

GOVERNMENT ACCOUNTABILITY PROJECT

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April 5, 1983

**FREEDOM OF INFORMATION
ACT REQUEST**

FOIA-83-180
Rec'd 4-11-83

Mr. J. M. Felton, Director
Division of Rules and Records
Office of Administration
Nuclear Regulatory Commission
Washington, D. C. 20555

RE: FOIA-82-578

Dear Mr. Felton:

This letter is written in response to your December 7, 1982 letter requesting clarification of our Freedom of Information Act request #FOIA-82-578. That request is for all agency records, information and documents relating to the incineration of radioactive materials by Dow Chemical Company (Dow) at the Midland, Michigan plant. This request includes, but is not limited to:

- (1) Any and all NRC incineration permits and any and all amendments to permits issued to Dow under any and all corporate or company names; and
- (2) Any and all environmental impact statements and agency records, information and documents relating to NRC inspections, investigations and reports on the incineration of radioactive materials in Midland.

As regards #1 above, we are specifically seeking the original permit, which was apparently issued to Dow sometime prior to 1955 by the Atomic Energy Commission, and any and all documents relating to that original permit.

As you are aware, the Freedom of Information Act requires you to waive or reduce fees when the release of the information will "primarily benefit the public." We believe this request will primarily benefit the public and request that you waive all fees. There has been growing concern among local citizens of the environmental condition of Midland, and, specifically, the absence of studies of the synergistic effects of burning radioactive and toxic materials and of the broad scope of the incineration permit. The release of the requested documents will aid in the public assessment of the Midland environmental problems.

If all or any part of this request is denied, please list the specific exemptions for said denial and provide us with the name and address of the appeals agency.

Sincerely yours,

Billie Pirner Garde
Billie Pirner Garde
Director, Citizens Clinic for
Accountable Government

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PDR FOIA
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