roanoke Memorial Hospital	11/21/91

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3-82-023	Northwest Hospital	07/30/85
3-82-068	Our Lady of Mercy Hospital	01/30/85
Q3-83-031	Research Medical Center	02/20/87
3-85-002	Bloomington Hospital	04/28/86
Q3-85-014	St. Johns Health Center	03/20/87
A3-86-011	Cleveland Clinic	10/09/87
3-86-014	University of Cincinnati	10/27/88
	Medical Center	
3-87-003	Hines V. A. Hospital	11/04/87

CASE NO.

NAME

DATE CLOSED

3-87-0035	Hines V. A. Hospital	03/29/88
3-88-010	Otto C. Epp Memorial Hospital	06/22/89
Q3-88-011	Trinity Lutheran Hospital	12/08/88
3-89-002	Lafayette Clinic	01/22/91
3-89-005	Milwaukee City Medical Complex	11/09/89
3-89-011	University of Cincinnati Medical Center (Ongoing Enforcement Action)	
3-90-006	Ellis Fischel Cancer Center	02/01/91
3-90-007	West Allis Memorial Hospital	11/08/90
3-90-008	St. Mary's Medical Center	06/06/91

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4-82-019	Laboratory of Clinical Medicine	02/09/84
Q4-84-015	Darnell Army Hospital	03/12/84
4-88-001	V. A. Medical Center	02/12/88
4-88-003	Memorial Hospital of Eber.	09/01/88
4-88-009	Deaconess Hospital	01/22/90
A4-91-013	V. A. Medical Center	09/09/91
4-91-014	V. A. Medical Center	01/23/92
24-91-021	Powell Hospital	03/04/92

Q5-88-003	V. A. Medical Center	02/17/89
Q5-89-014	Naval Regional Medical Center,	12/20/89
Q5-90-001	Letterman Army Medical Center	01/25/90
A5-90-007	V. A. Medical Center	11/01/90

THE

~~CONFIDENTIAL~~

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