

PDR-016



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



January 22, 1982

Mr. Michael D. Levi  
Critical Mass Energy Project  
P.O. Box 1538  
Washington, DC 20013

IN RESPONSE REFER  
TO FOIA-81-486

Dear Mr. Levi:

This is in partial response to your letter dated November 25, 1981, in which you requested, pursuant to the Freedom of Information Act, any and all documents discussing security problems and describing or recommending emergency plans for test and research reactors.

The documents listed on Appendix A are being placed in the NRC Public Document Room (PDR), 1717 H Street, N.W., Washington, D.C. In addition, NUREG-0525 and its revisions are subject to your request and are already located in the PDR.

Portions of document PN-75-96 dated September 25, 1975 contain unclassified safeguards information. The statutory authority for withholding this information is found in Section 147 of the Atomic Energy Act (42 U.S.C. 2167). This information is being withheld from public disclosure pursuant to exemption 3 of the Freedom of Information Act (5 U.S.C. 552(b)(3)) and 10 CFR 9.5(a)(3) of the Commission's regulations.

Pursuant to 10 CFR 9.9 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 persons responsible for this denial are the undersigned and Mr. Richard C. DeYoung, Director, Office of Inspection and Enforcement.

This denial may be appealed to the Commission's Executive Director for Operations within 30 days from the receipt of this letter. As provided in 10 CFR 9.11, any such appeal must be in writing, addressed to the Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and should clearly state on the envelope and in the letter that it is an "Appeal from an Initial FOIA Decision."

The review of additional documents subject to your request has not yet been completed. As soon as this review is finished we will advise you of our disclosure determination.

Sincerely,

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

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Enclosure: As stated

APPENDIX A

1. Regulatory Guide 2.6 dated 1/79
2. Federal Register Vol. 45 No. 162 Part VIII dated 8/19/80
3. Federal Register Vol. 46 No. 251 pages 63315 and 63316 dated 12/31/81
4. Draft Federal Register Notice undated
5. Memo for W. J. Dircks from R. C. DeYoung dated 1/8/82
6. Letter to C. J. Withee from J. J. Kolling dated 3/4/81
7. PNS-76-11