



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

PDR-016

JAN 10 1985

Harry Hugu, Esquire  
Rogovin, Hugu & Lenzner  
1730 Rhode Island Avenue, NW  
Washington, DC 20036

IN RESPONSE REFER  
TO FOIA-84-487

Dear Mr. Hugu:

This is in further response to your letter dated June 12, 1984, in which you requested, pursuant to the Freedom of Information Act (FOIA), documents regarding Brown & Root, Inc.

The documents listed on the enclosed Appendix A are subject to your request. Many of the documents are already available in the NRC Public Document Room (PDR) located at 1717 H Street, NW, Washington, DC 20555, and may be accessed by referring to the PDR accession numbers identified at the documents. Copies of the remaining documents (numbers 1, 5, 7, and 8) will be placed in the PDR and will be filed in PDR folder FOIA-84-487 under your name.

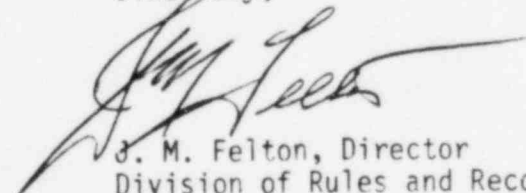
The documents listed on enclosed Appendix B contain comments, advice, opinions, and recommendations of the staff during a deliberative process and are being withheld from public disclosure pursuant to Exemption 5 of the FOIA (5 U.S.C. 552(b)(5)) and 10 CFR 9.5(a)(5) of the Commission's regulations. Disclosure of the information would inhibit candid and frank communications in future deliberations and would not be in the public interest. Segregable factual information has already been placed in the public domain.

Pursuant to 10 CFR 9.9 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 this denial are the undersigned and Mr. Richard C. DeYoung, Director, Office of Inspection and Enforcement.

This denial may be appealed to the NRC within 30 days from the receipt of this letter. As provided in 10 CFR 9.11, 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 NRC has not completed its review of the remaining documents subject to your request. We will respond as soon as that review is completed.

Sincerely,



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

Enclosures: As stated

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APPENDIX A

1. 1/23/84 Licensee's Answer Protesting Civil Penalty. (12 pages)
2. 5/18/84 Transmittal letter from Richard L. Bangart, RIV, to Texas Utilities Electric Co. (2 pages) (PDR: 8405290176/ADOCK/50-445A), w/attachment:  
  
Allegations Concerning Comanche Peak Protective Coatings (12 pages) (PDR: 8405290176/ADOCK/50-445-A)
3. 5/23/84 Transmittal letter from Richard L. Bangart to Texas Utilities Electric Co. (2 pages) (PDR: 84005300331/ADOCK/50-445-Q) (refers to next item)
4. 4/25/84 Letter from John Taylor, BNL, to Eric Johnson, RIV, (1 page) (PDR: 8405300335/ADOCK/50-445-Q) w/attachment:  
  
USNRC IE Region IV Interim Report on Protective Coatings, Prepared by Brookhaven National Laboratory (9 pages) (PDR: 8405300337/ADOCK/50-445-Q)
5. 5/31/84 Letter from J. B. George, TUGCo, to Richard L. Bangart (1 page)
6. 6/12/84 Letter from J. B. George to Richard L. Bangart (1 page) (PDR: 8412110298/ADOCK/50-445-A)
7. 7/16/84 Letter from J. T. Merritt, TUGCo, to Richard L. Bangart w/attached responses (18 pages)
8. 7/20/84 Letter from L. F. Fikar, TUGCo, to Richard L. Bangart w/attachment, responses to findings of BNL report (47 pages)
9. 8/7/84 Memorandum from Darrell G. Eisenhut, NRR, to P. Bloch, W. Jordan, and K. McCollom (2 pages) Board Notification - Allegations Concerning The Protective Coatings at Comanche Peak (Board Notification No. 84-136) (PDR: 840160313/ADOCK/50-445-Q)
10. 6/22/84 Letter from L. F. Fikar to Richard L. Bangart, Comanche Peak Protective Coating Allegations (320 pages) (PDR: 8408220412/ADOCK/50-445-Q)
11. 6/13/84 Letter from John H. Taylor, BNL, to Richard L. Bangart, w/attachment, Draft report, USNRC, IE Region IV Status Report on Protective Coating Allegations Prepared by Brookhaven National Laboratory (61 pages) (PDR: 8408220415/ADOCK/50-445-Q)

APPENDIX B

1. 02/02/84 Personal Notes of Jane Axelrad Subject: MEETING  
WITH COMANCHE PEAK. (2 pages)
2. 02/01/84 Draft Note from R. Rosano to J. Axelrad Subject:  
ATCHISON/COMANCHE PEAK CASE. (1 page)