



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

July 13, 1983

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MEMORANDUM FOR: Files

FROM: C. Sebastian Aloit, Attorney *CSA*
Office of the General Counsel

SUBJECT: TRANSMITTAL OF INVESTIGATIVE REPORT

On July 12, 1983, the original and five copies of the report setting forth the results of our inquiry into the conduct of OIA with respect to the Applegate allegations were hand delivered to Norm Haller, Office of the Chairman. Mr. Haller was out of the office so his secretary received delivery. Distribution of those copies were as follows:

- Original - Chairman
- Copy 2 - Commissioner Gilinsky
- Copy 3 - Commissioner Roberts
- Copy 4 - Commissioner Asselstine
- Copy 5 - Norm Haller
- Copy 6 - Norm Haller

Copy 7 was retained for my files. Copy 8 is intended for Judge Hoyt's files, and copy 9 for Ruthanne Miller.

Haller's secretary was also advised that a complete set of interviews and documents would be forwarded to the Commission at a later date under separate cover. Subsequently, Commission Gilinsky's office requested a separate copy of all interviews.

Tapes of interviews will be indexed and kept in the OGC safe pending a determination regarding their permanent storage.

8505290661 841227
PDR FOIA
BAUSER84-415 PDR

0 - #4 - pulled 7/1/83 & given to

Miller

J. Hoyt

Aloot Investigation (Zimmer)

INDEX

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Doc.No.	Date	Description
	<u>1979</u>	
1	2/1/79	Ltr. to Earl A. Borgman, Cincinnati Gas & Elec., fr James G. Koppler, Div., Reg III w/ Notice of Violation and IE Inspection Rpt. No. 50-358/78-30
2	3/26/79	Ltr. to Earl A. Borgmann, Cincinnati Gas & Elec., fr G. Fiorelli, Eng. Support Br., Reg III - w/Ltr fr Cincinnati Gas & Elec dtd 3/2/79 re: Corrective Actions Taken
	<u>1980</u>	
3	1/7/80	Ltr to Earl A. Borgmann, Cincinnati Gas & Elec. fr G. Fiorelli, Eng. Support Br., Reg III re inspection of K.D. Ward on 9/18-20 and 12/11 & 12/79 - Encl. IE Inspection Rpt. No. 50/358/79/17
4	4/3/80	Memo for V. Stello, Director, I fr Wm. J. Ward, Senior Investigator, IE - Subj: Discussion of Interrelationship of IE Investigative Program with that of OIA
5	7/2/80	Ltr to Earl A. Borgmann, Cincinnati Gas & Elec., fr James G. Keppler, Dir., Reg III re Zimmer Investigation by Phillips, Ward & Vandel on 4/7-9 and 4/30, 5/1-2 and 5/20, 1980 w/ Notice of Violation & IE Inspection Rpt. No. 50-358/80-09 <i>Reg III report attached</i>
6	7/3/80	IE Inspection Rpt. No. 50-358/80-09 Apr. 7-9 and 30, May 1-2 and 20, 1980
7	8/4/80	Ltr to James G. Keppler, Dir., Reg III fr Earl A. Borgmann, Cincinnati Gas & Elec., re corrective action taken in response to Notice of Violation, IE Inspection Rpt. No. 80-09
8	12/15/80	Memo for James Cummings, OIA from Commissioner Ahearne re Thomas W. Applegate Allegations

9 12/29/80 Ltr fr Mary Eastwood, Office of Special Counsel to Comm. Ahearne transmitting Thomas Applegate and GAP allegations re Zimmer

1981

January

10 1/5/81 Memo for Com. Ahearne fr James Cummings, OIA - Thomas A. Applegate Alegations - Informs Comm. Ahearne OIA will investigate adequacy of IE investigation of Applegate allegations.

