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

March 2, 1981



Mr. Andrew Albert  
c/o Ms. Debra Abbot  
P. O. Box 4915  
Syracuse, NY 13221

IN RESPONSE REFER  
TO FOIA-80-624

Dear Mr. Albert:

This is in response to your letter dated December 15, 1980 in which you requested, pursuant to the Freedom of Information Act, documents relating to the investigation of the former site superintendent T. J. Perkins of the Nine Mile Point Unit 1.

Inspection Report No. 50-220/79-17 is an investigatory record compiled for law enforcement purposes and relates to an ongoing investigation. It is being withheld from public disclosure pursuant to Exemptions (7)(A), (C), (D), and (6) of the Freedom of Information Act (5 U.S.C. 552 (b) ((7), (A), (C), (D), and (6))) and 10 CFR 9.5(a) ((7)(i), (iii), (iv) and (6)) of the Commissions 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. Victor Stello, 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 Executive Director for Operations, U. S. Nuclear Regulatory Commission, Washington, DC 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

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