

# WINSTON & STRAWN

35 WEST WACKER DRIVE  
CHICAGO, ILLINOIS 60601-9703

43 RUE DU RHONE  
1204 GENEVA, SWITZERLAND

444 SOUTH FLOWER STREET  
LOS ANGELES, CALIFORNIA 90071-2911

1400 L STREET, N.W.  
WASHINGTON, D.C. 20005-3502

(202) 371-5700

FACSIMILE (202) 371-5922  
FACSIMILE (202) 371-5950

[www.winston.com](http://www.winston.com)

200 PARK AVENUE  
NEW YORK, NEW YORK 10166-4193

21 AVENUE VICTOR HUGO  
75116 PARIS, FRANCE

THOMAS C. POINDEXTER

(202) 371-5748

[tpoindex@winston.com](mailto:tpoindex@winston.com)

July 25, 2001

## Sent Via Telecopy

David B. Matthews, Director  
Division of Regulatory Improvement Programs  
Office of Nuclear Reactor Regulation  
U.S. Nuclear Regulatory Commission

**Re: 10 CFR § 2.790 Request for Withholding**

Dear Mr. Matthews:

On July 23, 2001, the NRC conducted a closed predecisional enforcement conference with the University of Missouri-Columbia Research Reactor ("MURR") in Columbia, Missouri. During the course of that conference, MURR provided a copy of its presentation to the NRC, which was labeled "Not For Public Disclosure Pursuant to 10 CFR 2.790." We verbally noted the NRC at that time that we believed the materials should be withheld from public disclosure due to the personal and private nature of the presentation content. Based on that belief, 10 CFR § 2.790(a)(6) would be the appropriate basis for withholding the information from public disclosure. As you may recall, consistent with our position, we collected all copies of the presentation from persons in attendance who were not employed by the NRC or MURR.

In a subsequent telephone conversation with Al Adams, the MURR Project Manager, I noted that Winston & Strawn did not believe that regulations required concurrent submittal of a justifying affidavit for the withholding category that we cited. In that light, this letter serves as a formal request to withhold the enforcement conference materials from public disclosure. It is our understanding that if the NRC agrees with our request, the documents will not be released to the public in whole or in part without an

*A020  
10  
Add: OGC*

WINSTON & STRAWN

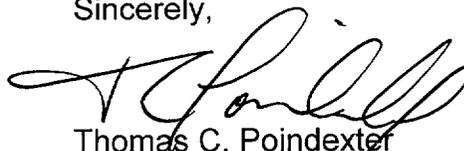
David B. Matthews, Director

July 25, 2001

Page 2

opportunity to redact the content to ensure that personal and private information is not released. If you disagree with our request or would like to discuss this matter further, please call me at 202-371-5748.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Poindexter', written in a cursive style.

Thomas C. Poindexter  
Counsel for MURR

cc: R. Butler (University of Missouri-Columbia)  
K. Mescher (University of Missouri-Columbia)