11 1/12/81 Memo for V. Stello, Dir., IE fr James G. Keppler, Dir., Reg. III Subj: Zimmer - GAP Request for Investigation by Merit System Protection Bd Concerning NRC's Handling of Applegate Allegations

12 1/13-15/-81 John Sinclair - handwritten notes of interview w/Gary Phillips, Reg. III Senior Investigator (12 pages)

13 1/26/81 J. Sinclair handwritten notes - interview w/ Gaston Fiorelli, Engineering Support Branch, Reg. II

14 1/26/81 J. Sinclair handwritten notes - interview w/Charles Norelius, Chief (Asst. to the Director), Reg. III

15 1/25/81 Memo for Norman Moseley, IE fr David Gamble, OIA - Subj: IE Investigation into Information Flow Concerning the TMI Accident - with Moseley response to Gamble of 2/2/81

16 1/27/81 J. Sinclair handwritten notes - Interview with Kavin Ward, Inspector Reg. III (3 pages)

17 1/29/81 J. Sinclair handwritten notes - Interview with James G. Keppler, Director, Reg. III (6 pages)

February

- 18 2/3/81 J. Sinclair handwritten notes - second interview with Gerald A. Phillips, Senior Inspector, Reg. III (22 pages)
19. 2/4/81 Ltr. to Louis Clark, Director, GAP fr James J. Cuimmings - discusses arrangements of confidentiality made at Jan. 7, 1981 meeting w/ Cummings, Tom Devine, John Sinclair and Art Schnebelen
20. 2/5/81 Memo to File fr John Sinclair, OIA
Subj: Investigation of IE Efforts
Pertaining to Investigations of Alleged Construction Deficiencies at the Zimmer Nuclear Facility (Applegate)
- 21 5/9/81 Memo of C.E. Cornelius and R.F. Heishman, Reg. III fr A. Bert Davis, Reg. III - Subj: Zimmer Investigation - requests documentation of areas investigated relating to Applegate allegations
- 22 2/10/81 Memo for Vic Stello, Director, IE fr James Cummings, OIA - Subj: Transfer of Documentation Provided by GAP (2/9/81) - furnishes IE with documents obtained fr GAP and sets forth confidential procedures for handling information.
- 23 2/13/81 J. Sinclair handwritten notes - contact with Thomas Devine, GAP
- 24 2/18/81 J. Sinclair handwritten notes of interview with Thomas Vandel, Resident Inspector - Wolf Creek with background info on Vandel attached
- 25 2/19/81 J. Sinclair handwritten notes re interview of FBI, Special Agents, Chicago Field Office (R. Buckley and Wm. Dyson)
- 26 2/23/81 J. Sinclair handwritten notes - second interview with Davin Ward, Reg. III Inspector re Applegate Allegations (8 pages)

- 27 2/23/81 Memo to File fr A. Bert Davis, Reg. III
- Subj: Telephone call fr Mr. Tom Applegate Feb. 19, 1981 - contains comments received by phone on Feb. 19 fr Tom Applegate re progress of investigation and Mr. Applegate's concern for his safety.
- 28 2/25/81 Memo to File fr A. Bert Davis, Reg. III
- Subj: Telecon with Tom Applegate - February 23, 1981 - conversation regarding arrangements to be made for Mr. Applegate and his attorney to meet w/ NRC representative at Reg. III Office
- 29 3/5/81 Memo for File fr A. Bert Davis, Reg. III Subj: Telephone conversation with Ira Rosen, 60 minutes Questioned how services Zimmer problems were - stated he would follow IE investigation closely.
- 30 3/9/81 Memo for R.F. Heishman, Director, Division Resident Project Inspection, Reg. III fr A. Bert Davis, Reg. III - Subj: Comments on Applegate Allegations -- encloses comments on first Applegate allegation write-up. Also enclosed M.S.P.B. Request for Investigation Allegations (1-19)
- 31 3/9/81 Memo to File fr Arthur Schnebelen, OIA
- Subj: Thomas Applegate
- * 32 3/9/81 Memo to File fr Arthur Schnebelen, OIA
- Subj: Thomas Applegate - contains info re phone conversation between Schnebelen, OIA, and Bert Davis, Reg. III re Applegate identifying himself as undercover NRC investigator
- 33 3/11/81 J. Sinclair handwritten notes - interview with Duane H. Danielson, Chief, Materials & Process Section, Seg. III
- 34 3/11/81 J. Sinclair handwritten notes - interview with Richard C. Knop, Chief, Project Section, Reg. III

