



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

PDR (P1-37)

APR 26 1990

Ms. Karen L. Lebo
Hunton & Williams
P. O. Box 1535
Richmond, VA 23212

IN RESPONSE REFER
TO FOIA-90-A-12
(FOIA-89-192)

Dear Ms. Lebo:

This is in response to your letter dated February 27, 1990, in which you appealed Mr. Donnie H. Grimsley's response dated February 8, 1990. Mr. Grimsley's response denied six documents subject to your Freedom of Information Act (FOIA) request for documents concerning the Office of Investigation's investigation on Transamerica Delaval, Inc., Imo Delaval, Inc., or Imo Industries. This letter addresses the three documents identified on the enclosed appendix. Mr. Chilk will respond separately concerning the other three documents.

Acting on your appeal, I have reviewed the record in this case and have determined that some of the previously withheld information can now be made publicly available. Your appeal is, therefore, partially granted and partially denied.

Portions of the document listed at number one and the document listed at number three on the enclosed appendix can now be made publicly available and are enclosed.

The remaining portions of document one and document two in its entirety will continue to be withheld from public disclosure pursuant to Exemptions (5) and (7)(D) of the FOIA (5 U.S.C. 552(b)(5) and (7)(D)) and 10 CFR 9.17(a)(5) and (7)(iv) of the Commission's regulations.

Information withheld pursuant to Exemption (5) consists of advice, opinions, and recommendations of the staff. Exemption (5) shields from mandatory disclosure information generated in the deliberative process that precedes most decisions of government agencies.

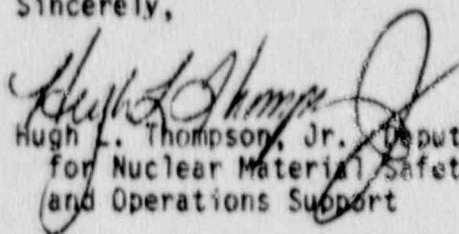
Information withheld pursuant to Exemption (7)(D) consists of the name and other identifying information of a person granted confidentiality by the staff. The release of this document could reasonably be expected to disclose that person's identity. I am unable to identify any legitimate public interest in this information.

Ms. Karen Lebo

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This is a final agency action. As set forth in the FOIA (5 U.S.C. 552(a)(4)(B)), judicial review of this decision is available in a district court of the United States in the district in which you reside or have your principal place of business or in the District of Columbia.

Sincerely,



Hugh L. Thompson, Jr., Deputy Executive Director
for Nuclear Material Safety, Safeguards
and Operations Support

Enclosures:

1. Appendix
2. Documents

APPENDIX

<u>NUMBER</u>	<u>DATE</u>	<u>DESCRIPTION & EXEMPTION</u>
1.	Various	Handwritten Investigator's Notes (1 page) EX. 5 PORTIONS RELEASED
2.	1/27/83	Investigator's Notes (4 pages) EX. 7D
3.	10/24/83	Memo to File from W. J. Ward, re: Transamerica DeLaval Emergency Diesel Generators (1 page) RELEASED