



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

*Duplicate copy for
microfilm*



June 8, 1981

Stephen Laudig, Esquire
21010 Cumberland Road
Noblesville, IN 46060

IN RESPONSE REFER
TO FOIA-81-184

Dear Mr. Laudig:

This is in response to your letter dated December 15, 1980, to the Department of Justice (DOJ), in which you requested, pursuant to the Freedom of Information Act, documents regarding an investigation concerning the Marble Hill nuclear facility. On May 8, 1981, DOJ forwarded to NRC a letter dated August 13, 1979 from Mr. J. J. Cummings (NRC) to P. B. Heymann (DOJ) with enclosures for review and direct response to you.

NRC has completed its review and has determined that the letter and its enclosures can be released with the following exception. Portions of one page have been deleted in order to withhold the names of confidential sources. Because disclosure of this information would constitute a clearly unwarranted invasion of personal privacy, it is being withheld from public disclosure pursuant to exemption (6) of the Freedom of Information Act (5 U.S.C. 552(b)(6)) and 10 CFR 9.5(a)(6) of the Commission's regulations. The non-exempt portions of the document are enclosed.

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

Enclosure: As stated

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