



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

SEP 06 1979

*Duplicate copy  
for microfiche*

Christopher H. Buckley, Jr., Esquire  
Beveridge, Fairbanks & Diamond  
1333 New Hampshire Avenue, N.W.  
Washington, DC 20036

IN RESPONSE REFER  
TO FOIA-79-314

Dear Mr. Buckley:

This is in further response to your letter dated August 1, 1979 in which you requested, pursuant to the Freedom of Information Act, copies of all records from January 1, 1976 to the present relating to: 1) Westinghouse Electric Corporation export license application No. XR-120 (11/18/76), No. XCOM-0013 (8/3/78), and No. XSNM-1471 (3/6/79); 2) all records from January 1, 1976 to the present relating to procedures for applications and policies for export licenses for facilities, components, or nuclear power plant fuel; and 3) all records from January 1, 1976 to the present relating to the Philippine Power Reactor Project.

Documents 1 through 29 and portions of document 30 of Appendix A are being placed in the NRC Public Document Room, 1717 H Street, N.W., Washington, DC for your inspection and copying.

Documents 1, 7, 8, and 9 of Appendix B are predecisional in that they discuss matters pertaining to a license application under consideration by the Commission. Documents 2 through 6 of Appendix B contain advice, opinions, and recommendations of the staff. Portions of document 30 of Appendix A are predecisional for the reason just stated, and also contain advice, opinions, and recommendations of the staff. These documents are being withheld from public disclosure pursuant to Exemption (5) of the Freedom of Information Act (5 U.S.C. 552(b)(5)) and 10 CFR 9.5(a)(5).

Document 9 of Appendix B has been classified pursuant to Executive Order 12065 and is predecisional for the reason stated in the paragraph above. This document is being withheld from public disclosure pursuant to Exemptions (1) and (5) of the Freedom of Information Act (5 U.S.C. 552(b)(1) and (5)) and 10 CFR 9.5(a)(1) and (5).

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 portions of document 30 of Appendix A is Al Kenneke, Acting Director, Office of Policy Evaluation. The person responsible for the denial of documents 1 through 9 of Appendix B is Samuel J. Chilk, Secretary of the Commission.

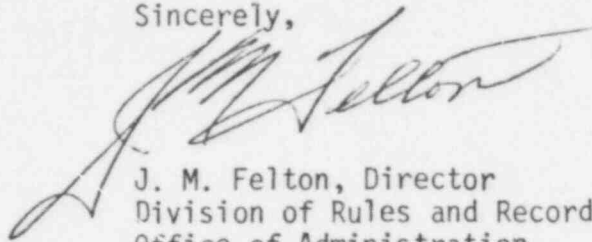
7909070560

928 078

These denials 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 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". The signature is written in dark ink and is positioned above the typed name and title.

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

928 079

APPENDIX A*Duplicate copy  
for microfiche*

- 1) 7/23/79 Memo, Bickwit to Comm. Bradford, PHILIPPINE LETTER OF ASSURANCE
- 2) 12/9/76 Morrison to Guhin, APPLICATION FOR EXPORT OF ONE WESTINGHOUSE NUCLEAR STEAM SUPPLY SYSTEM TO THE PHILIPPINES
- 3) 5/2/79 Letter, Hendrie to Pickering
- 4) 2/16/78 Letter, Hendrie to Long
- 5) Undated Shea to the Commissioners, EXECUTIVE BRANCH RESPONSE ON PENDING EXPORT LICENSE APPLICATION XCOM0013 TO THE PHILIPPINES (Draft)
- 6) 6/14/79 Shea to the Commissioners, PROCEDURE FOR STAFF ANALYSIS OF PHILIPPINES REACTOR EXPORT (Draft)
- 7) 4/12/77 Shea to the Commissioners, APPROVAL OF PROPOSED LICENSE TO EXPORT A POWER REACTOR TO THE PHILIPPINES (LICENSE APPLICATION XR-120) (Draft)
- 8) 8/1/78 Memo, Powers to Oplinger, EXPORT OF NUCLEAR POWER REACTOR TO THE PHILIPPINES (XR-120)
- 9) 3/22/79 Memo, McCorkle to Oplinger, APPLICATION FOR EXPORT OF LEU TO THE PHILIPPINES (APPLICATION XSNM-1417)
- 10) 1/16/79 Memo, Dircks to Shea, PROPOSED LICENSE TO EXPORT PARTS AND COMPONENTS TO THE PHILIPPINE NUCLEAR POWER PLANT UNIT NO. 1 (LICENSE APPLICATION XCOM-0013)
- 11) 8/2/79 Memo, Denton to Ahearne, EXPORT OF REACTOR COMPONENTS TO THE PHILIPPINES, SECY-79-100F
- 12) 1/22/79 Memo, Denton to Shea, WESTINGHOUSE EXPORT LICENSE APPLICATION FOR PHILIPPINE NUCLEAR POWER PLANT
- 13) 8/18/78 Memo, Bunch to Oplinger, REVIEW OF PROPOSED EXPORT OF COMPONENTS TO THE PHILIPPINES
- 14) 2/27/79 Memo, Bunch to Oplinger, EQUIPMENT FOR NUCLEAR POWER PLANT UNIT NO. 1
- 15) 6/7/79 SECY-79-100C, TELEPHONE CONVERSATIONS ON PHILIPPINES ATOMIC POWER PLANT (PNPP-1)

