



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

June 30, 1979

Mr. Edwin I. Malet  
2203 Massachusetts Ave., N.W.  
Washington, DC 20008

IN RESPONSE REFER  
TO FOIA-79-199

Dear Mr. Malet:

This is in response to your letter dated May 28, 1979 in which you requested, pursuant to the Freedom of Information Act and the Government in the Sunshine Act, a copy of transcripts of Commission meetings held on March 13 and 15, 1979, May 8-10 and 31, 1978, and April 25, 1977.

The transcripts for the March 13, 1979, May 9, 1978 and portions of the April 25, 1977 Commission meetings have been placed in the NRC Public Document Room, 1717 H Street, N.W., Washington, DC, and are available there for public inspection and copying at a cost of \$0.08 per page. We have no record of any Commission meetings held on either May 8 or 10, 1979.

Transcripts of the March 15, 1979 and the May 31, 1978 Commission meetings are being withheld from public disclosure pursuant to exemption (10) of the Government in the Sunshine Act (5 U.S.C. 552b(c)(10)) and the Commission's regulations (10 CFR 9.104(a)(10)) (copy enclosed). Exemption 10 provides for the withholding of information considered in Commission meetings which specifically concern the Commission's participation in an adjudicatory proceeding. Additionally, portions of the April 25, 1977 Commission meeting are being withheld from public disclosure pursuant to exemptions (6) and (9) of the government in the Sunshine Act (5 U.S.C. 552b(c)(6) and (9)) and the Commission's regulations (10 CFR 9.104(a)(6) and (9)). Exemption (6) provides for the withholding of information of a personal nature where such disclosure would constitute a clearly unwarranted invasion of personal privacy. Exemption (9) provides for withholding information, the premature disclosure of which would be likely to significantly frustrate implementation of a proposed Commission action.

Pursuant to 10 CFR 9.15 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 person responsible for the denial of the withheld portions of the transcripts is Mr. Samuel J. Chilk, Secretary of the Commission.

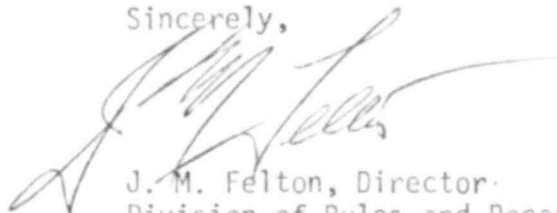
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This denial may be appealed to the Commission within 30 days from the receipt of this letter. Any such appeal must be in writing, addressed to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should clearly state on the envelope and in the letter that it is an "Appeal from an Initial FOIA Decision".

This completes action on your request.

Sincerely,

A handwritten signature in cursive script, appearing to read "J. M. Felton", written in dark ink.

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

Enclosure: As stated

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