



NUDOW

RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

NRC FOIA REQUEST NUMBER(S) **FOIA - 96-434**

RESPONSE TYPE

☒ FINAL ☐ PARTIAL

DATE **APR 24 1997**

DOCKET NUMBER(S) (if applicable)

REQUESTER *Mr. Brenda Sauro*

PART I. - AGENCY RECORDS RELEASED OR NOT LOCATED (See checked boxes)

- ☐ No agency records subject to the request have been located.
- ☐ No additional agency records subject to the request have been located.
- ☐ Requested records are available through another public distribution program. See Comments section.
- ☐ Agency records subject to the request that are identified in Appendix(es) _____ are already available for public inspection and copying at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC.
- ☐ Agency records subject to the request that are identified in Appendix(es) _____ are being made available for public inspection and copying at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC, in a folder under this FOIA number.
- ☐ The nonproprietary version of the proposal(s) that you agreed to accept in a telephone conversation with a member of my staff is now being made available for public inspection and copying at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC, in a folder under this FOIA number.
- ☐ Agency records subject to the request that are identified in Appendix(es) _____ may be inspected and copied at the NRC Local Public Document Room identified in the Comments section.
- ☐ Enclosed is information on how you may obtain access to and the charges for copying records located at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC.
- ☐ Agency records subject to the request are enclosed.
- ☐ Records subject to the request have been referred to another Federal agency(ies) for review and direct response to you.

☒ Fees

☒ You will be billed by the NRC for fees totaling \$ 2560

You will receive a refund from the NRC in the amount of \$ _____

In view of NRC's response to this request, no further action is being taken on appeal letter dated _____, No. _____

PART II. A - INFORMATION WITHHELD FROM PUBLIC DISCLOSURE

Certain information in the requested records is being withheld from public disclosure pursuant to the exemptions described in and for the reasons stated in Part II, B, C, and D. Any released portions of the documents for which only part of the record is being withheld are being made available for public inspection and copying in the NRC Public Document Room, 2120 L Street, N.W., Washington, DC in a folder under this FOIA number.

COMMENTS

In your letters dated April 22 and 23, 1997, you rescinded that portion of your FOIA request for a May 23, 1995 letter to NRC from Public Service Company of Colorado, and Exhibits 2, 3 and 4 to OI Report 4-95-015. In a telephone conversation with Ms. Carol Ann Reed on April 23, 1997, you agreed to pay the additional fees associated with the processing of your request. Therefore, this completes action of your request.

FEES:

Search - 4 hrs. 20 min. at \$33.30 per hr.	\$ 144.40
Review - 23 hrs. 10 min. at \$33.30 per hr.	771.50
Repro - 1,937 pages at \$.20 per page	387.40
	\$1,303.30
Advance Payment	1,277.70
Total Due	\$ 25.60

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FIAZ

SIGNATURE, DIRECTOR, DIVISION OF FREEDOM OF INFORMATION AND PUBLICATIONS SERVICES

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PDR FOIA
SAURO96-434 PDR



Haligman and Lottner

A Professional Corporation
Attorneys at Law

FOIA/PA REQUEST

Case No:

96-434

Date Rec'd:

10-23-96

Action Off:

Rec'd

Related Case

First Interstate Tower North
633 Seventeenth Street
Suite 2700
Denver, Colorado 80202-3635

Telephone (303) 292-1200
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Terri Beth Cohen
Michael S. Friedman
K. Harsha Krishnan
Jennifer S. Fox

October 15, 1996

Director
Division of Freedom of Information and Publications Services
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Re: Freedom of Information Act Request

To the Director:

Pursuant to the Freedom of Information Act and Federal Regulations, we request copies of the following records:

1. All files, records, correspondence, documents, exhibits, transcripts, witness statements, witness interview transcripts or any other information relating to:

(a) Notice of Violation dated October 30, 1995 addressed to Scientific Ecology Group regarding NRC Inspection Report 50-267/94-03 and Office of Investigations Reports 4-94-010 and 4-95-015;

(b) NRC Inspection Report 50-267/94-03 (issued June 15, 1994);

(c) Office of Investigations Reports 4-94-010 and 4-95-015;

(d) Notice Of Violation addressed to Kenneth Zahrt dated October 30, 1995, IA 95-046, NRC Investigation No. 4-94-010; and

(e) Any other information relating to Case Nos. EA 95-185 and EA 95-164.

2. All files, records, documents, exhibits, correspondence, transcripts, witness statements, witness interview transcripts or any other information related to the Revised Notice of Violation sent to Scientific Ecology Group, Inc., EA 95-164, NRC Inspection Report 50-267/94-03 and Office of Investigations Report 4-94-010 and 4-95-015 dated April 2, 1996.

93467.1/23340-1/MBWI
Washington D.C. Office
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Director

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3. Letter from the NRC dated August 8, 1995 to Scientific Ecology Group, Inc. (to the attention of Don Neely, Vice President, 628 Gallaher Road, Oak Ridge, Tennessee 37763).

4. Any communication between the NRC and Kenneth Zahrt and/or his attorney regarding the Notice of Violation issued to Mr. Zahrt or appeal thereof.

5. All documents delivered to NRC by Kenneth Zahrt or his counsel regarding the Notice of Violation IA 95-046, NRC Investigation No. 4-94-010, or any appeal thereof.

Please forward copies of these records to Jeffrey A. Hyman, Esquire and Brenda M. Sauro, Esquire, Halgiman and Lottner, P.C., 633 Seventeenth Street, Suite 2700, Denver, Colorado 80202.

If the amount of fees involved to process this request is in excess of \$250.00, please contact Jeffrey A. Hyman or Brenda M. Sauro at (303) 292-1200. Any amount less than \$250.00 is acceptable and we agree to pay such amount when required.

Thank you for your cooperation.

Very truly yours,

HALIGMAN AND LOTTNER, P.C.

By


Brenda M. Sauro

BMS:cg