

Halgiman 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

October 15, 1996

Telephone (303) 292-1200
Fax (303) 292-1300

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
1026 Sixteenth Street, N.W.
Washington, D.C. 20036

Telephone (202) 393-7800
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PDR FOIA
SAURO96-434 PDR

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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, Haligman 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

SAM report Dec. 1994

SEG supervisors Kenneth Zarht & Roland "Chip" Sawyer deliberately falsified or caused to be falsified rad. survey forms by backdating 1992 survey forms

so did RPT James Bixby (Sawyer is his super.)

SEG supervisors K. Zarht, Sawyer, & Mike Miles falsified RWP's by backdating

so did RPTs: Rankin, Hatch, Thorp, Bixby, Beierle

Zarht - terminated 7/20/94

Sawyer - demoted & transferred, then resigned on 8/15/94

OI - all others are still employed @ FSV

Bixby later fired for other reasons

SAM Report

- Page 14 14 falsified survey forms covering 9/8/92 - 12/7/92 -- created in Feb. '93
- 15 "[T]he [SAM] investigation did not disclose any instance where the steam generator system materials covered by the backdated survey forms were improperly released from the site."
- 15 20 RWP surveys for Jan., Feb., & March '93 were backdated
- 17 "The backdated RWP survey forms were intended to mislead."
- 18 connection b/w backdating RWP's & a pending audit
- 18 "connection b/w an inadeq. survey of the HSF block and the desire to expedite production"
- 18 "No discernible impact on public and worker health and safety could be identified in connection with either the release of materials from the steam generator system or the RWP surveys for which documentation was backdated."
- 19 no involvement by PSC, Westinghouse or upper SEG mgmt