

FOIA — 94-208

## RESPONSE TYPE

☒ FINAL ☐ PARTIAL

DATE

AUG 27 1996

DOCKET NUMBER(S) (if applicable)

RESPONSE TO FREEDOM OF  
INFORMATION ACT (FOIA) REQUEST

NUDOW

## REQUESTER

Mr. David K. Colapinto

## PART I.—AGENCY RECORDS RELEASED OR NOT LOCATED (See checked boxes)

☐ No agency records subject to the request have been located.☐ No additional agency records subject to the request have been located.☐ Requested records are available through another public distribution program. See Comments section.☐ Agency records subject to the request that are identified in Appendix(es) \_\_\_\_\_ are already available for public inspection and copying at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC.☒ Agency records subject to the request that are identified in Appendix(es) A are being made available for public inspection and copying at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC, in a folder under this FOIA number.☐ The non-confidential version of the proposal(s) that you agreed to accept in a telephone conversation with a member of my staff is now being made available for public inspection and copying at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC, in a folder under this FOIA number.☐ Agency records subject to the request that are identified in Appendix(es) \_\_\_\_\_ may be inspected and copied at the NRC Local Public Document Room identified in the Comments section.☒ Enclosed is information on how you may obtain access to and the charges for copying records located at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC.☐ Agency records subject to the request are enclosed.☒ Records subject to the request have been referred to another Federal agency(ies) for review and direct response to you. DOJ

## Fees

☐ You will be billed by the NRC for fees totaling \$ \_\_\_\_\_.☐ You will receive a refund from the NRC in the amount of \$ \_\_\_\_\_.☐ In view of NRC's response to this request, no further action is being taken on appeal letter dated \_\_\_\_\_, No. \_\_\_\_\_.

## PART II. A—INFORMATION WITHHELD FROM PUBLIC DISCLOSURE

☒ Certain information in the requested records is being withheld from public disclosure pursuant to the exemptions described in and for the reasons stated in Part II, B, C, and D. Any released portions of the documents for which only part of the records being withheld are being made available for public inspection and copying in the NRC Public Document Room, 2120 L Street, N.W., Washington, DC, in a folder under this FOIA number.

## COMMENTS

On May 24, 1994, you informed us that you have the Report of Investigations and its exhibits. Therefore, these records are not being addressed in this request.

On June 21, 1994, you further narrowed the scope of your request stating you do not need any type of pleadings, filing or depositions from DOL proceedings and any filing with the NRC Licensing Board by any parties.

SIGNATURE, DIRECTOR, DIVISION OF FREEDOM OF INFORMATION AND PUBLICATIONS SERVICES

9610040052 960827  
PDR FOIA  
COLAPIN94-208 PDR

**RESPONSE TO FREEDOM OF  
INFORMATION ACT (FOIA) REQUEST**  
(CONTINUATION)

FOIA NUMBER(S)

**FOIA — 94-208**

DATE

**AUG 27 1996**

**PART II B — APPLICABLE EXEMPTIONS**

Records subject to the request that are described in the enclosed Appendix(es) B, C, D are being withheld in their entirety or in part under the Exemption No.(s) and for the reason(s) given below pursuant to 5 U.S.C. 552(b) and 10 CFR 9.17(a) of NRC regulations.

1. The withheld information is properly classified pursuant to Executive Order. (Exemption 1)

2. The withheld information relates solely to the internal personnel rules and procedures of NRC. (Exemption 2)

3. The withheld information is specifically exempted from public disclosure by statute indicated. (Exemption 3)

Sections 141-145 of the Atomic Energy Act, which prohibits the disclosure of Restricted Data or Formerly Restricted Data (42 U.S.C. 2161-2165).

Section 147 of the Atomic Energy Act, which prohibits the disclosure of Unclassified Safeguards Information (42 U.S.C. 2167).

4. The withheld information is a trade secret or commercial or financial information that is being withheld for the reason(s) indicated. (Exemption 4)

The information is considered to be confidential business (proprietary) information.

The information is considered to be proprietary information pursuant to 10 CFR 2.790(d)(1).

The information was submitted and received in confidence pursuant to 10 CFR 2.790(d)(2).

☒ 5. The withheld information consists of interagency or intraagency records that are not available through discovery during litigation. (Exemption 5). Applicable Privilege:

☒ Deliberative Process: Disclosure of predecisional information would tend to inhibit the open and frank exchange of ideas essential to the deliberative process. Where records are withheld in their entirety, the facts are inextricably intertwined with the predecisional information. There also are no reasonably segregable factual portions because the release of the facts would permit an indirect inquiry into the predecisional process of the agency.

☒ Attorney work product privilege. (Documents prepared by an attorney in contemplation of litigation.)

☒ Attorney-client privilege. (Confidential communications between an attorney and his/her client.)