928 080

- 16) 5/24/79 SECY-79-100B, PROPOSED NUCLEAR REACTOR EXPORTS TO THE PHILIPPINES
- 17) 1/23/78 SECY-78-39, INTERIM REPLY TO LETTER FROM CONGRESSMAN LONG
- 18) 6/14/79 Memo, Ahearne to EDO, EXPORT OF REACTOR COMPONENTS TO THE PHILIPPINES, SECY-79-100E
- 19) 6/11/79 SECY-79-100E, EXPORT OF REACTOR COMPONENTS TO THE PHILIPPINES
- 20) 6/5/79 Memo, Ahearne to Snyder, DOCUMENT REVIEW
- 21) 2/8/79 SECY-79-100, PROPOSED LICENSE TO EXPORT PARTS AND COMPONENTS TO THE PHILIPPINE NUCLEAR POWER PLANT UNIT NO. 1 (LICENSE APPLICATION XCOM-0013)
- 22) 3/7/79 SECY-79-166, APPLICATION FOR EXPORT OR IMPORT LICENSE DATED 2/27/79, XSNM01471, LEU TO THE PHILIPPINES
- 23) 2/21/79 Commissioner Action Item Response Sheet, Kennedy to Chilk regarding SECY-79-100.
- 24) 4/3/78 Shea to Commissioners, DRAFT RESPONSE TO MR. PICKERING ON THE PHILIPPINES REACTOR EXPORT
- 25) 6/1/79 Memo, Shea to Hendrie, CLASSIFICATION OF REPORTS ON PHILIPPINES NUCLEAR POWER PLANT
- 26) 8/21/79 Memo, Harding to LaFleur, PNPP-1 ISSUES
- 27) 8/41/79 Memo, Chilk to Gossick, SECY-79-100E-EXPORT OF REACTOR COMPONENTS TO THE PHILIPPINES
- 28) 6/27/79 Memo, Kennedy to Shea, PHILIPPINE REPORTS: 6 VOLUMES CONTAINING SECTION 2.5 OF THE PSAR AND 4 VOLUMES OF A PRELIMINARY SITE INVESTIGATION
- 29) 11/24/78 Memo, Ahearne to IP, PROPOSED EXPORT TO PHILIPPINES, LICENSE XR-120
- 30) 7/18/79 Memo, Kenneke to Commission, OPE MEMORANDUM ON REPORTS RELATED TO PHILIPPINE EXPORTS

POOR  
ORIGINAL

928 081

APPENDIX B*Duplicate copy  
for microfiche*

- 1) 7/12/79 Memo, Bradford to Bickwit re Philippine letter of assurance concerning nuclear facility components
- 2) 7/11/79 Memo, Gibbon to Bradford re export of components to the Philippines
- 3) 6/20/79 Memo, Gibbon to Bradford re export of components to the TRIGA Reactor
- 4) 6/15/79 Memo, Gibbon to Bradford re SECY-79-100E
- 5) 6/15/79 Memo, Gibbon to Hassell re SECY-79-232, COMMERCE DEPT. EXPORT OF TURBINE GENERATORS TO THE PHILIPPINES
- 6) 6/14/79 Memo, Gibbon to Bradford re SECY-79-382
- 7) 6/6/79 Memo, Bradford to Commissioners re Philippine nuclear components (SECY-79-100)
- 8) 6/1/79 Memo, Bradford to Hendrie w/handwritten notes of 6/2 and 6/4 re classification of reports on the Philippine nuclear power plant
- 9) 3/2/79 Memo, Ahearne to Commissioners re SECY-79-100

POOR  
ORIGINAL