35 3/11/81 J. Sinclair handwritten notes -
interview with Richard C. Knop, Chief,
Project Section, Reg. III

36 3/17/81 Memo for Vic Stello, Director, IE fr
James G. Keppler, Reg. III - Subj:
Investigation of Applegate Allegations
Related to Zimmer - Status report on
progress of investigation

~~37~~ 3/17/81 Ltr. to Jim Cummings, OIA fr Julian
Greenspun, DOJ Discusses problems
related to civil and criminal
proceedings, willingness to expedite
joint cases. Attached - 3/14/81 note
to Dudley Thompson forwarding DOJ
letter.

38 3/17/81 List of Items transferred to I&E fr
John Sinclair, OIA-with note of receipt
of items by T.Devine, GAP On 5/5/81

* 38a 3/24/81
April note to Art fr Dave re: Breakdown of GAP
Applegate allegations to show which handled by
IE & which by OIA

39 4/1/81 J. Sinclair handwritten notes - second
interview with Thomas E. Vandel,
Inspector - Wolf Creek

40 4/1/81 J. Sinclair handwritten notes - Review
of Welding Records

41 4/9/81 Note to Commissioners fr James
Cummings, OIA - forwards Draft GAO
report on OIA. - Rpt. not attached

42 4/10/81 Memo to Multiple Addresses fr J.
Cummings forwarding Draft GAO Report on
OIA - Rpt. not attached

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4/10/83

Draft - NRC/Region III Discussions -
Zimmer Nuc. Power Station, Unit 1

Attachments: Exhibits A through M

List of Exhibits

A-ltr dtd 3/11/80 NRC to Alleger
B-Bill of Lading
C-Packing List
D-QA Documentation Package
E-NR E-1911
F-NR E-1911 Rev. 1
G-Surveillance Report dtd 7/23/79
H-Surveillance Rpt dtd 8/8/79
I-NR E-1911 Rev. 2
J-NR E-1997
K-NR E-1997 (closed)
L-NR E-2020
M-NR E-1911 Rev. 2 (closed)

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4/14/81

Memo to Chrm. Hendrie fr J. Cummings,
OIA - Subj: GAO Draft Report on OIA -
forwards GAO ltr transmitting their
draft to NRC and requesting comments
by May 8, 1981. GAO ltr. not attached.

45

4/22/81

Memo for File 80A-36 fr Trancy Wiest,
Auditor, OIA - Info provided by GAO at
OIA's request regarding clarification
of certain questions in GAO Draft
Report on OIA.

May

46

5/1/81

Ltr. to Hon. Milton J. Socolar, Acting
Comptroller General, GAO fr Joseph M.
Hendrie, Chrmn. re Draft GAO Rpt on
Improvements needed in the Nuclear
Regulatory Commission's Office of
Inspector and Auditor"

47

5/5/81

Memo for Dudley Thompson, IE fr James Cummings, OIA - Subj: IE Manual, TI 1250/02, Rev. 1, "IE Investigative Program - relates concerns to two areas which require change

1-procedures for transmitting initial reports of alleged criminal activities

2-Point III.8. of TI - direct Regional Offices to refer criminal violations directly to State and local law enforcement agencies . . .

48

5/6/81

Memo for R.F. Heishman and C.E. Norelius, Reg. III fr James Keppler, Reg. III Subj: Evaluation of Problems Identified, Zimmer Investigation Enclosure - list of problems, identified and evaluation of those problems.

49

5/15/81

Memo for File fr Art Schnebelen, OIA Subj: Redelegation of Authority Delegates authority to John Sinclair to administer oaths & affirmations to be used in matter of allegations re Zimmer.

50

5/18/81

Ltr fr Earl A. Borgmann, Cincinnati Gas & Elec to James Keppler, Director, Reg. III re postponement of May 18, 1981 meeting on QA Problems

51

6/1/81

Memo for Vic Stello, IE fr James Cummings, OIA Subj: Investigation Policy - Witness Notification - Transmits DOJ guidance resulting fr questions raised in connection with Zimmer - No attachment.