☒ 6. The withheld information is exempted from public disclosure because its disclosure would result in a clearly unwarranted invasion of personal privacy. (Exemption 6)

☒ 7. The withheld information consists of records compiled for law enforcement purposes and is being withheld for the reason(s) indicated. (Exemption 7)

Disclosure could reasonably be expected to interfere with an enforcement proceeding because it could reveal the scope, direction, and focus of enforcement efforts, and thus could possibly allow recipients to take action to shield potential wrongdoing or a violation of NRC requirements from investigators. (Exemption 7 (A))

☒ Disclosure would constitute an unwarranted invasion of personal privacy. (Exemption 7(C))

The information consists of names of individuals and other information the disclosure of which could reasonably be expected to reveal identities of confidential sources. (Exemption 7 (D))

OTHER

☒ Disclosure would reveal techniques and procedures. (Exemption 7E)

**PART II. C — DENYING OFFICIALS**

Pursuant to 10 CFR 9.25(b) and/or 9.25(c) of the U.S. Nuclear Regulatory Commission 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 are those officials identified below as denying officials and the Director, Division of Freedom of Information and Publications Services, Office of Administration, for any denials that may be appealed to the Executive Director for Operations (EDO).

| DENYING OFFICIAL | TITLE/OFFICE   | RECORDS DENIED   | APPELLATE OFFICIAL |           |    |
|------------------|--|------------------|--------------------|-----------|----|
|                  |  |                  | EDO                | SECRETARY | IG |
| S. G. Burns      | Associate General Counsel for Hearings, Enforcement & Admin. | Appendices B & D |                    | X         |    |
| G. P. Caputo     | Director, OI   | Appendix C       | X                  |           |    |
|                  |  |                  |                    |           |    |
|                  |  |                  |                    |           |    |
|                  |  |                  |                    |           |    |
|                  |  |                  |                    |           |    |

**PART II. D — APPEAL RIGHTS**

The denial by each denying official identified in Part II.C may be appealed to the Appellate Official identified there. Any such appeal must be made in writing within 30 days of receipt of this response. Appeals must be addressed, as appropriate, to the Executive Director for Operations, to the Secretary of the Commission, or to the Inspector General, 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."

## APPENDIX A

RECORDS BEING PLACED INTO THE PDR UNDER THE ABOVE REQUEST NUMBER

| <u>NUMBER</u> | <u>DATE</u> | <u>DESCRIPTION</u>  | <u>PAGES</u> |
|---------------|-------------|---|--------------|
| 1.            | Undated     | Draft letter to M. Kohn<br>from T. Murley with attachment   | 56           |
| 2.            | Undated     | Typewritten write-up of Failure to<br>Perform Adequate Shutdown Margin<br>Calculation Leads to Near Miss<br>Inadvertent Criticality | 2            |
| 3.            | Undated     | Typewritten notes of technical<br>violations  | 3            |
| 4.            | Undated     | Handwritten notes   | 2            |
| 5.            | Undated     | Listing of Audio Tapes Provided<br>by Mosbaugh  | 6            |
| 6.            | Undated     | Listing of Audio Tapes Provided<br>by Mosbaugh with handwritten notations   | 6            |
| 7.            | Undated     | Statement Excerpts from Tape<br>pertinent to various individuals  | 54           |
| 8.            | Undated     | Mosbaugh Tape Excerpts  | 86           |
| 9.            | Undated     | Statements Pertinent to VEGP EDG<br>Problems Sorted Chronologically   | 26           |
| 10.           | Undated     | Excerpt from ALM Tapes  | 1            |
| 11.           | Undated     | Descriptive Dialogue of Tape 57 & 58  | 15           |
| 12.           | Undated     | Descriptive Dialogue of Tape 58   | 7            |
| 13.           | Undated     | Excerpts from Tape No. 147  | 18           |
| 14.           | Undated     | Excerpts from Tape No. 168  | 4            |
| 15.           | Undated     | Excerpts from Tape No. 200  | 2            |
| 16.           | Undated     | Excerpts from Tape No. 205  | 6            |
| 17.           | Undated     | Excerpts from Tape No. 212  | 4            |
| 18.           | Undated     | Excerpts from Tape No. 245  | 2            |
| 19.           | Undated     | Open Item Tracking System   | 1            |

