



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

NWDOCS

OCT 4 1988

The Honorable Joseph Rhodes, Jr.
Pennsylvania Public Utility Commission
Commonwealth of Pennsylvania
P.O. Box 3265
Harrisburg, PA 17120

IN RESPONSE REFER
TO FOIA-88-478

Dear Commissioner Rhodes:

This is in response to your letter dated September 13, 1988, in which you requested, pursuant to the Freedom of Information Act (FOIA), copies of records between certain named employees of the Philadelphia Electric Company (PECO) and certain named employees of the Nuclear Regulatory Commission (NRC), and copies of records which were discussed during meetings and telephone conversations between certain named employees of PECO and certain named NRC employees.

The records which are identified on Appendix A are responsive to your request and are enclosed.

The records identified on Appendix B contain the predecisional advice, opinions and recommendations of Commissioner assistants to the Commissioners. Because the documents reflect the predecisional process between the Commissioners and their staff, the records are exempt from mandatory disclosure pursuant to Exemption 5 of the FOIA (5 U.S.C. 552(b)(5)) and 10 CFR 9.17(a)(5) of the Commission's regulations.

Pursuant to 10 CFR 9.25(b) of the NRC'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 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. As provided in 10 CFR 9.29(a), 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."

Sincerely,

Donnie H. Grimsley, Director
Division of Freedom of Information and
Publications Services
Office of Administration and
Resources Management

Enclosures: As stated

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PDR FOIA
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APPENDIX A

DOCUMENTS BEING RELEASED

1. Undated Memorandum to William F. Kane from J. C. Linville, with enclosure, re: Peach Bottom Atomic Power Station Status Report for the Period February 4 - February 24, 1988. (5 pages)
2. Undated Letter to John S. Kemper from William F. Kane, with enclosure, re: Combined Inspection 20-277/88-01 and 50-278/88-01. (38 pages)
3. 12/11/87 Letter to J. H. Austin, Jr. from Victor Stello, Jr. (2 pages)
4. 12/15/87 Notice of Licensee Meeting with Philadelphia Electric Company at Peach Bottom Atomic Power Station. (2 pages)
5. 12/15/87 Viewgraphs Given to Commissioner Carr While Visiting the Peach Bottom Station.
6. 12/21/87 Memorandum to William F. Kane from J. C. Linville, with enclosure, re: Peach Bottom Atomic Power Station Status Report for the Period December 4, 1987 - December 17, 1987 (6 pages)
7. 12/22/87 Transcript of Enforcement Conference Concerning Peach Bottom Atomic Power Station.
8. 1/22/88 Notice of Licensee Meeting with Philadelphia Electric Company at Peach Bottom Atomic Power Station (PBAPS). (2 pages)
9. 1/25/88 Letter to J. S. Gallagher from William F. Kane, with enclosure, re: Combined Inspection 50-277/87-29 and 50-278/87-29. (33 pages)
10. 1/28/88 Letter to William T. Russell from John S. Kemper. (1 page)
11. 2/9/88 Memorandum to William F. Kane from J. C. Linville, with enclosure, re: Peach Bottom Atomic Power Station Status Report for the Period January 21 - February 4, 1988. (4 pages)
12. 2/18/88 Notice of Management Meeting with Philadelphia Electric Company at Region I Administrator's Office, King of Prussia, PA. (2 pages)
13. 2/26/88 Letter to W. T. Russell from John S. Kemper. (1 page)
14. 3/10/88 Notice of Licensee Meeting with Peach Bottom Co-owners at NRC Region I, DRP Conference Room, King of Prussia, PA. (2 pages)
15. 3/15/88 Letter to Corbin A. McNeill from W. F. Kane, re: Meeting Summary. (2 pages)

