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U. S. Nuclear Regulatory Commission
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FREEDOM OF INFORMATION
ACT REQUEST
FOIA-80-406
REC'D 8-7-80

Re: Freedom of Information Act Request

Gentlemen:

Pursuant to the Freedom of Information Act, as amended (5 U.S.C. § 552) and the rules of the Nuclear Regulatory Commission ("NRC") issued thereunder (10 C.F.R. § 9.3 et seq.), we request copies of all records, data, memoranda, documents, reports, correspondence and any other written materials in the NRC's possession or control which relate to the Atomic Energy Commission's ("AEC") amendment to 10 C.F.R. § 50.57(c) as proposed October 28, 1970 (35 Federal Register 16687) and adopted May 14, 1971 (36 Federal Register 8861) to grant low power test licenses and less than full power operating licenses.

Without limiting the scope of this request, but merely to assist the NRC in its search, the written materials that we are requesting are likely to have been written between October, 1969 and December, 1971 and may include the following:

1. Any correspondence between the Atomic Energy Commission and the Joint Committee on Atomic Energy ("Joint Committee").
2. Any written material relating to the basis and reasons for the AEC's amendment of Section 50.57(c).
3. Any written material relating to the legal authority or regulatory need for the amendment.
4. A letter of September 4, 1970 from the Chairman of the Joint Committee, Chet Holifield, and Representative Craig Hoesmer to AEC Chairman Glenn T. Seaborg concerning the "degenerating" licensing process.

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5. A letter from the AEC to the Joint Committee responding to the request described in number 4. above.
6. An Atomic Industrial Forum Ad Hoc Lawyer's Committee letter containing suggestions or recommendations to the AEC concerning the reorganization and revitalization of the licensing process, probably dated between November and December, 1970.
7. A Monticello Atomic Safety Licensing Board supplemental commentary attached to a submission to the Atomic Safety Licensing Appeal Board, signed by Valentine B. Deale, John C. Geyer, and Eugene Greuling, members of the Monticello Atomic Safety Licensing Board, and probably dated between August 1, 1970 and October 31, 1970.
8. An Atomic Industrial Forum letter requesting that the AEC provide clarification of the proposed amendment to 10 C.F.R. § 50.57(c), probably dated between November 1, 1970 and January, 1971.
9. An AEC response to a request of the Atomic Industrial Forum, described on number 8. above, and probably dated between November 1, 1970 and May 14, 1971.

We expect to receive your response to this request within ten (10) working days.

We will pay search and copying fees as set out in the NRC's regulations. If the search and copying fees to be incurred are expected to exceed \$1,000, please notify the undersigned before this sum is exceeded.

In the event that access is denied to any part of the requested written materials, please identify and describe the withheld or deleted material in detail and specify the statutory basis for the denial, as well as your reasons for believing that an exemption applies. We also request that your description of the deleted or withheld material include the title of the material, a description of its essence, the identity of its author, and the identities of any parties that have received copies or have had access to such materials. Please separately state your reasons for not invoking your discretionary powers to release the allegedly exempt materials.

Sincerely yours,



Herbert H. Brown