APPENDIX A  
(continued)RECORDS BEING PLACED INTO THE PDR UNDER THE ABOVE REQUEST NUMBER

| <u>NUMBER</u> | <u>DATE</u> | <u>DESCRIPTION</u>  | <u>PAGES</u> |
|---------------|-------------|---|--------------|
| 20.           | Undated     | Unsigned letter to USNRC from W. G. Hairston, III, with attachments   | 3            |
| 21.           | Undated     | Unsigned letter to USNRC from W. G. Hairston, III, with attachments   | 12           |
| 22.           | Undated     | Draft of LER 90-006, Revision 0   | 11           |
| 23.           | Undated     | Diesel Testing 1A and 1B re Overhaul and Inspection and Special Testing   | 4            |
| 24.           | Undated     | Typewritten Note to L. Robinson from A. Mosbaugh  | 2            |
| 25.           | Undated     | Typewritten Note to L. Robinson from A. Mosbaugh  | 1            |
| 26.           | Undated     | Note to Larry with attachment from A. Mosbaugh  | 7            |
| 27.           | Undated     | Note to sent to Larry Robinson from A. Mosbaugh with attachment   | 3            |
| 28.           | Undated     | Note to sent to Larry Robinson from A. Mosbaugh with attachments  | 3            |
| 29.           | Undated     | Note to Larry Robinson from A. Mosbaugh with attachments  | 74           |
| 30.           | Undated     | Note sent to Larry Robinson from A. Mosbaugh with attachments   | 72           |
| 31.           | Undated     | Typewritten Allegation to NRC Attn: Bruno Uryc, Allegations Coordinator, from A. L. Mosbaugh re: Georgia Power/SONOPCO Response to 2.206 Petition is Lies, Smoke, and Mirrors | 19           |
| 32.           | Undated     | Telecopy Request Sheet to L. Robinson from Stephen Kohn without attached DOL Order Granting Motion to Compel (attachment outside scope of request)                            | 1            |
| 33.           | Undated     | Georgia Power Organization Charts   | 6            |



APPENDIX A  
(continued)RECORDS BEING PLACED INTO THE PDR UNDER THE ABOVE REQUEST NUMBER

| <u>NUMBER</u> | <u>DATE</u>      | <u>DESCRIPTION</u>   | <u>PAGES</u> |
|---------------|------------------|--|--------------|
| 34.           | Undated          | Questions for the NRC - General<br>Questions on the Obligation of<br>NRC Licensees to Provide Accurate<br>Information to the NRC | 6            |
| 35.           | Undated          | Facsimile Transmittal Sheet to B.<br>Hayes from L. Robinson, with attached<br>Declaration of L. L. Robinson                      | 3            |
| 36.           | Undated          | Facsimile Transmittal Sheet to<br>C. Barth from L. Robinson with<br>attachment   | 6            |
| 37.           | Undated          | Facsimile Transmittal Sheet to<br>D. Wheeler from L. Robinson<br>with attachment   | 20           |
| 38.           | Undated          | Facsimile Transmittal Sheet to<br>D. Wheeler from L. Robinson with<br>attachment   | 4            |
| 39.           | Undated          | Note to J. Vorse from L. Robinson<br>Re: DOL Order Requiring Mosbaugh to<br>Provide Vogtle Documents to Georgia<br>Power Co.     | 2            |
| 40.           | Undated          | Draft of information for subpoena  | 1            |
| 41.           | Undated          | Drafts of Letters to USNRC RII from<br>Georgia Power - VEGP Clarification of<br>Response to Confirmation of Action<br>Letter     | 10           |
| 42.           | Undated          | Allegation Review Panel Cover Sheet,<br>with attachment  | 19           |
| 43.           | Undated          | Allegation Review Panel Cover Sheet,<br>with attachment  | 4            |
| 44.           | Undated          | Prepared questions for Interviewees<br>by Interviewer  | 12           |
| 45.           | Various<br>dates | NRC IIT Transcript Review<br>Sheets  | 5            |

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| <u>NUMBER</u> | <u>DATE</u>   | <u>DESCRIPTION</u>  | <u>PAGES</u> |
|---------------|---------------|---|--------------|
| 46.           | Various dates | NRC IIT Transcript Review Sheets  | 3            |
| 47.           | Various dates | Data re: Diesel Generator Shutdown  | 8            |
| 48.           | Various dates | Handwritten notes   | 25           |
| 49.           | Various dates | Handwritten Notes - Nightshift activity                                   | 2            |
| 50.           | Various dates | Handwritten Investigator's Notes  | 6            |
| 51.           | Various dates | Handwritten Investigator's Notes  | 42           |
| 52.           | Various dates | Handwritten Investigator's Notes  | 13           |
| 53.           | Various dates | Handwritten Investigator's Notes  | 130          |
| 54.           | Various dates | Memorandum to Case File   | 4            |
| 55.           | Various dates | Memorandum to Case File   | 13           |
| 56.           | Various dates | Investigation Status Records  | 4            |
| 57.           | Various dates | Evidence/Property Custody Documents                                       | 4            |
| 58.           | Various dates | LER 1-90-004  | 38           |
| 59.           | Various dates | Copy of Envelope with enclosures<br>Nuclear Plant Maintenance Work Orders | 64           |
| 60.           | Various dates | Unit One D/G Trip Sensor History<br>(Summary)                             | 2            |

