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June 7, 1979

FREEDOM OF INFORMATION
ACT REQUEST

FOIA-79-213

REC'D 6-11-79

Mr. Daniel J. Donoghue
Director
Office of Administration
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

FREEDOM OF INFORMATION ACT REQUEST

Dear Mr. Donoghue:

On May 4, 1979, Leonard Bickwit, Jr., General Counsel for the Nuclear Regulatory Commission submitted an Adjudicatory Consent Calendar Item, SECY-A-79-42, supporting Commission approval of a Memorandum and Order sustaining the immediate effectiveness of a Staff Order to Show Cause under 10 CFR 2.202 and a Notice of Hearing on that Order regarding the Nuclear Engineering Co., Inc. disposal site at Sheffield, Illinois. In his discussion, Bickwit makes reference to a March 29, 1979 memorandum on the subject to the Commission outlining the events leading up to the order issuance.

Pursuant to 10 CFR Part 9, Subpart A and 5 USC §552 (1970), we hereby request that the following records be provided for public inspection and copying:

- (1) Memorandum of March 29, 1979 from Leonard Bickwit, Jr. to the Commission regarding events leading to the NECO Order; and
- (2) any other such memoranda, work papers or analyses relating to the NECO Order to Show Cause and Notice of Hearing for the period January 1, 1979 to June 7, 1979.

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It is requested that the Commission provide this material in less than the 10-day maximum period provided. A petition for reconsideration of the Commission's Memorandum and Order pursuant to 10 CFR §2.771 must be filed within 10 days from the date of the Order. The requested information was presumably relied upon by the General Counsel in preparing the Order for the Commission. Accordingly, it appears significant to a motion for reconsideration to correct errors in the Order.

Thank you for your cooperation.

Sincerely,

Troy B. Conner, Jr.
Troy B. Conner, Jr.

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