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

AUG 21 1979

Jack R. Newman, Esquire
Lowenstein, Newman, Reis,
Axelrad & Toll
1025 Connecticut Avenue, N.W
Washington, DC 20036

IN RESPONSE REFER
TO FOIA-79-276

Dear Mr. Newman:

This is in further response to your letter of July 12, 1979 in which you requested, pursuant to the Freedom of Information Act, a copy of documents cited in a memorandum dated June 11, 1979 from Stephen Eilperin to the Commission, entitled "D.C. Circuit's Remand in State of Minnesota v. NRC."

Enclosed is a copy of document number one of your request, "memorandum from former NRC General Counsel Strauss to Howard Shapar, dated February 1, 1977."

This completes action on your request.

Sincerely,

Betty L. Wagman

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

Enclosure: As stated

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FREEDOM OF INFORMATION ACT REQUEST

FOIA-79-276
Rec'd 7-19-79

July 12, 1979

Freedom of Information Officer
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Pursuant to the Freedom of Information Act, 5 U.S.C. 522, please supply me with the following documents cited in the memorandum dated June 11, 1979 from Stephen F. Eilperin, NRC Solicitor, to the Commission entitled "D.C. Circuit's Remand in State of Minnesota v. NRC."

1. Memorandum from former NRC General Counsel Strauss to Howard Shapar dated February 1, 1977 (cited at p. 4 of Mr. Eilperin's memorandum);

2. Memorandum from Mr. Eilperin to the Commission dated February 24, 1979 (also cited at p. 4 of Mr. Eilperin's memorandum);

3. Letter from Mr. Dircks dated May 30, 1979 to Dr. Joseph P. Kearney (cited at p. 8 of Mr. Eilperin's memorandum); and

4. Any other memoranda from the NRC staff to the Commission relating to the decision in State of Minnesota v. NRC or its implementation.

If any fees or costs are involved, we agree to reimburse the Commission.

In light of the urgent need for this information, particularly because of the Commission's proceeding under SECY-79-397, we request that no extensions of time be allowed.

Sincerely yours,

Jack R. Newman

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