

PDR-016



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

August 12, 1982

Mr. Thomas Devine  
Government Accountability Project  
Institute for Policy Studies  
1901 Que Street, N.W.  
Washington, DC 20009

IN RESPONSE REFER  
TO FOIA-82-A-14  
(FOIA-82-206)

Dear Mr. Devine:

This is in reply to your letter dated July 9, 1982, in which you appealed Mr. J. M. Felton's June 9, 1982 denial of your Freedom of Information Act request for documents concerning IE Report No. 50-358/81-13 on the William H. Zimmer Nuclear Power Station. Specifically you appealed the denial of information in two documents that pertain to an ongoing investigation.

Acting on your appeal, I have carefully reviewed the record in this case and have determined that additional information should be released. Your appeal is, therefore, partially granted and partially denied.

With respect to the memorandum dated September 14, 1981 to Region III files from Charles H. Weil, I have determined that only those portions of the document which could identify a confidential source should be withheld from public disclosure pursuant to exemption (7)(D) of the Freedom of Information Act (5 U.S.C. 552(b)(7)(D)) and 10 CFR 9.5(a)(7)(iv) of the Commission's regulations. The remaining portions of this document are enclosed.

With respect to the memorandum dated April 30, 1981 to John Streeter from Edward C. Gilbert, I have determined that the information previously denied because it would interfere with an ongoing investigation must still be denied for the same reason.

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

Sincerely,

William J. Dircks  
Executive Director for Operations

Enclosure: As stated