



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

PDR-016

AUG 7 1985

Christopher Brewster, Esquire
Kaye, Scholer, Fierman, Hays & Handler
1575 Eye Street, NW
Washington, DC 20005

IN RESPONSE REFER
TO FOIA-83-738, FOIA-83-788,
AND FOIA-83-789

Dear Mr. Brewster:

This is in further response to letters dated December 12 and 27, 1983, from Mr. Thomas Madden formerly of your law firm in which he requested, pursuant to the Freedom of Information Act (FOIA), various categories of records regarding reactor coolant systems of certain nuclear power plants, particularly the Three Mile Island (TMI) plant. This confirms information conveyed during recent telephone conversations between you and Linda Robinson.

Following receipt of these FOIA requests from Mr. Madden, the NRC provided partial responses to the requests but was unable to fully respond for various reasons, including a then current grand jury investigation of Mr. Hartman's allegations concerning TMI. Subsequent to the partial responses provided to Mr. Madden's requests and the present time, the staff identified additional records, listed on the enclosed appendix, which are subject to these requests and which are available for public inspection and copying at the NRC's Public Document Room.

Recently, the remaining records pending further review, and two boxes of additional records subject to a subsequent, related FOIA request, FOIA-85-194, were withheld from disclosure in response to FOIA-85-194 on the basis that disclosure of the records would interfere with an ongoing enforcement action. Copies of that request and NRC's response are enclosed for your information.

This completes NRC's action on these FOIA requests.

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

Enclosures: As stated

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PDR FOIA
MADDEN83-738 PDR

APPENDIX
RECORDS MAINTAINED AMONG PDR FILES

1. 10/25/79 Letter from Stello to Arnold, Metropolitan Edison Co.,
"Investigation Report No. 50-320/79-10. PDR: 7910260339
2. 12/5/79 Letter from Arnold to Stello, "Response to Notice of
Violation and Proposed Imposition of Civil Penalties."
PDR: 8307070492
3. 1/23/80 Letter from Stello to Arnold regarding evaluation of
licensee response. PDR: 8307130376
4. 2/11/80 LER 80-4 filed by Sacramento Municipal Utility District.
(3 pages) PDR: 8002250499/ADOCK/50-312S
5. 10/17/80 Letter from J. Crews, RV, to Sacramento Municipal Utility
District, "NRC Inspection of Rancho Seco," w/enclosed
inspection report 50-312/80-29. (14 pages) PDR: 8012120248
6. 1/22/81 Memo from J. Snizek to Regions I-V, Independent Measurement
of RCS Leak Rates. (17 pages) PDR: 810325053
7. 6/23/81 Memo from Woodruff to J. Chung and others, Reactor Coolant
Leakage Calculations. (7 pages) PDR: 8107160213
8. 5/28/82 LER 82-013 filed by Southern California Edison Company. (1 page)
PDR: 8206070325
9. 8/6/82 LER 82-048 filed by Southern California Edison Company. (1 page)
PDR: 8208180031
10. 10/27/82 Memo from Jordan to Bassett, Portable Computers for the
Independent Measurement Program. (3 pages) PDR: 8301100013
11. 11/19/82 LER 82-134 filed by Southern California Edison Company. (1 page)
PDR: 8212070293/ADOCK/50-361S
12. 11/19/82 LER 82-137 filed by Southern California Edison Company. (1 page)
PDR: 8212070294/ADOCK/50-361S
13. 3/30/83 Memo from Stello to Cummings regarding Hartman's allegations.
PDR: 8304120740
14. 3/31/83 LER 83-029 filed by Southern California Edison Company. (1 page)
PDR: 8304110704
15. 5/19/83 Memo from Dircks to the Commissioners, regarding an inspection
report and review effort to revalidate the NRC staff position
regarding the Hartman allegations. PDR: 8305240332

