

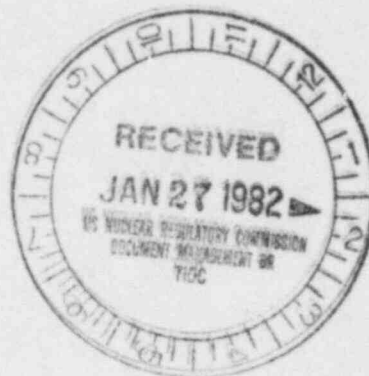


UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555

PDR

OFFICE OF THE
SECRETARY

January 13, 1982



Sanford L. Hartman, Esq.
Debevoise & Liberman
1200 Seventeenth Street, N.W.
Washington, D.C. 20036

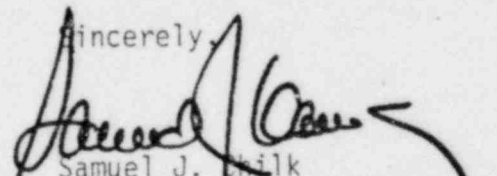
Dear Mr. Hartman:

This is in response to your letter of November 30, 1981 requesting a transcript of the Commission's meeting on November 16, 1981 regarding a proposed civil penalty against the Cincinnati Gas & Electric Company (William H. Zimmer Nuclear Power Station). We have diligently searched our records and have been unable to identify any Commission meeting on that date concerning the identified subject. However, we have been able to identify two closed Commission meetings regarding a proposed civil penalty against Zimmer on October 27 and 28, 1981. Accordingly, we have construed your request as applicable to the two October meetings identified above.

A review of the two transcripts reveals that the relevant Commission deliberations on October 27 and 28, 1981 reflect discussions of matters relating to accusations of criminal violations and formal agency enforcement action, reasonably anticipated agency adjudication and litigation, and individual privacy. Further, certain matters discussed at the meeting involve information still subject to investigation and evaluation. Because of these factors, the Commission has determined that the public interest does not require release of these transcripts at this time.

Accordingly, the transcript of the Commission's meetings of October 27 and 28, 1981 are being withheld in their entirety pursuant to exemptions 5, 6 and 10 of the Government in the Sunshine Act. 5 U.S.C. 552b(c)(5), (6) and (10). Under the Sunshine Act, this denial may be appealed to the federal district court for the District of Columbia. 5 U.S.C. 552b(h) and (k).

Sincerely,


Samuel J. Milk
Secretary of the Commission