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| <u>NUMBER</u> | <u>DATE</u>   | <u>DESCRIPTION</u>                                    | <u>PAGES</u> |
|---------------|---------------|---|--------------|
| 61.           | Various dates | Unit Two D/G Trip Sensor History (Summary)            | 1            |
| 62.           | Various dates | VEGP Data Sheet 1, Diesel Generator Start Log         | 6            |
| 63.           | Various dates | Georgia Power VEGP Unit 1 Control Log                 | 67           |
| 64.           | Various dates | Georgia Power VEGP Unit 2 Control Log                 | 58           |
| 65.           | Various dates | VEGP Procedure 14980-1                                | 29           |
| 66.           | Various dates | Table 1 - Diesel Generator 1A and Diesel Generator 1B | 2            |
| 67.           | Various dates | Newspaper articles                                    | 10           |
| 68.           | Various dates | Newspaper Items                                       | 6            |
| 69.           | Various dates | VEGP Briefing Package                                 | 17           |
| 70.           | Various dates | Handwritten Calendars for March and April 1990        | 2            |
| 71.           | Various dates | Excerpts from ALM Tapes 19, 69, and 71                | 8            |
| 72.           | Various dates | NRC Subpoenas to various individuals                  | 38           |
| 73.           | 3/2           | Telephone Message for ALM from J. Kane                | 1            |
| 74.           | 08/77         | USNRC Regulatory Guide 1.108                          | 4            |
| 75.           | 04/06/80      | Deficiency Card # 190-186                             | 2            |

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(continued)

RECORDS BEING PLACED INTO THE FOR UNDER THE ABOVE REQUEST NUMBER

| <u>NUMBER</u> | <u>DATE</u> | <u>DESCRIPTION</u>  | <u>PAGES</u> |
|---------------|-------------|---|--------------|
| 76.           | 07/02/84    | Letter to all Licensees of Operating Operating Reactors, Applicants for An Operating License, and Holders of Construction Permits with attachments from Darrell G. Eisenhower | 22           |
| 77.           | 03/27/87    | Georgia Power Interoffice Correspondence with attachment Re: Plant Vogtle- Units 1 & 2 ESF Actuations   | 4            |
| 78.           | 12/09/87    | Letter to USNRC Document Control Desk from Georgia Power Re: Plant Vogtle - Unit 1, NRC Docket 50-424 - Operating License NPF-68 - Response to NRC Inspection Report          | 3            |
| 79.           | 01/88       | Handwritten Investigator Note with attachments  | 9            |
| 80.           | 01/27/88    | Letter to Georgia Power Company from NRC RII - Re: NRC Inspection Report No. 50-424/87-57   | 4            |
| 81.           | 04/12/88    | Letter to Georgia Power company from NRC RII - Re: NRC Inspection Report No. 50-424/87-57   | 3            |
| 82.           | 12/13/88    | VEGP Procedure No. 00400-C with attachments   | 9            |
| 83.           | 12/14/88    | Handwritten write-up of Initial Review of RER 88-0898   | 3            |
| 84.           | 04/11/89    | Georgia Power Interoffice Correspondence Re: Plant Vogtle- Units 1&2 Operations Surveillance Procedure  | 1            |
| 85.           | 05/11/89    | VEGP Nuclear Operations Diesel Generator Operating Log  | 4            |
| 86.           | 02/12/90    | Letter to A. L. Mosbaugh from A. H. Dornby  | 1            |



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| <u>NUMBER</u> | <u>DATE</u>           | <u>DESCRIPTION</u>  | <u>PAGES</u> |
|---------------|-----------------------|---|--------------|
| 87.           | 03/13/90              | Georgia Power Interoffice<br>Correspondence to GPC Plant<br>Personnel from G. Bockhold Jr. Re:<br>OI Interview Guidelines             | 1            |
| 88.           | 03/20/90              | VEGP Event Report   | 6            |
| 89.           | 03/20/90              | VEGP Event Team Report No. 1-90-003<br>- Loss of Off-Site and On-Site Power<br>(IE)   | 346          |
| 90.           | 03/20/90-<br>04/08/90 | VEGP Unit 1 Control Logs  | 57           |
| 91.           | 03/22/90              | Nuclear Plant Maintenance Work Order  | 14           |
| 92.           | 04/90                 | PRB Comment Review Sheet - PRB-90-59  | 1            |
| 93.           | 04/90                 | Letter to Georgia Power Co.<br>from S. D. Ebneter re: Completion<br>of Confirmation of Action Letter<br>Commitments                   | 1            |
| 94.           | 04/02/90              | Transcript of Proceeding<br>Diesel Generator Meeting<br>Between NRC and Georgia Power<br>(IIT)  | 61           |
| 95.           | 04/03/90              | George Power Interoffice<br>Correspondence Re: Calcon<br>Temperature Switches from<br>M. S. Briney to G. Bockhold, Jr.                | 1            |
| 96.           | 04/03/90              | Excerpts from Tape No. 257  | 6            |
| 97.           | 04/09/90              | Letter to USNRC RII from Georgia<br>Powers, with attachment, Re: Vogtle<br>Electric generating Plant<br>Confirmation of Action Letter | 14           |
| 98.           | 04/09/90              | Letter to S. D. Ebneter from W. G.<br>Hairston, III, with attachments   | 32           |