16. 5/27/83 Letter from Chairman Palladino to DOJ about proceeding with the NRC investigation. PDR: 8310200038
17. 5/31/83 Memo from Gilinsky to Dircks regarding Hartman allegations and related matters. PDR: 8306090339
18. 6/3/83 Memo to H. Plaine from T. Martin with two boxes of records pertaining to Mr. Hartman's allegations. PDR: 8410180190/ADOCK/50-289G
19. 8/12/83 LER 83-049 filed by Southern Edison Company. (3 pages) PDR: 8308220120/ADOCK/50-362S
20. 7/29/83 Letter from Senator Spector to Chairman Palladino regarding reopening the record. PDR: 8308030310
21. 11/7/83 Memo from DeYoung to Dircks, Examinations of Reactor Coolant System Leak Rate Testing at Rancho Seco and Davis-Besse. (21 pages) PDR: 8311150481
- 22-28. - Inspection Reports:
 - 50-316/81-30 PDR: 811280376
 - 59-295/81-30, 50-304/81-28 PDR: 8202020173
 - 50-255/81-29 PDR: 8202170232
 - 50-346/81-17 PDR: 8110270470
 - 50-266/81-18, 50-301/81-20 PDR: 8111060690
 - 50-305/81-19 PDR: 8111110716
 - 50-305/82-07 PDR: 8203310253

KAYE, SCHOLER, FIERMAN, HAYS & HANDLER

1575 EYE STREET, N.W.
WASHINGTON, D.C. 20005

NEW YORK OFFICE
425 PARK AVENUE
NEW YORK, N.Y. 10022
(212) 407-8000

FLORIDA OFFICE
125 WORTH AVENUE
PALM BEACH, FLA. 33480
(305) 833-5151

(202) 783-1200

December 12, 1983

CABLE ADDRESSES
KAYEMACLER WASHINGTON
KAYEMACLER NEW YORK

TELEX NUMBERS
WASHINGTON 897458
NEW YORK DOMESTIC 126921
NEW YORK INT'L 234660
PARIS LEFEBVRE 620971F

Ms. Patricia G. Norry
Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

FREEDOM OF INFORMATION
ACT REQUEST

FOIA-83-738
Rec'd 12-13-83

Re: Freedom of Information Request

Dear Ms. 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 regulations of the Nuclear Regulatory Commission (NRC), 10 C.F.R. Part 9, Subpart A:

(1) (a) Inspection reports, memoranda, analyses, and other documents referring or relating to inspections by the Office of Inspection and Enforcement of the NRC of pressurized water reactor nuclear facilities regarding reactor coolant system leak rate tests, procedures, or leakage detection systems or measurements, or procedures, systems or tests for doing so; and recording of results and other data thereon.

(b) Documents reflecting the NRC or NRC staff's reaction, review, follow-up, unresolved items, response to, or recommendations regarding the inspections, inspection reports and other documents referred to in the preceding paragraph.

(2) Documents reflecting the NRC or NRC's staff's reaction, review, follow-up, unresolved items, response to, or recommendations regarding the following inspections or reports:

(a) the inspections conducted July 9-11, 1980 of Alabama Power Company's Farley nuclear facility;

(b) the inspections conducted during November 24, 1981, January 4, 1982, and January 25-29, 1982 at the Beaver Valley plant of Duquesne Light Company;

(c) the inspections conducted on February 13-16, 1978 of Arkansas Nuclear One; and

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Ms. Patricia G. Norry

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December 12, 1983

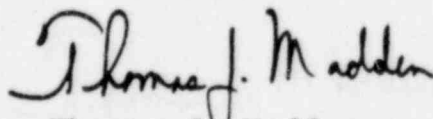
(d) the License Event Report filed by Sacramento Utility District for its Rancho Seco plant dated February 11, 1979, event date January 12, 1979, including the NRC's response, review, and follow-up thereto.

In the event that any portion of this request is denied or any documents or portions of documents are withheld or deleted, I request an itemized, indexed inventory of each document or portion of a document which is responsive to my FOIA request and which NRC asserts to be exempt from disclosure. This inventory should, in accordance with Vaughn v. Rosen, 484 F.2d 820 (D.C. Cir. 1973), cert. denied, 415 U.S. 979 (1974), include a detailed statement of the reason for withholding each document from disclosure or for deleting information in a document that is disclosed.

To expedite this request, I would be willing to discuss specific instances of deletion or exemption claims in advance of a final decision by the NRC. I promise to pay all reasonable charges incurred under NRC regulations for search and copying of these documents upon presentation of an invoice along with the furnished documents. If the total charges will exceed \$1,000, please advise me of the estimated expense before it is incurred.

As provided in the FOIA, I look forward to receiving your reply within ten working days.

