

April 18, 1985

APPEAL FROM AN INITIAL FOIA DECISION FOIA-85-143

Executive Director for Operations
US Nuclear Regulatory Commission
Washington, DC 20555

Dear Mr. Director:

SUBJECT: FOIA REQUEST (FOIA-85-143)

This is to acknowledge that the Initial FOIA Decision of March, 1985 has been received on March 26, 1985.

The Initial Decision is deficient for the following reasons:

1. It did not secure my inalienable right to inspect records from FIN NoBo498 that are with ORNL. I am enclosing the DOE determination (Exh. A) that denies existence of records which are referred in the documents in the FOIA-85-143 file. I am enclosing a copy of my second FOIA request (Exh. B). As the telecon notes (Exh. C) reveal, the ORNL has not allowed inspection of the data in 10 working days as provided by law.

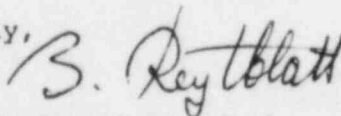
2. Materials deposited with the PDR (Exh. D) reveal that Quadrex, Inc. has been a subcontractor of NRC through EPRI and ORNL. It falls, therefore, into the category covered by 10 CFR, Part I, Subpart A, Paragraph 9.4. Your inaction to secure inspection of pertinent records is in non-compliance with the FOIA.

To comply with the FOIA, please, secure the following:

- 1) The list of all records related to FIN No.B0489 that are with ORNL.
- 2) Opportunity of an on-site inspection of these.
- 3) The list of all records related to Quadrex subcontracts involving Short Duration ILRT.
- 4) Opportunity of an on-site inspection of these.

I shall expect to hear from you within twenty (20) days as provided by law.

Sincerely,



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