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|---------------|-------------|--|--------------|
| 99.           | 04/09/90    | Letter to S. Ebnetter from W. G. Hairston, III - Vogtle Electric Generating Plant Confirmation of Action Letter  | 4            |
| 100.          | 04/19/90    | Letter to USNRC Document Control Desk from W. G. Hairston, III - Vogtle Electric Generating Plant Licensee Event Report - Loss of Offsite Power Leads to Site Area Emergency                         | 2            |
| 101.          | 04/19/90    | Letter to USNRC from Georgia Power Co. - VEGP Licensee Event Report - Loss of Offsite Power Leads to Site Area Emergency   | 9            |
| 102.          | 04/19/90    | Letter to USNRC Document Control Desk, from Georgia Power Company - Re: Vogtle Electric Generating Plant Licensee Event Report - Loss of Offsite Power Leads to Site Area Emergency, with attachment | 13           |
| 103.          | 04/19/90    | Faxed copy from A. Mosbaugh to L. Robinson - The Definition of the Comprehensive Test Program In Relation to Southern Nuclear's Material False Statement   | 8            |
| 104.          | 04/19/90    | Telecopy Cover Sheet with attachment   | 2            |
| 105.          | 04/30/90    | Georgia Power Interoffice Memo from A. Mosbaugh to G. Bockhold with attachments  | 8            |
| 106.          | 05/02/90    | Letter to Georgia Power Co. from Wyle Laboratories, with attachment  | 19           |
| 107.          | 05/14/90    | Letter to USNRC Document Control Desk, from Georgia Power Company - Vogtle Electric Generating Plant - Corrective Actions for Site Emergency   | 6            |

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|---------------|-------------|--|--------------|
| 108.          | 05/14/90    | Letter to USNRC from Georgia Power Co. - Vogtle Electric Generating Plant Corrective Actions for Site Area Emergency with attachment   | 6            |
| 109.          | 06/13/90    | Letter to L. Robinson from M. Kohn re: Mosbaugh's 2/8/90 interview   | 2            |
| 110.          | 06/13/90    | Letter to L. Robinson from M. Kohn with attachment   | 5            |
| 111.          | 06/14/90    | Handwritten Investigator Note with attachment  | 7            |
| 112.          | 06/15/90    | Management New Summary Article from Fulton County Daily Report   | 8            |
| 113.          | 06/19/90    | Handwritten Investigator Note with attachment  | 11           |
| 114.          | 06/22/90    | Letter to USNRC Document Control Desk, from Georgia Power - Re: Vogtle Electric Generating Plant - Corrective Actions for Site Emergency                                     | 2            |
| 115.          | 06/22/90    | Letter to USNRC Document Control Desk from W. G. Hairston, III Re: VEGP Special Report Valid diesel General Valid Diesel Generator Failure                                   | 2            |
| 116.          | 06/29/90    | Georgia Power Interoffice Memo Re: VEGP-Units 1&2 Special QA Audit of Unit 1 Emergency Diesel Generator Starts-OP26-90/33  | 11           |
| 117.          | 06/29/90    | Letter to USNRC Document Control Desk, from Georgia Power - Re: Vogtle Electric Generating Plant, Licensee Event Report - Loss of Offsite Power Leads to Site Area Emergency | 11           |
| 118.          | 07/12/90    | VEGP Plant Review Board Meeting Minutes  | 4            |

