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July 6, 1982

APPEAL OF INITIAL FOIA DECISION

82-A-12E(82-263)

Rec'd 7-9-82

Mr. J. M. Felton, Director  
Division of Rules and Records  
Office of Administration  
Nuclear Regulatory Commission  
Washington, D.C. 20555

Re: Freedom of Information Act Appeal

Dear Mr. Felton:

This is to appeal the denial of my request for information pursuant to the Freedom of Information Act, 5 U.S.C. 552.

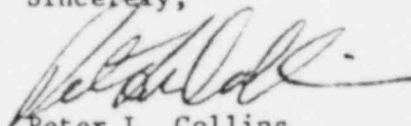
On July 1, 1982, I received your letter denying my request for access to copies of the quarterly "Report of Transfer of Devices Distributed Under General License" from 1970 to the present for the Texas Nuclear Division and the Ohmart Corporation (Reference Number: FOIA-82-263). I am enclosing a copy of this denial along with a copy of my original request.

In your letter you stated that, before releasing these records, the NRC customarily contacts the companies under study in order to gain formal clearance for the information requested. While I appreciate the need to protect proprietary information from disclosure, I believe that this approval is not required in this case. The release of these records, some of them over ten years old, would not constitute "competitive harm" to these companies, the test that is often used in determining disclosure policy.

As provided for in the act, I will expect to receive a reply within 20 working days.

Thank you very much for your time and consideration in filling this request.

Sincerely,



Peter L. