



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

JUN 03 1985

Ms. Stevi Stephens
Nuclear Awareness Network
1347 1/2 Massachusetts
Lawrence, KS 66044

IN RESPONSE REFER
TO FOIA-85-161

Dear Ms. Stephens:

This is in further response to your letter dated March 1, 1985, in which you requested, pursuant to the Freedom of Information Act (FOIA), copies of four categories of records regarding the Wolf Creek Nuclear Generating Plant.

The documents identified on enclosed Appendix C are being placed in the NRC Public Document Room (PDR) located at 1717 H Street, NW, Washington, DC 20555, in file folder FOIA-85-161 in your name.

The documents identified on enclosed Appendix D are being withheld in their entirety. The documents contain the predecisional analyses, opinions, and recommendations of the Commissioners, and between the Commissioners and their staffs on issues in the Wolf Creek proceedings. Because the documents reflect the predecisional process among the Commissioners, and between the Commissioners and their staffs, the documents are exempt from mandatory disclosure pursuant to Exemption 5 of the FOIA, (5 U.S.C. §552(b)(5)), and the Commission's regulations 10 CFR §9.5(a)(5). Release of the documents would tend to inhibit the open and frank exchange of ideas essential to the deliberative process. There are no reasonably segregable factual portions.

Portions of the documents identified on enclosed Appendix E are being withheld. These documents contain information, the release of which would constitute an unwarranted invasion of personal privacy, and are being withheld from public disclosure pursuant to Exemption (7)(C) of the FOIA (5 U.S.C. 552(b)(7)(C)) and 10 CFR 9.5(a)(7)(iii). The releasable portions of these documents are being placed in the PDR.

The documents identified on enclosed Appendix F are being withheld in their entirety. Release of these investigatory records would interfere with an ongoing special inspection on Wolf Creek. The documents are being withheld from public disclosure pursuant to Exemptions (7)(A) and (D) of the FOIA (5 U.S.C. 552(b)(7)(A) and (D)) and 10 CFR 9.5(a)(7)(i) and (iv).

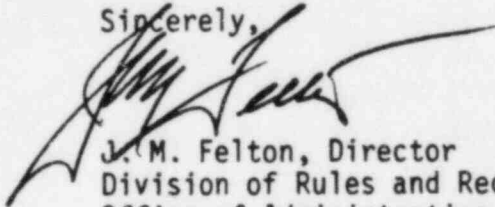
Pursuant to 10 CFR 9.9 and 9.15 of the Commission's regulations, it has been determined that the information withheld is exempt from production or disclosure, and that its production or disclosure is contrary to the public interest. The persons responsible for the denial of the documents on Appendix E and F are the undersigned and Robert D. Martin, Regional Administrator, Region IV. The person responsible for the denial of the documents on Appendix D is John C. Hoyle, Assistant Secretary of the Commission.

The denials by Mr. Martin and myself may be appealed to the Executive Director for Operations within 30 days from the receipt of this letter. Any such appeal must be in writing, addressed to the Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should clearly state on the envelope and in the letter that it is an "Appeal from an Initial FOIA Decision." The denials by Mr. Hoyle may be appealed within 30 days to the Commission and should be addressed to the Secretary of the Commission.

The only remaining documents subject to your request are approximately three and one-half inches of documents in the Office of Investigations (OI). It is my understanding, based upon discussions with OI, that the majority of these documents pertain to on-going investigations and will be withheld from public disclosure. OI expects to complete its response during the week of June 10, 1985.

I have also been informed that Mr. Hugh L. Thompson, Director, Division of Licensing, NRR, responded on May 20, 1985 to your letter to him of May 15, 1985, which was attached to your FOIA appeal, regarding the Wolf Creek Quality First Program.

Sincerely,

A handwritten signature in black ink, appearing to read "J. M. Felton", is written over the typed name and title.

