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

May 22, 1981

Ellyn R. Weiss, Esquire
Harmon & Weiss
1725 I Street, N.W., Suite 506
Washington, DC 20006



IN RESPONSE REFER
TO FOIA-81-104

Dear Ms. Weiss:

This is in further response to your letter dated March 18, 1981, in which you requested, pursuant to the Freedom of Information Act, records relating to two categories of information concerning design, construction and licensing of nuclear plants.

We provided a partial response to your request by letter dated April 9, 1981, notifying you of records placed in the NRC Public Document Room (PDR). Search for, and review of, remaining records subject to your request have now been completed.

We are placing the 20 records listed in Appendix A in the PDR in file folder FOIA-81-104 file under your name. NRC has already made available in the PDR additional letters, with monthly reports, from the Commission to Congressman Tom Bevill dated November 21, 1980, December 31, 1980, January 30, 1981, February 27, 1981, March 31, 1981 and April 30, 1981.

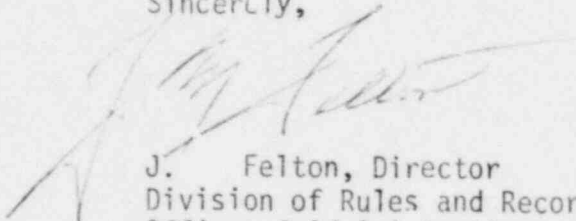
We are withholding the 7 records listed in Appendix B in their entirety. These memoranda among Commissioners and staff constitute advice, opinions and recommendations and contain no reasonably segregable factual material. Release of this information would tend to inhibit future communication between and among Commissioners and their staffs, communication which is essential to the deliberative process. This information is therefore being withheld from public disclosure pursuant to Exemption (5) of the Freedom of Information Act (5 U.S.C. 552(b)(5)) and 10 CFR 9.5(a)(5) of the Commission's regulations.

Pursuant to 10 CFR 9.15 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 person responsible for this denial is Mr. Samuel J. Chilk, Secretary of the Commission.

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PDR FOIA WEISS81-104 PDR

This denial may be appealed to the Commission within 30 days from the receipt of this letter. Any such appeal must be in writing, addressed to the Secretary of the Commission, 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. Felton, Director
Division of Rules and Records
Office of Administration

Enclosures: As stated

Appendix A

1. 5/8/80 Memo to Stuart Treby et. al. from Scinto, "It is Budget Time Again!"
2. 1/21/81 Memo to H. Thompson from E. A. Licitra, "Effects of the Hearing Process on Licensing Schedules".
3. 2/9/81 "Briefing Notes; CP and OL Case Work".
4. 2/10/81 American Nuclear Energy Council memo to file from G. Gleason, "January, 1981, NRC Report to House Appropriations Subcommittee on Status of NRC Licensing Proceedings".
5. 3/2/81 Memo to Donoghue et. al. from E. Christenbury, "Cases Pending Before the Commission, Appeal Boards and Licensing Boards".
6. 3/4/81 Note to all Members of OELD from Shapar, "Directed Overtime for Members of the Hearing Division".
7. 3/9/81 American Nuclear Energy Council Licensing Delay Report No. 3, "NRC Considerations of Options to Improve the Licensing Process".
8. 3/9/81 Letter to Shea from Chrm. Hendrie Re: revised licensing procedures.
9. 3/9/81 Memo to Comm. from Shapar, "Conduct of Licensing Board Proceedings", with attachment.
10. 3/12/81 Memo to Admin Law Judges Wolfe, Cheatum & Linenberger from Black Re: Allens Creek.
11. 3/12/81 Letter to Chairman Bevil from Chairman Hendrie Re: additional questions for the record, with attachments.
12. 4/8/80 Memo to Comm. Kennedy from Haller, "A Study of Hearing Process Duration for Nuclear Power Reactors in the U.S.", with enclosures.
13. 4/30/80 Memo to Office Directors from Haller, "A Study of Hearing Process Duration for Nuclear Power Reactors in the U.S.".

Undated Misc. lists and schedule charts:
14. "Changes in the Commissions Practice Which can Reduce Time Required for Licensing Hearings".

Appendix A

15. "Some Suggestions regarding Hearing Procedures at NRC".
16. "Scheduling Considerations for Diablo Canyon Low Power Test Authorization".
17. "Assumption Used for the Hearing Process (SER Supplement Issue to OL Decision Date)".
- 18-20. Three untitled schedules for various facilities.

Appendix B

1. 2/17/80 W. Manning Chart - NRR Assumptions on OL Processings
(In Months)
2. 9/19/80 W. Manning Chart - Proposed Program to Revise NRC
Licensing Procedures to Ensure Compliance with Regulations
3. 2/17/81 W. Manning Notes to Comm. Gilinsky Re: Points to Raise
with Cotter
4. 2/18/81 Note from W. Manning to Comm. Gilinsky Re: Suggestions
for Dealing with Licensing Bottle-Neck
5. 2/24/81 Memo from Chairman Hendrie to Commissioners Re: Hearings
Issues Requiring Commission Attention
6. 3/30/81 Note from J. Austin to Comm. Gilinsky
7. Undated W. Manning Chart - Reduction in Licensing Delays If
Interim Operations Authorized and If Appendix B Review
Times Reduced as of April 1, 1981

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FREEDOM OF INFORMATION
ACT REQUEST

FOIA-81-104
Rec'd 3-19-81

March 18, 1981

Joseph Felton, Director
Division of Rules & Records
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555


RE: Freedom of Information Act Request

Dear Mr. Felton:

Pursuant to the federal Freedom of Information Act, I hereby request copies of all studies, analyses, memoranda or other documents dealing with the following subjects: 1) delays or slippages in nuclear plant construction or licensing schedules, with particular attention to the causes for such delays or slippages 2) the length of time required to design, construct and license a nuclear plant, with particular attention to the amount or percentage of time attributable to the licensing proceedings and/or interventions in such hearings.

This information is needed immediately in order to prepare comments on NRC's proposed rulemaking 7590-1 which are due on April 7. I would therefore be extremely appreciative if you could expedite your response to this request. Please call if I can do anything to speed the process.

Very truly yours,



Ellyn R. Weiss

ERW/dmw

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