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John Ahearne, Chairman  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

April 11, 1980

APPEAL OF INITIAL FOIA DECISION  
80-A-12E (80-137)  
rec'd 4-16-80

Re: Freedom of Information Appeal

Dear Chairman Ahearne:

By letter dated March 13, 1980, and received by the NRC March 17, 1980, we requested copies of the following:

- a. letter application dated August 27, 1979, from NL Industries, 1130 Central Ave., Albany, N.Y. to W. Dircks, Director, NMSS, US NRC, Docket No. 110-695, including the proposed routing in the U.S. of the proposed spent fuel shipments,
- b. resubmittal letter dated Sept. 27, 1979 by George L. Stukenbroeker, Manager, Nuclear Transportation, NL Industries, including enclosure with route,
- c. letter by George McCorkle, Chief, Physical Security Licensing Branch, Division of Safeguards, NMSS, US NRC, to GL Stukenbroeker, NL Industries,
- d. any more recent information concerning the route and Curie content of the proposed Canadian spent fuel shipments and the date and time of day, when this information becomes available to the NRC.

Since the FOI request of March 13, 1980, the applicant, NL Industries, has submitted a new route plan which has been approved by the NRC. We therefore wish this additional information to be included in our request.

We have not received a response as of this date (April 11, 1980) and interpret this lack of response as a denial of our request. Pursuant to the Freedom of Information Act, 5 USC 552, we hereby appeal that denial. We have enclosed a copy of our original request.

If you do not act upon our appeal within 20 working days, we will deem our request denied. Thank you for your prompt attention to this matter.

CC: Kasun            Blauner  
      Burnett        Diehl  
      Dircks         Galac  
                      Lippes  
      Pohl            Miksic  
      Millar         Sage

Very truly yours,

*Dr. Marvin Resnikoff*  
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FREEDOM OF INFORMATION  
ACT REQUEST

FOIA-80-219  
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