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| <u>NUMBER</u> | <u>DATE</u> | <u>DESCRIPTION</u>   | <u>PAGES</u> |
|---------------|-------------|--|--------------|
| 119.          | 07/17/90    | Letter to USNRC Document Control Desk from W. G. Hairston, III, with attachment VEGP License Event Report Painting Activity Results in Inoperable Diesel Generator | 6            |
| 120.          | 07/18/90    | Investigative Interview of Allen Mosbaugh  | 254          |
| 121.          | 07/19/90    | Handwritten Note with attachment   | 10           |
| 122.          | 07/31/90    | Letter to C. C. Miller from W. C. Ramsey with various attached documentation   | 103          |
| 123.          | 08/06/90    | NRC Reactive Inspection  | 1            |
| 124.          | 08/06/90    | Georgia Power Meeting Attendance Record NRC Operational Assessment Entrance  | 2            |
| 125.          | 08/07/90    | Letter to USNRC Document Control Desk, from Georgia Power - Re: Vogtle Electric Generating Plant Special Report - Valid Diesel Generator Failures, with attachment | 19           |
| 126.          | 08/16/90    | Draft LER 1-90-004   | 25           |
| 127.          | 08/16/90    | Chart of Area of GP Concerns   | 1            |
| 128.          | 08/17/90    | Diesel Starts and Failure Reporting  | 3            |
| 129.          | 08/22/90    | Letter to Georgia Power Company from Luis Reyes, with attachment re: Confirmation of Meeting - Enforcement Conference  | 4            |
| 130.          | 08/28/90    | Georgia Power Interoffice Memo to G. R. Frederick from C. C. Miller Re: Vogtle Electric Generating Plant Audit Finding OP 13-90/29- 430                            | 1            |

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|---------------|-------------|---|--------------|
| 131.          | 08/29/90    | Telecopy Cover Sheet with attachments sent to L. Robinson by A. Mosbaugh (Rcvd 6/13/91)   | 14           |
| 132.          | 08/30/90    | Letter to S. Ebnetter from W. G. Hairston, III - Vogtle Electric Generating Plant Clarification of Response to Confirmation of Action Letter          | 5            |
| 133.          | 09/11/90    | Letter to Hon. Kenneth M. Carr with attachments, from M. Kohn   | 25           |
| 134.          | 09/13/90    | Fax from OI to S. Kohn with attached Declaration of L. L. Robinson  | 3            |
| 135.          | 09/13/90    | Fax from A. Mosbaugh to L. Robinson<br>Handwritten note without attached DOL Motion for Protective Order<br>(attachment outside scope of request)     | 1            |
| 136.          | 09/14/90    | Typewritten Bibliography of Documents   | 39           |
| 137.          | 09/17/90    | Office of the SECY Action Ticket, without attachment  | 2            |
| 138.          | 09/26/90    | GA Power Memo to File   | 1            |
| 139.          | 10/01/90    | Letter to J. Schaudies from Bull & Associates, without attached copy of Deposition of R. P. McDonald on 9/17/90 (attachment outside scope of request) | 1            |
| 140.          | 10/01/90    | Letter to Georgia Power Company, with attachment, from Luis Reyes<br>Re: Enforcement Conference Summary   | 19           |
| 141.          | 10/9/90     | EDO Principal Correspondence Control Sheet without attachment   | 1            |
| 142.          | 11/01/90    | Memorandum to J. Vorse from S. Ebnetter - Request for Investigation   | 6            |



APPENDIX A  
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| <u>NUMBER</u> | <u>DATE</u> | <u>DESCRIPTION</u>  | <u>PAGES</u> |
|---------------|-------------|---|--------------|
| 143.          | 11/06/90    | OI Response to Status of Request for Investigation  | 1            |
| 144.          | 11/06/90    | Investigative Plan  | 1            |
| 145.          | 11/06/90    | OIMIS Data Entry Sheet  | 1            |
| 146.          | 11/28/90    | Memorandum for Chairman Carr from B. Hayes - Investigation Notification   | 1            |
| 147.          | 12/13/90    | Memorandum for J. Vorse from Larry Robinson - Recommendation of Tapes for Transcription with attachment   | 4            |
| 148.          | 01/10/91    | Letter to USNRC Document Control Desk from W. G. Hairston, III re: VEGP Additional Information on Diesel Generator Jacket Water Temperature                                       | 2            |
| 149.          | 01/11/91    | Letter to Georgia Power Company, from USNRC RII - Re: Vogtle Special Team Inspection and Notice of Violation (NRC Inspection Report Nos. 50-424/90-19 and 50-425/90-19            | 42           |
| 150.          | 02/05/91    | Memorandum for B. Hayes from J. Vorse - DOL Order   | 2            |
| 151.          | 02/26/91    | Letter to L. Robinson from A. H. Donby re: OI Ongoing Reviews at the VEGP   | 2            |
| 152.          | 03/22/91    | Letter to Larry Robinson from M. Kohn   | 1            |
| 153.          | 03/26/91    | Handwritten Investigator Note with attached fax from M. Kohn to L. Robinson without attached DOL Deposition of A. H. Donby & R. P. McDonald (attachment outside scope of request) | 2            |
| 154.          | 05/28/91    | Handwritten note with attachment  | 12           |