Sincerely,


Thomas J. Madden

TJM:sm

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December 27, 1983

Ms. Patricia G. Norry
Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

FREEDOM OF INFORMATION
ACT REQUEST

FOIA-83-788

Rec'd 12-28-83

Re: Freedom of Information Act Request

Dear Ms. 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 regulations of the Nuclear Regulatory Commission (NRC), 10 C.F.R. Part 9, Subpart A.:

All documents referring to or arising out of inspections of the Three Mile Island Nuclear Station, either Unit 1 or Unit 2, by the Office of Inspection and Enforcement of the NRC or by any other branch of the NRC regarding tests, procedures, practices, or systems for the detection of measurement of reactor coolant system leakage, or regarding compliance with regulatory or other requirements concerning record keeping or reporting requirements relating thereto. Said documents should include documents in the files of Mr. Don Haverkamp and documents from the Office of Inspection and Enforcement, Region I, reflecting any assessment, review, or follow-up of the inspections referred to in the above request.

In the event that any portion of this request is denied or any documents or portions of documents are withheld or deleted, I request an itemized, indexed inventory of each document or portion of a document which is responsive to my FOIA request and which NRC asserts to be exempt from disclosure. This inventory should, in accordance with Vaughn v. Rosen, 484 F.2d 820 (D.C. Cir. 1973), cert. denied, 415 U.S. 979 (1974), include a detailed statement of the reason for withholding each document from disclosure or for deleting information in a document that is disclosed.

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Ms. Patricia G. Norry

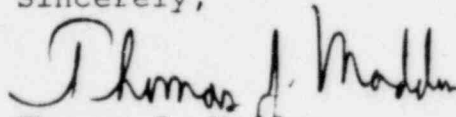
- 2 -

December 27, 1983

To expedite this request, I would be willing to discuss specific instances of deletion or exemption claims in advance of a final decision by the NRC. I promise to pay all reasonable charges incurred under NRC regulations for search and copying of these documents upon presentation of an invoice along with the furnished documents. If the total charges will exceed \$1,000, please advise me of the estimated expense before it is incurred.

As provided in the FOIA, I look forward to receiving your reply within ten working days.

Sincerely,


Thomas J. Madden

TJM:csd

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WASHINGTON, D. C. 20005

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(202) 783-1200

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KAYEMACLER NEW YORK

TELEX NUMBERS
WASHINGTON 897458
NEW YORK DOMESTIC (2692)
NEW YORK INTL 234860
PARIS LEBEVRE 620971F

December 27, 1983

Ms. Patricia G. Norry
Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

FREEDOM OF INFORMATION
ACT REQUEST

FOIA-83-789
Rec'd 12-28-83

Re: Freedom of Information Act Request

Dear Ms. 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 regulations of the Nuclear Regulatory Commission (NRC), 10 C.F.R. Part 9, Subpart A.:

All documents in the files of, written, collected, or annotated by or under the supervision of or at the direction of J. W. Chung, D. C. Kirkpatrick, T. A. Moslak, R. W. Woodruff, T. T. Martin, A. N. Fasano, D. A. Beckman, W. M. Troskoski, of W. J. Lazarus relating or referring to any reports, analyses, studies, calculations, regarding tests, procedures, practices, systems, for the measurement or detection of reactor coolant system leakage, determinations or estimates of errors or deviations in such procedures, practices, tests or systems.

In the event that any portion of this request is denied or any documents or portions of documents are withheld or deleted, I request an itemized, indexed inventory of each document or portion of a document which is responsive to my FOIA request and which NRC asserts to be exempt from disclosure. This inventory should, in accordance with Vaughn v. Rosen, 484 F.2d 820 (D.C. Cir. 1973), cert. denied, 415 U.S. 979 (1974), include a detailed statement of the reason for withholding each document from disclosure or for deleting information in a document that is disclosed.

To expedite this request, I would be willing to discuss specific instances of deletion or exemption claims in advance of a final decision by the NRC. I promise to pay all reasonable charges incurred under NRC regulations for search and copying of these documents upon presentation of an invoice along with the

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Ms. Patricia G. Norry

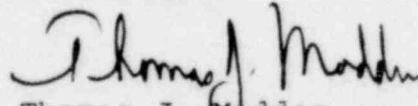
- 2 -

December 27, 1983

furnished documents. If the total charges will exceed \$1,000, please advise me of the estimated expense before it is incurred.

As provided in the FOIA, I look forward to receiving your reply within ten working days.

Sincerely,


Thomas J. Madden

TJM:csd