



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

September 22, 1982

Mr. Peter L. Collins
Research Associate
Research Counsel of Washington
The Lee House
226 Fourth Street, N.E.
Washington, DC 20002

IN RESPONSE REFER
TO FOIA-82-420, 82-A-12,
& 82-263

Dear Mr. Collins:

This is in response to your letter dated September 3, 1982, in which you requested, pursuant to the Freedom of Information Act, copies of the letters received from Ohmart Corporation and Texas Nuclear justifying their proprietary claims regarding FOIA 82-A-12.

Copies of the requested documents from Texas Nuclear dated July 9, 1982 and Ohmart Corporation dated July 13, 1982 are enclosed.

Subsequent to Mr. Dircks' letter to you dated August 24, 1982, we located eight other Texas Nuclear reports covering the period April 1, 1978 to July 30, 1981. These reports are also being withheld in their entirety for the reasons set forth in Mr. Dircks' letter.

Sincerely,

A handwritten signature in cursive script, appearing to read "J. M. Felton".

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

Enclosures: As stated

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PDR FOIA
COLLINS82-420 PDR



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

August 24, 1982

Mr. Peter L. Collins
Research Associate
Research Counsel of Washington
226 Fourth Street, N.E.
Washington, DC 20002

IN RESPONSE REFER
TO FOIA-82-A-12
(FOIA-82-263)

Dear Mr. Collins:

This is in reply to your letter dated July 6, 1982, in which you appealed Mr. J. M. Felton's letter dated June 30, 1982. Your initial Freedom of Information Act request sought copies of the quarterly "Report of Transfer of Devices Distributed Under General License" for the Ohmart Corporation and Texas Nuclear Corporation from 1970. You specifically appealed the lack of a timely response since the NRC was seeking additional information from the two companies concerning the proprietary nature of the reports and the claim that the reports contained proprietary information.

Acting on your appeal, I have carefully reviewed the record, including Ohmart and Texas Nuclear Corporations' responses to our request for additional information, and have determined that the information in the reports, taken as a whole, constitutes confidential commercial or financial information. The reports are being withheld pursuant to exemption (4) of the Freedom of Information Act (5 U.S.C. 552(b)(4)) and 10 CFR 9.5(a)(4) of the Commission's regulations. Your appeal is, therefore, denied.

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 of 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

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