52

6/12/81

Memo to R.C. DeYoung, IE fr James Keppler, Reg III - Subj: Status of Zimmer Investigation

53 6/15/81 Memo to File fr David Gamble, and
Albert Publia, OIA - Subj: Zimmer Plant
- Allegations of Deficient Construction
- Information relating to review of
Kaiser Engineering QA Nonconforming
Material Report Logs.

July

54 7/7/81 J. Sinclair handwritten notes - contact
w/Pat Gwinn, R.I. Zimmer on locating
weld records

55 7/14/81 J. Sinclair handwritten notes-weld
records

56 7/14/81 Ltr to M.J. Socolar, Acting Comp.
General fr James Cummings, OIA Relating
Cummings concerns about GAO Report -
unfair manner in which agency comments
were evaluated and/or admitted

57 7/16/81 Note to Jim/Art, OIA fr J. Sinclair re:
Review of Welding Records Report

August

* 58 8/4/81 Memo for J.F. Streeter, R.F. Warnick,
here stated
never got notes
from male int's agent
A.B. Davis, Reg. III fr J.E. Foster,
Investigator, Reg. III - Subj: Content
of Zimmer Investigation Report - List
investigative concerns re content of
draft report.

59 8/6/81 J. Sinclair handwritten notes on
various contacts re weld information
notes re Applegate on site-12/10/79

60 8/6/81 Memo to Commissioners fr James
Cummings, OIA-Subj: OIA Special Inquiry
re Adequacy of IE Investigation
50-358/80-09 at the Wm. H. Zimmer
Nuclear Power Station (re allegation w/1)

* 61	8/7/81	Memo to Commissioners fr James Cummings OIA - Subj: OIA Rpt. on Adequacy of IE Investigation 50-358/80-09 at the Wm. H. Zimmer Power Staion w/handwritten marginal notations 2 copies (Reg. in II comm.)
62	8/10/81	Memo for James Keppler, Reg. III fr James Cummings, OIA - Subj: Zimmer Nuclear Power Station: Allegations Regarding Deficient Construction - allow OIA time to review report before release due to possible subsequent criminal action.
63	8/12/81	SECY-81-480 - Final GAO Report Entitled "Improvements Needed in the Nuclear Regulatory Commission's Office of Inspection
64	8/17/81	Ltr to Ann Marie Tracey, Asst. U.S. Attorney, Southern District of Ohio fr James Cummings, OIA transmitting copy of OIA report of NRC investigations conducted in April 1980 by IE
65	8/17/81	Ltr to ANn Marie Tracey, Asst. U.S. Attorney, Southern Dist. of Ohio fr James Cummings OIA - forwards copy of OIA Report of investigation pertainint to April 1980 investigation by IE at Zimmer. No attachment.
66	8/18/81	Ltr to Ann Marie Tracey, Asst. U.S. Attorney, Southern Dist. of Ohio fr James Cummings forwards copy of Draft OIA Report on IE Investigation at Zimmer - no attachment.
66	8/18/81	Ltr to Ann Marie Tracey, Asst. U.S. Attorney, Southern Dist. of Ohio fr James Cummings, forwards copy of Draft OIA Report on IE Investigation at Zimmer - no attachments
67	8/19/81	Note to Dudley Thompson forwarding copy of OIA's report of investigation into Applegate allegations. Report not attached.

* 68

9/3/81 Memo for James G. Keppler, Dir., Reg. III fr James E. Foster, Investigator, Reg. III Subj: OIA Report "Adequacy of IE Investigation 50/248/80-09 at the Wm. H. Zimmer Nuclear Power Station."

69

9/4/81 Memo for R.F. Warnick, Reg. III fr A. Bert Davis, Reg. III - Subj: Zimmer Investigation, WEld CY-516

✓ * 70

9/8/81 Memo for J. Keppler, Reg. III fr G.A. Phillip, Investigator, Reg. III re comments on OIA Report on IE Investigation - 50-358/80-09 (Zimmer)

71

9/16/81 Hardwritten note to John Sinclair re confidentiality of FBI agents names

* 72

9/17/81 Memo for Chairman Palladino fr Wm. Dircks, EDO - Subj: July 30, 1981 OIA Rpt. on IE Investigation 50-358/80-09 (Zimmer) forwarding OIE comments

✓ 73

9/17/81 Memo for Chairman Palladino fr Wm. Dircks, EDO - OIA Report on IE investigation -- expressing his concerns with OIA findings

74

9/17/81 Ltr to Patrick J. Hanley, Chief Special Prosecutions Unit, Southern Dist. of Ohio fr James Cummings, OIA - discusses information fr DOJ relative to question of parallel proceedings. DOJ Ltr not attached.

