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

July 11, 1979

Mr. Robert Schakne
CBS News
2020 M Street, N.W.
Washington, DC 20036

IN RESPONSE REFER
TO FOIA-79-105,
79-182 and 79-197

Dear Mr. Schakne:

This supplements my letter to you of April 24, 1979 which responded to your letter dated April 6, 1979, in which you requested, pursuant to the Freedom of Information Act, the test scores of four reactor operators licensed for the Three Mile Island Nuclear Station.

By letter dated April 10, 1979, you expanded your request to include the examination questions and the written responses.

In my April 24 letter you were advised that copies of the requested records, and similar records of the other reactor operators at the Three Mile Island Nuclear Station Unit 2 were being placed in the NRC Public Document Room (PDR), 1717 H Street, N.W., Washington, DC. As agreed with Mr. Don Grimsley on April 27, the identity of the reactor operators was deleted from these copies.

By letter dated May 14, you renewed your request for the test scores, examination questions and the written responses with reactor operators identified. By letter dated May 29, you requested similar information on three additional reactor operators. The names of the reactor operators and the NRC individual reactor operator docket number have been deleted from the requested records. In making these deletions, the NRC has determined that there is an overriding public interest in making available to the public the test scores, examinations and written responses for those reactor operators licensed to operate the Three Mile Island Nuclear Station Unit 2 reactors. However, NRC has concluded that there is no overriding public interest to be served by disclosing the identity of individual operators and that such disclosure would be a clearly unwarranted invasion of personal privacy. Therefore, the names of the reactor operators and the individual reactor operator docket numbers are being withheld from public disclosure pursuant to exemption (6) of the Freedom of Information Act (5 U.S.C. 552(b)(6) and 10 CFR 9.5(a)(6) of the Commission's regulations.

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Pursuant to 10 CFR 9.11 of the Commission'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 persons responsible for the denial of the withheld information are the undersigned and Mr. Harold R. Denton, Director, Office of Nuclear Reactor Regulation.

This denial may be appealed to the Commission's Executive Director for Operations within 30 days from the receipt of this letter. As provided in 10 CFR 9.11, any such appeal must be in writing addressed to the Executive Director for Operations, 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,

J. M. Felton, Director
Division of Rules and Records
Office of Administration