



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

PDR-016

SEP 23 1985

Mr. Paul C. Reber
Washington Document Service
918 - 16th Street - Suite 400
Washington, DC 20006

IN RESPONSE REFER
TO FOIA-85-419

Dear Mr. Reber:

This is in further response to your letter dated June 12, 1985, in which you requested, pursuant to the Freedom of Information Act (FOIA), access to NRC records relating to "qualification cards" of operators.

The additional records listed on the enclosed Appendix A (Continued) are being placed in the PDR in folder FOIA-85-419 under your name.

The released portions of documents one, two, and three listed on the enclosed Appendix B are being placed in the PDR in folder FOIA-85-419 under your name.

Documents one and two of Appendix B are investigatory records compiled for law enforcement purposes, and portions are being withheld from public disclosure pursuant to Exemptions (6) and (7)(C) of the FOIA (5 U.S.C. 552(b)(6) and (7)(C)) and 10 CFR 9.5(a)(6) and (7)(iii) of the Commission's regulations, because disclosure of the information would constitute an unwarranted invasion of personal privacy. Document one of Appendix B also contains information which constitutes advice, opinions, and recommendations of the staff of the Office of Inspector and Auditor which was provided to the NRC Commissioners for their predecisional consideration. This information is 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.

Portions of document three listed on the enclosed Appendix B have been deleted in order to withhold the names and personal identifiers of certain individuals. Because disclosure of this information would constitute a clearly unwarranted invasion of personal privacy, it is being withheld from public disclosure pursuant to Exemption (6) of the FOIA (5 U.S.C. 552(b)(6)) and 10 CFR 9.5(a)(6).

Pursuant to 10 CFR 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 this denial are Ms. Sharon R. Connelly, Director, Office of Inspector and Auditor with respect to documents one and two listed on Appendix B, and Mr. James A. Fitzgerald, Assistant General Counsel, with respect to document three listed on Appendix B.

8510010057 850923
PDR FOIA
REBER85-419 PDR

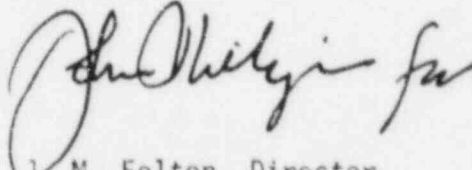
Mr. Paul C. Reber

-2-

This denial may be appealed to the Secretary of the Commission within 30 days from the receipt of this letter. Any such appeal must be in writing, addressed to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should clearly state on the envelope and in the letter that it is an "Appeal to the Initial FOIA Decision."

Additional records subject to your request are being reviewed, and we will contact you further concerning their disposition.

Sincerely,

A handwritten signature in dark ink, appearing to read "J. M. Felton" followed by a stylized flourish.

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

Enclosure: As stated

APPENDIX A

(CONTINUED)

6. 06/02/82 Letter to Mathews from Streeter regarding a special inspection conducted on January 11-14 and 29, 1982. (5 pages)
7. 02/24/84 IE Information Notice 84-11, Training Program Deficiencies. (2 pages)
8. 06/03/84 Letter to Dolan from Shafer on safety inspection conducted on May 1, 1984, through June 10, 1984. (11 pages)
9. 08/23/84 Letter from Richard C. DeYoung, Director, Office of Inspection and Enforcement, to Mississippi Power and Light Company, ATTN: Mr. J. B. Richard, Senior Vice President, Nuclear. (1 page)
10. Undated Draft note. (1 page)
11. 05/19/85 Office of Inspection and Enforcement Notification of Significant Enforcement Action, May 19, 1985, (EN 85-44). (1 page)
12. 06/03/85 Office of Inspection and Enforcement Notification of Significant Enforcement Action, (EN 85-44A); Subject: Proposed Imposition of Civil Penalty - \$500,000. (1 page)
13. 06/03/85 Letter from James M. Taylor, Director, Office of Inspection and Enforcement, to Mississippi Power and Light Company, ATTN: William Cavanaugh, III, President. (9 pages)

APPENDIX B

1. 10/19/84 Memo for NRC Commissioners from Sharon R. Connelly, Subject: CONGRESSMAN MARKEY'S LETTER DATED JULY 27, 1984, REGARDING REGION II ACTIONS RELATING TO GRAND GULF NUCLEAR STATION. (3 pages)
2. 10/19/84 Report of Investigation by U.S. NRC, Office of Inspector & Auditor, Titled: CONGRESSMAN MARKEY'S LETTER DATED JULY 27, 1984, REGARDING REGION II ACTIONS RELATING TO GRAND GULF NUCLEAR STATION. (104 pages)
3. Undated Analysis by NRC Office of the General Counsel of item 2 above. (92 pages)



Washington Document Service

918 - 16th Street • Suite 400 • Washington, D.C. 20006 • (202) 789-0116/0117

June 12, 1985

FREEDOM OF INFORMATION
ACT REQUEST

BY HAND

Mrs. Patricia G. Norry
Director
Office of Administration
Nuclear Regulatory Commission
3775 Old Georgetown Road
4th Floor
Bethesda, Maryland

FOIA-85-419
rec'd 6/13/85

FREEDOM OF INFORMATION ACT REQUEST

Dear Mrs. Norry:

This is to request the disclosure of copies of the following materials available from your agency under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, and the implementing of the Nuclear Regulatory Commission (NRC), 10 C.F.R. Part 9, Subpart A:

- (1) Inspection reports, memoranda, correspondence, studies, Notices of Deviation, Notices of Violation, and other documents promulgated or received by the NRC or any office thereof which refer or relate to a control room operator, licensed operator, or licensed operator candidate "qualification card";
- (2) Documents reflecting the NRC or NRC staff's reaction or response to, follow-up or review of, or recommendations regarding any nuclear operations facility's utilization of (or its failure to properly utilize or require completion or utilization of) the qualification card referred to in the preceding paragraph.

~~8508120635~~
app.

Mrs. Patricia G. Norry

- 2 -

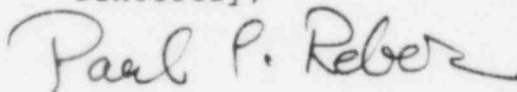
June 12, 1985

As you know, the Freedom of Information Act requires that you respond within ten working days. In an effort to expedite Nuclear Regulatory Commission processing of this request, I would be willing to discuss specific instances of withholding, deletions or other exemption claims in advance of a final decision by your agency.

If any portion of this request is denied, I would like a detailed statement of the reasons for withholding any document and an index or similar statement identifying the documents withheld. See Vaughn v. Rosen, 484 F.2d 820 (D.C. Cir. 1973), cert. denied, 415 U.S. 977 (1974).

In accordance with your regulations and the FOIA, I agree to pay all reasonable search and copying charges upon presentation of an invoice, along with the furnished documents. If the total charges will exceed \$200.00, please advise me of the estimated expense before it is incurred.

Sincerely,

A handwritten signature in cursive script that reads "Paul C. Reber". The signature is fluid and includes a long, sweeping horizontal stroke at the end.

Paul C. Reber