

PDR



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

March 21, 1979

Mr. W. Andrew Baldwin
Legal Director
Friends of the Earth
124 Spear
San Francisco, CA 94105

IN RESPONSE REFER
TO FOIA-78-338

Dear Mr. Baldwin:

This supplements our previous letter to you dated January 5, 1979 which responded to your letter dated December 4, 1978, in which you requested, pursuant to the Freedom of Information Act, copies of all NRC Inspection Reports concerning an inspection of the facilities of the Vallecitos Nuclear Center on September 25-28 1978, including a report numbered 70-754/78-08. You also requested a copy of any notices of violation filed as a result of the above referenced inspections.

In further response to your request, a copy of a letter dated January 2, 1979, to the NRC from R.W. Darmitzer, General Electric Company is enclosed. The General Electric Company and NRC reviews of the Notice of Violation and NRC Inspection Report No. 70-754/78-08, previously identified to you, have been completed. The released portions of these documents are enclosed and are being placed, together with the January 2, 1979 letter, in the NRC Public Document Room (PDR), located at 1717 H Street, N.W., Washington, DC. The withheld portions of these documents contain information which identifies procedures for safeguarding licensed special nuclear material. Such information is considered Commercial or Financial (proprietary) information pursuant to 10 CFR 2.790(d) of the Commission's regulations and is being withheld from public disclosure pursuant to exemption (4) of the Freedom of Information Act (5 U.S.C. 552(b)(4)) and 10 CFR 9.5(a)(4) of the Commission's regulations.

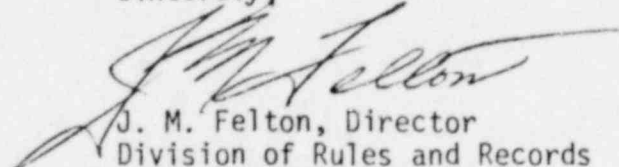
Pursuant to 10 CFR 9.9 of the Commission's regulations, it has been determined that the information withheld is exempt from production or disclosure, and that its production or disclosure is contrary to the public interest. The persons responsible for this denial are the undersigned and Mr. John G. Davis, Acting Director, Office of Inspection and Enforcement.

This denial may be appealed to the Commission's Executive Director for Operations within 30 days from the receipt of this letter. As provided in 10 CFR 9.11, any such appeal must be in writing, addressed to the

7904090387

Executive Director for Operations, U.S. Nuclear Regulatory Commission,
Washington, D.C. 20555, and should clearly state on the envelope and in
the letter that it is an "Appeal from an Initial FOIA Decision."

Sincerely,



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

Enclosure: As stated