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

January 2, 1980

Mr. Thomas B. Cochran
Natural Resources Defense
Council, Inc.
1725 I Street, N.W.
Washington, DC 20006

IN RESPONSE REFER
TO FOIA-79-A-29

Dear Mr. Cochran:

This is in response to your letter dated November 20, 1979, appealing Mr. John C. Carr's November 15, 1979 initial denial-in-part of your Freedom of Information Act request of July 6, 1979. That request sought copies of all documents generated or utilized by the Task Force on Safeguards Policy and any subsequent information developed by the NRC pertaining to recommendations of the Task Force.

Acting on your appeal, I have reviewed the record in this case relevant to the withheld material to which your appeal is directed. The documents at issue here are four viewgraphs, three of which are entitled "Sabotage Rationale" and one entitled "Theft/Diversion Rationale". Subsequent to your appeal letter these viewgraphs were again reviewed for possible declassification. I have determined that these viewgraphs continue to be properly classified pursuant to Executive Order 12065. Accordingly, these documents are exempt from compelled disclosure pursuant to exemption (1) of the Freedom of Information Act (5 U.S.C. 552(b)(1)) and 10 CFR 9.5(a)(1) of the Commission's regulations. Your appeal with regard to these documents is, therefore, denied.

This determination is a final agency action. As set forth in the Freedom of Information Act (5 U.S.C. 552(a)(4)(B)), judicial review of this decision is available in a district court of the United States in either the district in which you reside, have your principal place of business or in the District of Columbia.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lee V. Gossick".

Lee V. Gossick
Executive Director for Operations

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