75

9/30/81 Transmittal to J. Cummings fr Bert Davis, Reg. III - confirming phone conversation re Sargent & Lundy audit at Zimmer

October

✓ 76

10/1/81 Memo for Dudley Thompson, IE fr James Keppler, Reg III Subj: Region III Review of OIA's Special Inquiry Concerning Adequacy of IE Investigation 50-358/80-09 at WM. H. Zimmer Nuclear Power Station. Discusses IE problems OIA Philosophy regarding IE's conduct of investigations

77 10/2/81 Memo for J. Cummings, OIA fr Chairman Palladino .. Subj: OIA Report on IE Investigation at Zimmer 50-358/80-09 Requesting OIA comments on EDO Memo of 9/17 and requesting OIA not to release report to public.

✓ 78 10/8/81 Memo for Chairman Palladino fr J. Cummings transmitting OIA's comments on EDO's Sept. 17 memo - (Zimmer Report)

79 10/8/81 SECY-81-588 - "Investigative Jurisdiction of the Office of Inspection & Enforcement - W.Ward, IE - contact

80 10/8/81 Memo to Reg. III Files fr J.F. Streeter, Rg. III - Subj: Telephone call with Tom Applegate - Requesting information on status of investigation and inquiry about OIA Report

81 10/26/81 Memo to Commissioners fr J. Cummings, OIA Subj: INvestigative Jurisdiction of IE & OIA (SECY-81-588) Forwards OIA comments on SECY-81-588

82 10/27/81 Zimmer Commission Briefing - copies of slides used at briefing

83 10/28/81 Memo for Vic Stello, IE fr James Keppler, Reg. III - Subj: Zimmer Commission Meeting - October 27, 1981 - Information related to question raised by Commissionr Ahearne re not getting signed from Mr. Gittings, former Kaiser QA Manager

November

✓ 84 11/16/81 Ltr to Morris Udall fr Chairman Palladino - answering questions raised by Udall concerning adequacy of IE Investigation of Zimmer. Incoming Udall ltr of 8/20/81 attached.

85 11/18/81 Memo for Bert Davis, Reg. III fr James Cummings, OIA - Subj: Zimmer interviews & Corporate Correspondence

- ✓ 86 11/18/81 Newspaper article - Cincinnati Enquirer
- Zimmer Plant Probe
- 87 11/20/81 Ltr to Douglas Lowenstein, Cox
Newspaper fr J.W. Felton, ADM re FOIA
81-376- request for OIA Report on Zimmer
investigation
- 88 11/23/81 Memo for the five Regional EIS
Directors fr Dudley Thompson, IE
Subj: INvestigative Guidance Memoranda
- 89 11/23/81 GAP FOIA Request -- FOIA - 81-488 ltr
to Director, ADM fr Tom Devine attached
- all FOIA Office documents related to
processing request and 2/3/82 FOIA
response to Tom Devine, GAP fr John C.
Carr, Chief, FOIO Branch
- 90 11/23/81 Memo for James Keppler, Reg. III fr
J.F. Streeter, Rg. III Subj:
Investigation of inspector signatures
on final Zimmer Investigation Report
50-358/81-13
- 91 11/30/81 Cincinnati Enquirer article - "Area NRC
Worker Hit Back at Critique"

December

92

12/3/81

Ltr to Ann Marie Tracey, Asst. U.S.
Attorney, Southern Dist. of Ohio fr
James Cummings, OIA forwards copy of
IE report on investigation at Zimmer
between January and November 1981 and
results of OIA Interviews at Zimmer