J. M. Felton, Director
Division of Rules and Records
Office of Administration

Enclosures: As stated

Appendix C

Documents Being Released in Entirety

1. 04/06/84 Memo to Chairman and Commissioners from C. Kemmerer re: April 6 Ltr. fr. Rep. Glickman on Wolf Creek (3 pages).
2. 04/13/84 Ltr. to N. Palladino from J. Carlin re: registering objection to the cancellation by the NRC of its Caseload Forecast Panel inspection of thw Rolf Creek Generating Station (2 pages).
3. 06/04/84 Ltr. to D. Glickman from N. Palladino re: April 13th letter (6 pages).
4. 06/05/84 Ltr. to D. Glickman from W. Dircks re: April, 6 letter w/attachments:
 1. Ltr. to R. DeYoung dtd 3/19/84
 2. Ltr. to J. Keppler and J. Collins dtd. 4/13/84
 3. Ltr. to J. Keppler and J. Collins dtd. 5/10/84(14 pages).
5. 01/09/85 Ltr. to N. Palladino from J. Dingell re: Structural welding at the Wolf Creek Generating Station (2 pages).
6. 01/23/85 Ltr. to J. Dingell from N. Palladino re: 1/9/85 letter w/attachments:
 1. Background Statement and Answers to Questions
 2. Enforcement Action EA 84-107
 3. Confirmatory Action Ltr., dtd. 11/15/84
 4. KG&E ltr., dtd 12/7/84 - Supplemental Info. - Structural Steel Welding
 5. KG&E ltr., dtd 12/31/84 - Enforcement Action 84-107 Response
 6. Inspection Report 50-482/84-51
 7. Inspection Report 50-482/84-22
 8. SNUPPS ltr. dtd. 12/3/84, FSAR Requirements for Structural Steel Welding
 9. Structural and Geotechnical Engineering Branch SSER Input (Draft)(13 pages).
7. 02/08/85 Ltr. to N. Palladino from J. Slattery re: NRC to meet with Kansas congressional delegation concerning NRC oversight of the Wolf Creek project (1 page).
8. 02/14/85 Ltr. to N. Palladino from numerous people re: Licensing of the Wolf Creek Electrical generating station (7 pages).
9. 03/05/85 Ltr. to N. Palladino from J. Carlin re: Wolf Creek (20 pages).
10. 03/11/85 Memo for Chairman and Commissioners from J. Asselstine re: Wolf Creek Low Power License (1 page).
11. 03/11/85 Ltr. to J. Carlin from W. Dircks re: March 5 letter (2 pages).
12. 03/11/85 Ltr. to J. Dingell from W. Dircks re: 1/9/85 letter (3 pages).

13. 03/11/85 Ltr. to J. Slattery from W. Dircks re: 2/8/85 letter (3 pages).
14. 03/11/85 Ltr. to D. Glickman from W. Dircks re: 2/1/85 letter (2 pages).
15. 03/11/85 Note to Chairman from Sandy re: Wolf Creek Letters (124 pages).

Appendix D

Documents Being Withheld

1. 01/23/85 Note from C. Reamer to J. Palladino re: Status of Wolf Creek and Waterford Proceedings," 1 page with copy of 7/2/84 ASLP Order attached which is already in the PDR.
2. 01/23/85 Briefing paper prepared for J. Palladino by his office, "Wolf Creek Significant Issues, " (1 page).
3. Undated Unsigned briefing paper in J. Palladino's office, "Wolf Creek: Status of Licensing Issues." (2 pages).
4. 01/18/85 Memo from C. Wisner to J. Fouchard, "Information for Chairman's Visit to Wolf Creek and Waterford 3."
5. 10/19/84 OI, "Investigations Status Report as of 10/29/84," 2 pages as identified by N. Palladino's office.
6. 01/31/85 Memo from F. Bernthal to S. Chilk, "COMJA-85-1." (1 page).
7. 01/07/85 Memo from L. Zech to S. Chilk (1 page).
8. 01/02/85 Memo from J. Asselstine to S. Chilk, regarding OI's December 24, 1984 Request for Commission Guidance Initiating Investigations at the Wolf Creek Generating Station. (1 page).
9. 01/08/85 Memo from T. Roberts to B. Hayes, "OI's 12/24/84 Request for Commission Guidance," (2 apges).

Appendix E

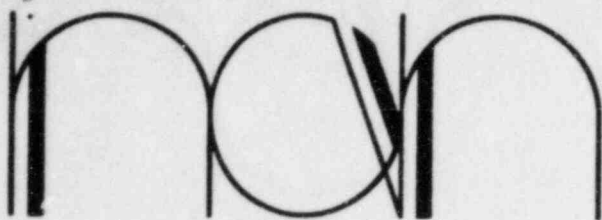
Documents Being Withheld in Part

1. 10/05/83 Interoffice Memo to Bill Johnson from H. Roberds/A. Smith re: Allegation (5 pages).
2. 02/07/84 Note to W. Johnson from W. Schum re: Allegation - 2/7/84 - 11:50 a.m. (1 page).
3. 05/30/84 Information received by phone on 5/30/84 at 10:35 (1 page).
4. 06/01/84 Call to C. Blenshout from W. Johnson (1 page).
5. 02/09/85 Handwritten note re: 4-83-A-79 (1 page).
6. 02/05/85 Ltr. to K. Rowell from L. Martin re: NRC Inspection Report 50-482/84-33 (1 page).
7. 02/11/85 Handwritten note re: 4-83-A-75 (2 pages).
8. 02/13/85 Return mail receipts (2 pages).
9. 02/28/85 Allegation review (1 page).
10. 05/31/00 Handwritten note (1 page).
11. Undated Memo for Allegation file STN 50-482; Case A-84-A-58 from R. Taylor re: Allegation A-84-A-58 (5 pages).