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|---------------|-------------|---|--------------|
| 155.          | 06/19/91    | Memo to J. Vorse from S. Elmeter -<br>Re: Addendum to RII Request for<br>Investigation No. RII-90-12 Georgia<br>Power Company, Vogtle Electric<br>Generating Plant with attachment  | 30           |
| 156.          | 07/08/91    | Letter to Ivan Selin Chairman and<br>Mr. James M. Taylor from Michael D.<br>Kohn with attachments Re: Amendments<br>to Petitioners Marvin Hobby's and<br>Allen Mosbaugh's September 11, 1990<br>Petition; and Response to Georgia<br>Power Company's April 1, 1991<br>Submission by its Executive Vice<br>President, Mr. R. P. McDonald | 108          |
| 157.          | 07/23/91    | Memo to Chris VanDenburgh, Vendor<br>Inspection Branch, from Luis A.<br>Reyes, Director Division of Reactor<br>Projects - Re: Vogtle Special Team<br>Inspection   | 56           |
| 158.          | 10/03/91    | Letter to L. Robinson from A. Donby   | 2            |
| 159.          | 10/03/91    | Letter to William C. Parler from<br>A. H. Donby Re: Nuclear Regulatory<br>Commission Office of Investigations'<br>Subpoenas Issued to Vogtle Electric<br>Generating Plant Employees   | 3            |
| 160.          | 10/04/91    | Letter to FBI from Ben B. Hayes   | 1            |
| 161.          | 10/16/91    | Letter to A. Donby from W. C. Parler<br>Re: Subpoenas   | 1            |
| 162.          | 11/01/91    | Letter to Georgia Power Company<br>from RII, with attachments, Re:<br>Vogtle Special team Inspection<br>Report Nos. 50-424, 425/90-10<br>Supplement 1   | 35           |
| 163.          | 11/04/91    | Typewritten note to USNRC (Attn.<br>Bruno Uric, Allegations Coordinator<br>from A. Mosbaugh   | 3            |

APPENDIX A  
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|---------------|-------------|---|--------------|
| 164.          | 01/15/92    | Letter to Arthur Donby from Larry Robinson  | 1            |
| 165.          | 07/28/92    | Letter to D. M. Shapiro from M. D. Kohn - Re: Mosbaugh v Georgia Power Company      | 1            |
| 166.          | 07/29/92    | Letter to M. Kohn from B. Hayes<br>Re: Mosbaugh v. Georgia Power Co.                | 1            |
| 167.          | 08/09/92    | Radio TV Reports, Inc. Nuclear Power Plant Whistleblower                            | 3            |
| 168.          | 08/23/92    | Letter to Bryan Lavine from J. Vorse  | 1            |
| 169.          | 01/21/93    | Facsimile Transmittal Sheet with attachment - Newspaper Item                        | 2            |
| 170.          | 06/14/93    | Diesel Generator 1B and 1A for Unit 1   | 6            |
| 171.          | 07/06/93    | Letter to Honorable Joseph I. Lieberman from K. C. Rogers                           | 1            |
| 172.          | 07/19/93    | Handwritten note with attachment  | 2            |
| 173.          | 07/27/93    | Letter to John Lamberski from J. Vorse  | 2            |
| 174.          | 07/27/93    | Letter to Richard Hendrix from J. Vorse   | 2            |
| 175.          | 07/27/93    | Letter to Bruce Kirwan from J. Vorse  | 2            |
| 176.          | 07/27/93    | Letter to Bruce Morris from J. Vorse  | 2            |
| 177.          | 08/04/93    | Letter to J. Y. Vorse from B. Lavine Re: NRC Office of Investigations               | 4            |
| 178.          | 08/14/93    | Memo for Personal Files - D. B. Matthews Re: Vogtle Meetings re Management Concerns | 2            |

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| 179.          | 08/26/93    | Memo to File from J. Vorse  | 1            |
| 180.          | 09/20/93    | Letter to Larry Robinson from Arthur Donby  | 4            |
| 181.          | 10/06/93    | Letter to L. Robinson from Arthur Donby   | 1            |
| 182.          | 11/05/93    | E-mail from D. Hood to R. K. Hoefling Re: IIT Supporting Docs                                 | 1            |
| 183.          | 05/10/94    | NRC Office of Public Affairs<br>Atlanta - News Release  | 1            |
| 184.          | 05/10/94    | Georgia Power Co. Update Response to<br>NRC Action  | 1            |
| 185.          | 06/09/94    | Memo to J. Johnson from P. Skinner<br>Re: Calcon Switches at Vogtle During<br>Emergency Event | 4            |