93

12/10/81

Memo for File fr David Gamble, OIA
Subj: Zimmer Nuclear Power Station re
interview with Terry Harpster.
Enclosure mentioned - not attached also
- copy of above memo w/handwritten
comments

94 12/14/81 Memo to Commissioners fr J. Cummings,
OIA Subj: OIA Review of NRC's QA/QC
Activities for Nuclear Power Reactors
Construction . Enclosure - 10/30/81
memo to Wm. Dircks fr J. Cummings -
Subj: OIA survey of NRC's QA/QC
Programs

1982

95 2/25/82 Memo for R.F. Warnick, Reg. III fr J.B.
McCarten, Reg. III Investigator - Subj:
Zimmer Document and Investigation Leads
- List of Records turned over to EIS
Section.

96 4/20/82 Note to Bill Dircks fr Jim Keppler
transmitting draft note re information
about Jim McCarten providing
information to Henry Meyers concerning
Zimmer.

97 5/3/82 Memo for Tom Combs, Secy, fr George
Messenger, OIA - Subj: Responses to
Questions fr Congressman Ottinger. No
attachment.

98 5/6/82 Memo for Richard DeYoung, IE fr J.
Cummings, OIA-Subj: OIA input to
Congressman Ottinger's Request. No
attachments.

99 5/14/82 Ltr to Richard Ottinger fr Chairman
Palladino provides summary of Zimmer
investigation since Sept. 1, 1981

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61
8/24/82

Memo for Zimmer File fr A. Bert Davis,
Reg. III Subj: Meeting with US
Attorney, Cincinnati, Ohio on May 20,
1982 - Description of attendees and
topics discussed at May 20 meeting.

101

6/1/82

Memo for Region III Files fr D.R.
Hunter, Region III Subj: Zimmer
Briefing for Chairman Palladino - May
10, 1982 - Identifies areas of Zimmer
investigation discussed at May 10
briefing.

102	6/2/82	Ltr. to James Cummings, OIA fr Christopher Barnes, US Attorney, Southern Dist. of Ohio - informing OIA tht US Attorney's office is initiating criminal investigation of at least one phas of allegations of wrongdoing at Zimmer and identifying the proposed items to be investigated.
103	6/3/82	Memo to Joe Felton, DRR fr James Cummings, OIA - Subj: Disclosure Determination FOIA_82-206
104	6/4/82	Ltr to James/Keppler, Reg. III Fr Christopher Barnes, US Attorney, Southern Dist. of Ohio - Notifying Reg. III of QA Inspector incident on May 27, 1982.
105	6/4/82	Note to Commission fr J. Cummings, OIA - forwards ltr fr C. Baines, U.S. Attorney re QA inspector incident at Zimmer on May 27, 1982
106	6/17/82	Memo for Chairman Palladino fr James Cummings, OIA - Subj: Zimmer - forwards June 4 ltr fr C. Baines - requests additional resources to conduct investigation
107	6/23/82	Memo for Alphonse Gauthier, OIA fr James Cummings - Subj: Zimmer Indicating Commission request for OIA to contact Justice Dept. re DOJ letter dated 6/22/82 - indicating letter not to be made public pending criminal investigation.
108	6/24/82	Memo for Bert Davis, Reg. III fr James Cummings, OIA - Subj: Zimmer Nuclear Power Plant - forwarding copy of Terry Harpster interview to REg. III. No attachment.
109	6/29/82	Memo to Commissioners fr Carl Kammerer, OCA - Subj: Concerns of Dr. Meyers Regarding Zimmer - forwards Henry Meyers concerns to Commissioners

