



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

000T28 1985

Ms. Billie Pirner Garde, Director  
Citizens Clinic  
Government Accountability Project  
1555 Connecticut Avenue, NW, Suite 202  
Washington, DC 20036

IN RESPONSE REFER  
TO FOIA-85-599

Dear Ms. Garde:

This is in final response to your letter dated August 21, 1985, in which you requested, pursuant to the Freedom of Information Act (FOIA), documents related to the July 26, 1985, briefing by Georgia Power Company about its Readiness Review Program for the Vogtle plant, including the transcript of the briefing.

The document identified on enclosed Appendix D contains the predecisional analyses, opinions, and recommendations between the Chairman and his staff. There are no reasonably segregable factual portions, and release of this information would tend to inhibit the open and frank exchange of ideas essential to the deliberative process. The document is exempt from mandatory disclosure pursuant to Exemption 5 of the FOIA, 5 U.S.C. 552(b)(5), and the Commission's regulations at 10 CFR 9.5(a)(5). The document is being withheld in its entirety.

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 person responsible for this denial is Mr. John C. Hoyle, Assistant Secretary of the Commission.

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 from an Initial FOIA Decision."

This completes NRC action on your request.

Sincerely,

A handwritten signature in dark ink, appearing to read "J. M. Felton", written over a horizontal line.

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

Enclosure: As stated

Re: FOIA-85-599

APPENDIX D

DOCUMENT BEING WITHHELD

1. 07/25/85 Memo from P. Polk to N. J. Palladino, subject: "Operational Readiness Meeting." (4 pages)

# GOVERNMENT ACCOUNTABILITY PROJECT

1555 Connecticut Avenue, N.W., Suite 202  
Washington, D.C. 20036

(202) 232-8550

August 21, 1985

## FREEDOM OF INFORMATION ACT REQUEST

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

~~FREEDOM~~ OF INFORMATION  
REQUEST

FOIA-85-599  
Rec'd 8-27-85

To Whom It May Concern:

Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. §552, the Government Accountability Project ("GAP") requests copies of any and all agency records and information, including but not limited to 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, computer runoffs, any other data compilations, interim and/or final reports, status reports, and any and all other records relevant to and/or generated in connection with the Commission briefing by Georgia Power Company about its Readiness Review Program on July 26, 1985. This request includes the transcript of that meeting.

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

If any records as defined in 10 C.F.R. §9.3a(b) and the NRC Manual, supra, and covered by this request have been destroyed and/or removed after this request, please provide all surrounding records, including but not limited to a list of all records which have been or are destroyed and/or removed, a description of the action(s) taken relevant to, generated in connection with, and/or issued in order to implement the action(s).

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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 non-profit, non-partisan public interest organization concerned with honest and open government. Through public outreach, the Project promotes whistleblowers as agents of government accountability. Through its Citizens Clinic, GAP offers assistance to local public interest and citizens groups seeking to ensure the health and safety of their communities. The Citizens Clinic is currently assisting several citizens groups, local governments and intervenors in the central Texas area concerning the construction of the Comanche Peak nuclear power plant, and in the central Georgia area concerning the construction of the Vogtle nuclear power plant.

We are requesting the above information as part of an ongoing monitoring project on the adequacy of NRC Region II's efforts to protect public safety and health at nuclear power plants.

For any documents or portions 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 claiming each exemption, 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,



Billie Pirner Garde  
Director, Citizens Clinic