

PDR-016



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

November 30, 1982

Mr. Lyle Graber
1917 Montego Court
Oldsmar, FL 33557

IN RESPONSE REFER
TO FOIA-82-491

Dear Mr. Graber:

This is in response to your letter dated October 12, 1982, in which you requested, pursuant to the Freedom of Information Act (FOIA), that copies of SECY-82-111A and SECY-82-111B be placed in the NRC PDR.

In response to your request, a copy of SECY-82-111A, Subject: Requirements for Emergency Response Capability (7 pages) is being placed in the NRC Public Document Room (NRC PDR), located at 1717 H Street, N.W., Washington, DC 20555, where it will be available for public inspection and copying.

The charge for reproducing records located in the PDR is five cents (\$0.05) per page, as specified in 10 CFR 9.14(a). A copy of this document can be purchased by writing directly to the PDR. Upon your agreement to pay the reproduction charges, the PDR will arrange for this record to be reproduced by Literature Research Company, a private reproduction contractor servicing the PDR. You will be billed by Literature Research Company for the reproduction charge, plus tax and postage.

Commission paper SECY-82-111B, dated September 8, 1982, Subject: "Requirements for Emergency Response Capability, and its attachments, contains information which constitutes advice, opinions and recommendations of the staff to the Commission concerning the Commission decision on requirements for emergency response capability. SECY-82-111B is a predecisional document under FOIA Exemption 5 and the Commission's regulations 10 CFR 9.5(a)(5). This document contains no reasonably segregable factual portions. Release would not be in the public interest because it would impede future staff advice to the Commission. This information is being withheld from public disclosure pursuant to Exemption (5) of the Freedom of Information Act (5 U.S.C. 552(b)(5)) and 10 CFR 9.5(a)(5).

Pursuant to 10 CFR 9.15 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 person responsible for this denial is Mr. John C. Hoyle, Assistant, Secretary of the Commission.

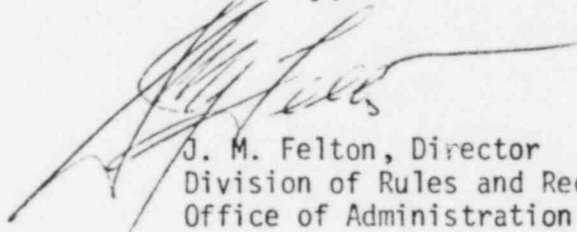
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Mr. Lyle Graber

-2-

This denial may be appealed to the Commission within 30 days from the receipt of this letter. Any such appeal must be in writing, addressed to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should clearly state on the envelope and in the letter that it is an "Appeal from an Initial FOIA Decision."

Sincerely,

A handwritten signature in black ink, appearing to read "J. M. Felton", with a long horizontal flourish extending to the right.

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