110	6/30/82	Civil Action No. 82-1829 - <u>Thomas Applegate v. NRC</u> - Summons
111	7/1/82	Transmittal Slip to Rick Parrish, OGC, fr Ron Smith, OIA fwding documents (1) memo to Bert Davis, 6/24/82; (2) memo to Bert Davis, 11/18/81; (3) Interviews - Gittings, Norman, Yobe, Schrivvers, Baker, Harpster
112	7/2/82	Ltr to James Cummings, OIA from Gerald Charnoff, Shaw, Pitman, Potts & Trowbridge - Represent Kaiser Engineers, Inc., request tape of interview with Floyd Oltz
113	7/12/82	Memo to Cummings, OIA fr Lil, OCM (Ahearne's Office) forward 7/9/82 memo to Commissioners from C. Kammerer, OCA - Subj: Zimmer Investigation - contains info provided to OCA fr Henry Meyers
*114	7/12/82	Memo to Commissioners fr Carl Kammerer - Subj: Request for Interview Regarding Zimmer - Forwards memo fr J. Cummings, OIA containing interviews conducted during Zimmer investigation. (contains Harps- Interview)
115	7/15/82	Memo to Wm. Dircks, EDO fr J. Cummings, OIA - Subj: Zimmer - Allegations of Harrassment by NRC Inspectors - transmittal ltr fr James Harlow, Bldg. and Trades Council, Cincinnati Ohio to Earl Borgmann, CG&E and Keppler memo of 6/15/82 to Cummings re harrassment charges.
*116	undated	Zimmer Plant - Allegations of Deficient Investigation by Reg. III - Chronology of ltrs, memos, interviews relating to investigation (2 pages)
116	undated	Zimmer Plant - Allegations of Deficient Investigation by Reg III - chron of ltrs, memos, interviews relating to investigation (2 pages)

117	9/20/82	Ltr to Applegate from J. Cummings, OIA - offer to assist Applegate in remedying any legitimate complaint - refer to 7/16/82 ltr to Chairman fr Applegate
(118)	9/23/82	Ltr to Ann Marie Tracey, Asst. US Attorney, Southern District of Ohio fr J. Cummings, OIA - confirms issues discussed in Sept. 8, 1982 meeting.
119	11/2/82	Memo to Gilinsky, Ahearne, Roberts & Asselstine fr Chrm. Palladino Subj: Request fr Mr. Applegate
120	11/10/82	Memo to Commissioners fr J. Cummings, OIA forwards ltrs fr C. Barnes, dtd 10/19/83 and 11/2/82 - not attached.
miss 121	11/12/82	Note for Gerry Schuetze fr Marty Malsch, OGC - provides info for Chairman on current status of OGC's contacts with Mr. Applegate
122	12/7/82	Ltr fr Morris Udall ot Chrm. Palladino re Gamble's (OIA) removal of document from Zimmer investigation file and requesting info on why he was instructed to do this and asking what steps NRC will take to correct these problems.
* 123	12/10/82	News Release - Cincinnati Enquirer - re Udall's charges that NRC improperly withheld documents pertaining to Zimmer investigation.
124	12/27/82	Civil Action No. 82-1829 -- <u>Applegate</u> v. <u>NRC</u> "Notice of Disclosure"
125	2/22/83	Memo for J. Keppler, A. Davis, D. Dougherty, R. Warnick
126	3/4/83	Memo for Ben Hayes, Director, OI fr Sam Chilk - Subj: OI Policies Transmits final version of OI Policy Statements

* 127	3/16/83	Painsville Telegraph - News article re Applegate Meeting at Perry Nuclear Station also article on Udall charges of NRC suppressing document relating to Zimmer investigation.
128	4/13/83	Draft memo to Judge Hoyt and Ciby Aloat fr Chrm. Palladino requesting them to undertake inquiry into allegations detailed in M. Malsch memo of 11/16/82
129	4/13/83	Draft memo to Steve Eilperin & Ciby Aloat fr Palladino - requesting them to conduct inquiry to determine if Director - OIA Made a good faith effort to respond to Applegate allegations -- mark-up version attached
130	undated	Draft Charter for Review of Allegations Against NRC Employee with handwritten notes attached
* 131	4/13/83	Note to Ciby Aloat fr Steve Eilperin transmitting Applegate chronology and requesting comments
* 132	undated	Draft - Aloat chron of events with handwritten drafts attached
133	undated	Draft - 2/15/80 - Applegate calls Capitol 2/19/80 - Applegate calls NRC (first contact w/Cummings 2/22/80 - Second contact w/ Cummings etc. (4 pages)
* 134	4/15/83	Memo for Commissioners fr James Cummings, OIA - Subj: Response to Thomas Applegate Concerns
135	5/10/83	Memo to File fr CS Aloat - Subj: Sinclair Interview
136	5/10/83	Memo to File fr CS Aloat - Subj: Schnebelen Interview
137	5/10/83	Memo to File fr CS Aloat - Subj: Fortuna Interview

