

Center for Development Policy

July 10, 1979

Mr. J. M. Felton
Division of Rules and Records
7735 Old Georgetown Rd.
Rm. 4210-MNBB
Bethesda, MD 20555

FREEDOM OF INFORMATION
ACT REQUEST

FOIA-79-267
rec'd 7-13-79

Re: FOIA Request

Dear Sir:

This letter is to request, on behalf of the Center for Development Policy ("CDP"), access under the Freedom of Information Act, as amended (5 U.S.C. Section 522) (the "Act"), to the March 6, 1978, NRC Staff Paper recommending issuance of export license XSNM-909 titled, Proposed License to Export Low-Enriched Uranium to Brazil-XSNM-909 (SECY 77-601A). This report was referred to in several NRC public documents on file in the NRC Public Document Room, 1717 H Street, N.W., Washington, D. C. In addition to this report, CDP seeks access to any analyses, comments or memoranda prepared by the Nuclear Regulatory Commission, Department of State, or any other U. S. agency concerning United States involvement in Brazil's nuclear energy programs, especially dealing with the Westinghouse Electric Corporation-supplied Angra I project located at Angra Dos Reis, Brazil. I have been told by the Senior Policy Assistant at the Office of International Programs, U.S.N.R.C., that under Docket No. SECY-78-167 there is a March 22, 1978 proposed letter to the Department of State concerning nuclear export licensing for the Angra I project. Also, there is an April 17, 1978 finalized version of this letter that was addressed to Mr. Lou Nosenzo, O.E.S., Department of State. On behalf of CDP, I would like to request all correspondence between the two aforementioned agencies dealing with this topic.

I request that any records located as a result of your search be made available for inspection and copying. At the time they are made available, it will be determined whether it is necessary to reproduce any of them. If you determine that some or all of the records are exempt from release under the Act, please notify me in writing which exceptions you believe cover the materials you are not releasing and make available the remainder of the records to the extent that they are "reasonably segregable," in accordance with the Act, from the records you have determined to be exempt.

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CDP is an organization which has demonstrated an interest in the safety of American licensed nuclear plants licensed abroad and in the rational extension of such technology, particularly abroad. This request on their behalf is, therefore, "in the public interest, because furnishing the information can be considered as primarily benefiting the general public," and any applicable fees should be waived as permitted by the Act. In the event that a search is required and the Nuclear Regulatory Commission or any other agency involved, is unwilling to waive search fees, I would appreciate your advising me in advance.

CDP's need for information requested by this letter is urgent. If you have any questions concerning this request, please contact me by telephone in order to expedite matters. Otherwise, I will expect to receive a reply from you within the ten (10) working days provided for response by the Act.

Very truly yours,



Kenneth Marek

KM/hc

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