



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

PDR-016

JUN 21 1985

Ms. Debra D. McDonald
Administrative Assistant
Nuclear Pharmacy Incorporated
P. O. Box 25141
4272 Balloon Park Road
Albuquerque, NM 87125

IN RESPONSE REFER
TO FOIA-85-372

Dear Ms. McDonald:

This is in response to your letter dated May 15, 1985, in which you requested, pursuant to the Freedom of Information Act (FOIA), copies of all misadministration reports for the second, third and fourth quarters of 1984 pertaining to 18 specified hospitals.

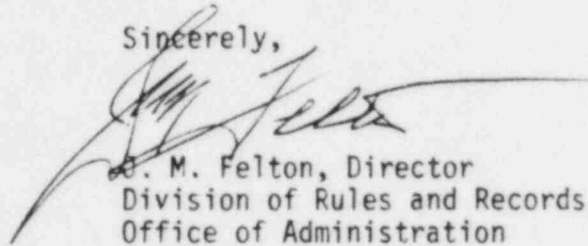
The enclosed Appendix A identifies documents which are being made available for your inspection and copying at the NRC Public Document Room (PDR), 1717 H Street, NW, Washington, DC 20555. The documents will be filed in PDR folder FOIA-85-372 under your name. Portions of document 1 have been deleted in order to withhold the name, identifier, and other personal information of an individual receiving radiation exposure. 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) of the Commission's regulations.

The enclosed Appendix B identifies documents which are investigatory records compiled for law enforcement purposes and are being withheld from public disclosure pursuant to Exemption 7(A) of the FOIA (5 U.S.C. 552(b)(7)(A)) and 10 CFR 9.5(a)(7)(i) of the Commission's regulations, because disclosure of the information would interfere with an ongoing investigation.

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. James G. Keppler, Regional Administrator, Region III.

This denial may be appealed to the Commission's Executive Director for Operations 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."

Sincerely,



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

Enclosures: As stated

APPENDIX A

1. Undated Letter to USNRC from Paul re: Misadministration on 6/26/84.
2. 08/23/84 Letter to USNRC from Daniels re: Misadministration on 5/29/84.
3. 09/25/84 Letter to USNRC from Earls re: Misadministration on 9/12/84.
4. 10/04/84 Letter to USNRC from Marzo re: Misadministration on 5/29/84.

APPENDIX B

WITHHOLD IN ENTIRETY UNDER EXEMPTION 7 (a)

1. 09/19/84 Letter to Mallett from Kulushar re: Misadministration 5/19/84
(5 pages)
2. 11/05/84 Letter to Burgin from Voeks re: Misadministration 5/20/84
(1 page)
3. 12/10/84 Letter to Burgin from Devata re: Misadministration 5/19/84
(2 pages)
4. 02/11/85 Letter from Lawson re: Misadministration on 5/19/84 (2 pages)
5. 02/06/85 Letter to Burgin from Nijensohn re: Misadministration on
5/21/84 (1 page)