- 138 5/10/83 Memo to File fr CS Aloit - Subj:
Applegate INquiry - re phone
conversation with James Cummings
advising him of the Applegate inquiry &
scheduling of interviews.
- 139 undated Draft document - listing persons who
have made allegations re Zimmer Plant
and containing information on IE
Investigation, Kaiser employees, and
OIA findings (8 pages)
- 140 undated Newspaper article entitled "Detective
Wants Power Plant Closed"

Record of Telephone Call - September 23, 1982 - 12:40 p.m.

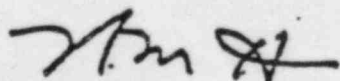
Thomas Applegate called to speak to the Chairman. The call was referred to Norm Haller.

Mr. Applegate referred to an exchange of correspondence -- an August 16, 1982 letter from himself to Chairman Palladino and a September 20, 1982 response from James Cummings (both letters attached).

Applegate stated that one of the chief crackers behind this is Cummings. Cummings is the one who perpetrated the coverup at NRC -- he deleted portions of the OIA report. The investigation was stopped because of him. His office kept putting him (Applegate) off until he finally got to Commissioner Ahearne.

Applegate commented that this (presumably, the referral of his August 16 letter to Cummings) is one of the funniest things he's heard.

Applegate said to tell the Chairman: "I got the letter from Cummings. Who's kidding who?" He assumed that members of the NRC staff were also laughing at that!


Norm Haller

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<u>Date</u>	<u>Time</u>	<u>Event</u>
2/15/80	9:13 a.m.	Applegate calls Capitol switchboard, speaks for 13 minutes.
	9:28 a.m.	Applegate calls general NRC phone number, speaks for what appears to be 14 minutes.
2/19/80	3:19 p.m.	Applegate calls general NRC phone number, speaks for 12 minutes. Cummings acknowledges this as first OIA contact with Applegate. Applegate spoke to secretary and asked that Cummings return phone call. Cummings asserts he attempted to call Applegate several times over next two or three days.
2/22/80	9:20 a.m.	Applegate calls general NRC phone number and speaks for 6 minutes. Cummings asserts that on this date, Applegate advised of his fear of reprisal, contacts with Cincinnati FBI and USA, refusal to deal with Region III, request for transportation to D.C. and

protective custody and willingness to turn over documents. Cummings denies transportation and protective custody, asks for documents. Applegate advises will think about it over weekend.

AM(ETU)

Cummings calls Cincinnati FBI Office, verifies Applegate had requested protective custody from FBI, Cummings told that Applegate was "apparently totally sane."

2/27/80 ETU

Cummings acknowledges that Applegate calls twice, Cummings out of office all day. During second call, Applegate asks secretary for Cummings supervisor. He is told Chairman is supervisor.

ETU

Cummings' secretary calls Ahearn's secretary to alert her regarding possible call from Applegate.

	2:21 p.m.	Applegate calls Ahearn's office and speaks for 15 minutes. Applegate is referred to HQ I&E.
EDU	ETU	Bill Ward, HQ I&E, calls Applegate and asks if he will meet with HQ IE staff in Cincinnati.
2/28/80	AM(ETU)	Member of Ahearn's staff calls Cummings and advises that Applegate referred to IE.
	ETU	Bill Ward, HQ IE, calls Cummings and advises that he spoke to Applegate, who agreed to meet with HQ IE staff in Cincinnati. Cummings decides not to recontact Applegate.
	ETU	Bill Ward, HQ IE, calls Phillips in Region III and asks that contact with Applegate be made.
	ETU	Phillips calls Applegate, arranges March 3 interview, believes

Applegate allegations cast doubt on
NRC inspectors.

ETU

Phillips calls Ward to advise him
of problems with regional
inspectors; Ward advises that no
inspectors will be used, HQ
personnel will assist Phillips.
(Williamson ultimately assigned
from HQ to assist Phillips).