

GOVERNMENT ACCOUNTABILITY PROJECT

Institute for Policy Studies

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September 19, 1983

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

FREEDOM OF INFORMATION
ACT REQUEST

FOIA-83-559

Rec'd 9-21-83

To Whom It May Concern:

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. §552 the Government Accountability Project (GAP) of the Institute for Policy Studies requests copies of any and all notes, letters, memoranda, drafts, minutes, diaries, logs, calendars, tapes, transcripts, summaries, interview reports, procedures, instructions, engineering analyses, drawings, files, graphs, charts, maps, photographs, agreements, handwritten notes, studies, data sheets, notebooks, books, telephone messages, computations, voice recordings, any other data compilations, interim and/or final reports, and status reports, which are relevant to, and/or generated in connection with, and/or result from, any interim report(s) completed by the Office of Investigations (OI) concerning the William H. Zimmer nuclear power station resulting from an ongoing OI investigation into Zimmer that began during 1982 and has involved the participation of Mr. John Sinclair, Ted Gilbert and others.

GAP further requests copies of any and all records (as defined above) relevant to, and/or generated in connection with, and/or resulting from, this FOIA request.

This request includes all agency records, as defined for the NRC (see 10 C.F.R. §9.3a(b) and NRC Manual, Appendix 0211, Parts 1.A.2 and A.3, approved October 8, 1980), whether they currently exist in official NRC working, investigative, or other files, or are at some location outside NRC, including private residences.

If any records covered by this request have been destroyed and/or removed, and/or are destroyed and/or removed after receipt of this request, please provide all surrounding records, including, but not limited to, a list of all records that have been or are destroyed and/or removed, a description of any action(s) taken in connection with the record destruction and/or removal, a list of dates and persons involved with the record destruction and/or removal, and copies of any and all records generated in connection with, relevant to, and/or resulting from the destruction and/or removal.

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Director
NRC
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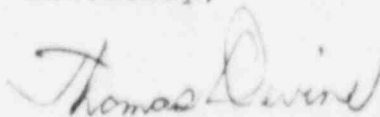
GAP requests that fees be waived because "finding the information can be considered as primarily benefitting the general public." 5 U.S.C. §552(a)(4)(A). GAP is a nonprofit, nonpartisan, public interest organization concerned with honest and open government. Through legal representation, advice, national conferences, films, publications and public outreach, the Project promotes "whistle-blowers" as agents of government accountability. Through serving as counsel for an intervenor organization at Zimmer and individual whistleblowers, GAP has raised significant issues and shared the evidence from its own investigations with OI. We are requesting the above information to monitor how OI has followed up on these contributions. More generally, we are requesting the above information as part of an ongoing monitoring project on the adequacy of the NRC's efforts to protect public health and safety at nuclear power plants.

Independently, release of the information will primarily benefit the general public, because of its relevance for public evaluation and comment on the upcoming presentation of a plan to verify the quality of Zimmer. Approval of this proposal is a precondition for resumption of construction. The data in the report and investigative file may be critical for informed public participation in review of any proposed quality verification plan.

For any documents or portions of documents 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 denying access, 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,



Thomas Devine
Legal Director