Appendix F

Documents Being Withheld

1. 08/01/84 Note to R. Denis from H. Bundy re: Allegations by Wolf Creek Startup Engineer w/attachment regarding a statement received by L. E. Martin and H. Bundy (6 pages).
2. 09/11/84 Memo for R. Herr from J. Collins re: Allegation on Alterations to KG&E Personnel Records w/attachment re: Allegation on KG&E Personnel Records (R4-84-A-85) (2 pages).
3. 11/16/84 Quality Control Disclosure Statement by Judy Collins (3 pages).
4. 12/24/84 Ltr. from T. Westerman to J. Collins re: J. Collins' 11/16/84 letter (1 page).
5. 12/27/84 Ltr. from T. Westerman to J. Collins re: J. Collins' 11/16/84 letter (certified mail - return receipt requested) (1 page).
6. 01/22/85 Memo for R. Herr from R. Martin re: General Allegations Regarding KG&E and Quality First (1 page).
7. 02/19/85 Memo for T. Westerman from G. Madsen re: OI Report of Inquiry (Q4-84-092) (1 page).
8. 02/26/85 Memo to R. Herr from R. Martin re: OI Report of Inquiry Q4-85-001 (1 page).
9. 02/28/85 Allegation Review (1 page).
10. Undated Handwritten notes re: Judy Collins (2 pages).
11. Undated Allegation Review (1 page).



March 1, 1985

nuclear · awareness · network

1347 1/2 Massachusetts · Lawrence, Kansas 66044 · (913) 749-1640

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

**FREEDOM OF INFORMATION
ACT REQUEST**

FREEDOM OF INFORMATION ACT REQUEST

FOIA-85-161

rec'd 3/8/85

To Whom It May concern:

Pursuant to the Freedom of Information Act, U.S.C. 522, as amended, the Nuclear Awareness Network requests the following documents regarding the Wolf Creek Nuclear Generating Plant. Please consider "documents" to include reports, studies, test results, correspondence, memoranda, meeting notes, meeting minutes, working papers, graphs, charts, diagrams, notes and summaries of conversations and interviews, computer records, and any other forms of written communication, including internal NRC staff memoranda. The documents are specifically requested from, but not limited to, the following offices of the NRC: Office of Analysis and Evaluation of Operational Data (AEOD); Office of Nuclear Reactor Research (NRR); Office of Nuclear Regulatory Research (Research); Office of Inspection and Enforcement (I&E); Office of Investigations (OI); Generic Issues Branch of the Division of Safety Technology, and the Operating Reactors Branches of the Division of Licensing.

In your response, please identify which documents correspond to which requests below.

Pursuant to this request, please provide all documents prepared or utilized by, in the possession of, or routed through the NRC related to the Wolf Creek Nuclear Generating Plant:

1. Any and all NRC documents relating to the Quality First cases, allegations, investigations.
2. Any and all information on instances of intimidation and/or harassment of any workers at the plant.
3. Any and all documents between the Commission and all other NRC offices particularly about, but not limited to, issues which the Commission is allowing to be investigated and inspected.
4. Any and all documents generated within or as a result of the February 28, 1985 Commission briefing relating to the structural steel welding problem, licensing, and any other areas, by NRR or any other branches.

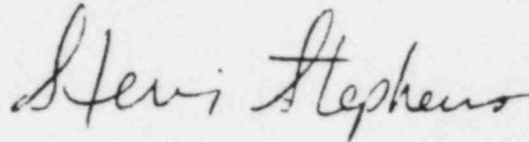
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If any of the material covered by this request has been destroyed and/or removed, please provide all surrounding documentation, including but not limited to a description of the action(s) taken, relevant date(s), and justification(s) for the actions.

For any documents or portions that you deny due to a specific FOIA exemption, please provide an index itemizing and describing the documents or portions of documents withheld. The index should provide a detailed justification of your grounds for claiming each exemption, explaining why each exemption is relevant to the document or ~~portion~~ of the document 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 your response to this request within ten days.

Sincerely,

A handwritten signature in cursive script that reads "Stevi Stephens". The signature is written in dark ink and is positioned above the printed name.

Stevi Stephens