## APPENDIX B

RECORDS PARTIALLY WITHHELD

| <u>NUMBER</u> | <u>DATE</u>      | <u>DESCRIPTION &amp; EXEMPTION</u>  | <u>PAGES</u> |
|---------------|------------------|---|--------------|
| 1.            | Undated          | Typed document beginning with<br>"(Exhibit 9) presented to NRC<br>by Bockhold on April 9"<br>EX. 5-Predecisional  | 1            |
| 2.            | Undated          | Case Briefing - VEGP - Alleged False<br>Statements Regarding Operability of<br>Diesel Generator EX. 5-Predecisional   | 3            |
| 3.            | Undated          | OI typed Summary of GPC personnel<br>testimony EX. 5-Predecisional  | 5            |
| 4.            | Various<br>dates | Handwritten Investigator's Notes<br>EX. 5-Predecisional   | 45           |
| 5.            | Various<br>dates | Handwritten Investigators Notes<br>EX. 5-Attorney/client, Predecisional   | 12           |
| 6.            | 12/19/91         | Case Brief - Plant Vogtle for NRC<br>Staff by OI:RII EX. 5-Predecisional  | 13           |
| 7.            | 07/23/92         | Memo to J. Johnson from P. Skinner<br>- Assessment of Vogtle Tape Review<br>EX. 5-Predecisional   | 12           |
| 8.            | 10/06/92         | Memorandum to S. Ebner from P.<br>Skinner - Analysis of EDG Information<br>Provided by GPC in the Original and<br>Revised Responses to LER 90-06 and<br>the Confirmation of Action Letter<br>Re Vogtle Site Area Emergency of<br>March 20, 1990 EX. 5-Predecisional | 18           |
| 9.            | 04/29/93         | Case Brief - Plant Vogtle for<br>Senator Joseph I. Lieberman &<br>Staff by NRC OI EX. 5-Predecisional   | 19           |



APPENDIX C

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| <u>NUMBER</u> | <u>DATE</u>      | <u>DESCRIPTION &amp; EXEMPTION</u>                | <u>PAGES</u> |
|---------------|------------------|---|--------------|
| 1.            | Various<br>dates | Handwritten Notes EX. 7C                          | 5            |
| 2.            | 03/09/93         | Letter to A. Mosbaugh from G. R.<br>Jenkins EX. 6 | 3            |

## APPENDIX D

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| <u>NUMBER</u> | <u>DATE</u>      | <u>DESCRIPTION &amp; EXEMPTION</u>   | <u>PAGES</u> |
|---------------|------------------|--|--------------|
| 1.            | Undated          | Excerpt from Unit 1 - Control Log<br>EX. 5-Predecisional   | 3            |
| 2.            | Undated          | Facts to Elicit from Bockhold<br>EX. 5-Attorney work product   | 3            |
| 3.            | Undated          | Draft of NRC Subpoena<br>EX. 5-Predecisional   | 1            |
| 4.            | Undated          | Draft memorandum for O. DeMiranda from<br>P. Skinner - Allegation RII-90-0092,<br>Violations of Technical Specifications<br>EX. 5-Predecisional  | 5            |
| 5.            | Various<br>dates | Memorandum to Case File<br>EX. 5-Attorney/client, Predecisional  | 10           |
| 6.            | Various<br>dates | Case Chronology<br>EX. 5-Predecisional   | 52           |
| 7.            | Various<br>dates | Portions of Case Chronology<br>re Communications with Alleger<br>EX. 5-Predecisional   | 6            |
| 8.            | 10/22            | Suggested Questions for Mosbaugh<br>EX. 5-Attorney/client, Attorney<br>work product  | 3            |
| 9.            | 08/07/91         | Memorandum for B. Hayes from J. A.<br>Fitzgerald and J. F. Cordes Re:<br>Exclusion of Attorneys in the<br>Matter of Georgia Power Company<br>Investigation with attachments<br>EX. 5-Attorney/client, Attorney<br>work product, Predecisional & 7E | 11           |
| 10.           | 10/01/91         | Memorandum for D. B. Matthews from<br>J. Y. Vorse - Disposition of Vogtle<br>Allegations EX. 5-Predecisional   | 1            |
| 11.           | 04/06/92         | Memorandum to File from S. Vias -<br>Vogtle Special Team Inspection<br>EX. 5-Predecisional   | 15           |

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|---------------|-------------|--|--------------|
| 12.           | 02/10/93    | Memorandum for J. Taylor from W. Parler Re: Allen Mosbaugh v. Georgia Power Co., Case Nos. 91-ERA-1, 91-ERA-11 (October 30, 1992) with attachment EX. 5-Attorney/client, Attorney work product | 7            |
| 13.           | 02/12/93    | Memorandum for B. Hayes from J. A. Fitzgerald Re: Fifth Amendment Assertion EX. 5-Attorney/client, Attorney work product, Predecisional & 7E   | 2            |
| 14.           | 03/02/94    | E-mail from M. Young to Duke Wheeler Re: Missing Tapes EX. 5-Attorney/client   | 1            |