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

June 4, 1981

Mr. Malcolm H. Philips, Jr.
Debevoise & Liberman
1200 - 17th Street, N.W.
Washington, DC 20036



IN RESPONSE REFER
TO FOIA-81-131

Dear Mr. Philips:

This is in further response to your letter dated April 2, 1981, in which you requested, pursuant to the Freedom of Information Act, copies of all documents prepared by the NRC staff and/or its consultants relating to the preparation, development, and review of SECY-80-491 and SECY-81-84.

The documents listed on Appendix A to this letter are being placed in the NRC Public Document Room, 1717 H Street, N.W., Washington, DC. You may obtain access to these documents by presenting a copy of this letter or by requesting folder FOIA-81-131 in your name.

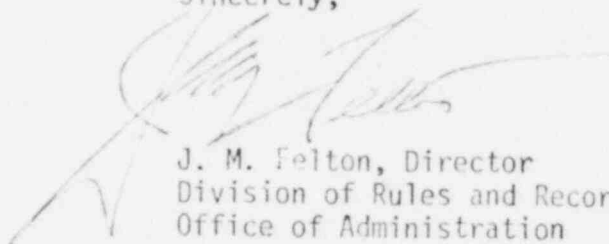
A portion of document 1 and documents 2 through 19 of Appendix B contain information which constitutes advice, opinions and recommendations of the staff. This information is being withheld from public disclosure pursuant to exemption 5 of the Freedom of Information Act (5 U.S.C. 552(b)(5)) and 10 CFR 9.5(a)(5) of the Commission's regulations. The non-exempt portion of document 1 is being placed in the Public Document Room. The remaining documents contain no reasonably segregable factual information.

Pursuant to 10 CFR 9.9 and 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 because its release would tend to inhibit the open and frank discussions essential to the deliberative process. The persons responsible for the partial denial of document 1 of Appendix B are the undersigned and Mr. James R. Shea, Director, Office of International Programs. The person responsible for the denial of document 2 of Appendix B is Mr. Leonard Bickwit, General Counsel. The person responsible for the denial of documents 3 through 19 is Mr. Samuel J. Chilk, Secretary to the Commission.

The denial by Mr. Shea and myself may be appealed to the Executive Director for Operations within 30 days from the receipt of this letter. 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." The denials by Messrs. Bickwit and Chilk may be appealed within 30 days to the Commission and should be addressed to the Secretary of the Commission.

The search for and review of additional documents subject to your request have not yet been completed. As soon as the search and review are completed, we will advise you of our disclosure determination.

Sincerely,

A handwritten signature in dark ink, appearing to read "J. M. Felton", is written over the typed name and title.

J. M. Felton, Director
Division of Rules and Records
Office of Administration

Enclosures: As stated

Appendix A

<u>Document Description</u>	<u>Date</u>	<u>Pages</u>
Memo for the Commissioners from Robert B. Minogue Re: Proposed Rulemaking, "Qualification of Reactor Operators" Draft	Undated	63
Qualification of Licensed Operators and Senior Operators	Undated	10
Memo for Lee V. Gossick et. al. from Samuel Chilk Re: Commission Briefing on Procedures for Qualifying Reactor Operators	4/30/79	2
Memo for Chairman Hendrie et. al. from Al Kenneke Re: SECY-79-330E--Qualifications of Reactor Operators	3/10/79	4
Memo for Chairman Hendrie et. al. from Al Kenneke Re: SECY-79-330F--Qualifications of Reactor Operators	9/13/79	5
Memo for Lee V. Gossick from Samuel J. Chilk Re: Briefing on SECY-79-330E - Report on Current NRC Requirements and Guidance to Licensees for Qualifica- tion of Reactor Operators	9/17/79	1
Memo for Acting Executive Director for Operations from John Ahearne Re: Qualifications of (Power) Reactor Operators, SECY-79-330E/330F	3/5/80	1
Information Report for the Commissioners fr Harold R. Denton Re: Qualifications of (Power) Reactor Operators, SECY-79-330E/330F; SECY-80-222	4/29/80	30
Memo for Chairman Ahearne et. al. from W. J. Dircks Re: OGC Comment on SECY-80-491 - Proposed Require- ments for Qualification of Reactor Operators	11/25/80	3
SD Presentation to Commission Re: Revisions to 10 CFR Part 55, "Operators' Licenses"	12/11/80	4
Memo for Executive Director for Operations from John Ahearne Re: Proposed Rulemaking, SECY-80-491	12/29/80	1
Memo for William J. Dircks from R. G. Smith Re: Proposed Rulemaking - Qualification of Reactor Operators	1/23/81	38
Chairman Ahearne's Response Sheet on SECY-81-84	2/6/81	6

Appendix A

<u>Document Description</u>	<u>Date</u>	<u>Pages</u>
Affirmation Session Re: SECY-81-84 - Proposed Rulemaking, "Qualification of Reactor Operators" by S. J. Chilk	3/11/81	1
Memo for Samuel J. Chilk from Norman C. Moseley Re: Proposed Rulemaking - Qualifications of Senior Reactor Operators - SECY-81-84	3/12/81	3
Memo for William J. Dircks from Samuel J. Chilk Re: Staff Requirements - Affirmation Session 81-10	3/13/81	2
Memo for William J. Dircks from Samuel J. Chilk Re: Staff Requirements (Supplement) - Affirmation Session 81-10	4/7/81	41

Appendix B

<u>DOCUMENT DESCRIPTION</u>	<u>DATE</u>
1. Memo to Commissioner s Gilinsky and Bradford from J. R. Shea Re: Operator Training and Qualification in Other Countries	11/7/80
2. Memo to the Commissioners from J. A. Fitzgerald Re: SECY-80-491	11/13/80
3. Memo to Commissioners Assistants from S. J. S. Parry Re: SECY-79-330E&F	11/19/79
4. Memo to Chairman Ahearne from B. D. Liaw	12/2/80
5. Memo to Chairman Ahearne from B. D. Liaw	2/5/81
6. Note to Comm. Gilinsky from J. Austin	4/10/81
7. Note to Comm. Gilinsky from W. Manning	3/25/81
8. Handwritten notes by J. Austin	Undated
9. Note to Comm. Gilinsky from J. Austin	3/18/81
10. Note to Comm. Gilinsky from J. Austin	Undated
11. Comm. Gilinsky's Response Sheet on SECY-81-84	Undated
12. H. M. Fontecilla's comment on memo from Fitzgerald to Commissioners dated 11/13/80	Undated
13. Memo to Comm. Hendrie from H. M. Fontecilla Re: SECY-80-491	12/3/80
14. Comm. Hendrie's Response Sheet on SECY-80-491	12/13/80
15. Note to H. M. Fontecilla from W. Dorie Re: memo from Chairman Ahearne to W. Dircks dated 12/29/80	Undated
16. Memo to Comm. Hendrie from H. M. Fontecilla Re: SECY-81-84	2/23/81
17. Comm. Hendrie's Response Sheet for SECY-81-84	2/24/81
18. H. M. Fontecilla's comments on memo from S. J. Chilk to W. Dircks dated 3/13/81	Undated
19. Memo to Chairman Hendrie from R. Kraus Re: SECY-81-84	4/6/81