APPENDIX A

DOCUMENTS BEING RELEASED

16. 3/17/88 Memorandum to William F. Kane from J. C. Linville, with enclosure, re: Peach Bottom Atomic Power Station Status Report for the Period February 24 - March 14, 1988. (5 pages)
17. 3/24/88 Notice of Licensee Meeting with Philadelphia Electric Company at Peach Bottom Atomic Power Station Presidents Conference Center. (2 pages)
18. 3/31/88 Agenda of NRC Panel/PE Discussion meeting. (1 page)
19. 4/4/88 Letter to J. S. Kemper, Sr. from William F. Kane, with enclosure, re: Combined Inspection 50-277/88-02 and 50-278/88-02. (38 pages)
20. 4/7/88 Memorandum to William F. Kane from J. C. Linville, with enclosure, re: Peach Bottom Atomic Power Station Status Report for the Period March 14 - March 31, 1988. (4 pages)
21. 4/8/88 Letter to William T. Russell from J. F. Paquette, Jr., with enclosure (10 pages), re:
 1. Letter from J. F. Paquette, Jr., to W. T. Russell dated March 18, 1988.
 2. Letter from J. H. Austin, Jr., to W. T. Russell dated November 25, 1987.
 3. Letter from J. H. Austin, Jr., to W. T. Russell, dated February 12, 1988.
22. 4/11/88 Letter to Corbin A. McNeill from W. F. Kane, with enclosure, re: Meeting Summary. (3 pages)
23. 4/14/88 Memorandum to File from Victor Stello, Jr. (1 page)
24. May 1988 Pertinent Portion of Commissioner Roberts' Appointment Schedule for May 1988.
25. 5/3/88 Tom Elsasser's Notes from Meeting with PECO Officials.
26. 5/5/88 Letter to William T. Russell from C. A. McNeill, Jr., with enclosure, re: Letter from J. F. Paquette, Jr., to W. T. Russell dated April 8, 1988. (12 pages)
27. 5/9/88 Letter to Corbin A. McNeill from William T. Russell, with enclosure, re: Meeting Summary. (3 pages)
28. 5/13/88 Memorandum to Walter R. Butler from Robert E. Martin, re: Forthcoming Meeting with Philadelphia Electric Co. on Peach Bottom Atomic Power Station. (3 pages)

APPENDIX A

DOCUMENTS BEING RELEASED

29. 5/13/88 Memorandum for Commissioner Carr from Tom Elasser,
re: Telephone Conversation with Corbin McNeill of PECO.
30. 5/18/88 Letter to C. A. McNeill from William F. Kane, with enclosure,
re: Combined Inspection 50-277/88-10 and 50-278/88-10.
(43 pages)
31. 6/2/88 Letter to William T. Russell from C. A. McNeill, Jr., with
enclosure, re: Letter from J. F. Paquette, Jr., to
W. T. Russell dated April 8, 1988. (13 pages)
32. 6/7/88 Memorandum to William F. Kane from J. C. Linville, with
enclosure, re: Peach Bottom Atomic Power Station Status
Report for the Period May 18 - June 3, 1988. (4 pages)
33. 6/13/88 Letter to C. A. McNeill from William F. Kane, with enclosure,
re: Combined Inspection 50-277/88-13 and 50-278/88-13.
(39 pages)
34. 7/5/88 Letter to William T. Russell from C. A. McNeill, Jr., with
enclosure, re: Letter from J. F. Paquette, Jr., to
W. T. Russell dated April 8, 1988. (12 pages)
35. 7/8/88 Letter to Joseph Paquette from Victor Stello, Jr. (2 pages)
36. 7/11/88 Memorandum to William F. Kane from J. C. Linville, with
enclosure, re: Peach Bottom Atomic Power Station Status
Report for the Period June 20 - July 8, 1988. (4 pages)
37. 7/26/88 Notice of Licensee Meeting with Philadelphia Electric Company
at Peach Bottom Atomic Power Station Presidents Conference
Center. (2 pages)
38. 7/28/88 Letter to C. A. McNeill from William F. Kane, with enclosure,
re: Combined Inspection 50-277/88-18 and 50-278/88-18.
(37 pages)
39. 7/28/88 Summary of Meeting on May 19, 1988 to Discuss the Plan for
Restart, re: Peach Bottom Atomic Power Station Units 1 and 2.
(26 pages)
40. 8/3/88 Letter to William T. Russell from C. A. McNeill, Jr., with
enclosure, re: Letter from J. F. Paquette, Jr. to
W. T. Russell dated April 8, 1988. (12 pages)
41. 9/12/88 Letter to William T. Russell from C. A. McNeill, Jr., with
enclosure, re: Letter from J. F. Paquette, Jr. to
W. T. Russell dated April 8, 1988. (13 pages)

APPENDIX B

DOCUMENTS BEING WITHHELD IN WHOLE OR IN PART PURSUANT TO EXEMPTION 5

1. 12/22/87 Memorandum from Gail H. Marcus to Commissioner Rogers,
re: "CR-87-210-Response to Senator Mikulski on Peach Bottom"
(1 page) Withheld in entirety.
2. 1/5/88 Memorandum to File from Tom Elsasser, re: Commissioner Carr's
Visit to the Peach Bottom Site and Speech to the Region I
Residents at King of Prussia" (3 pages) Withheld in part.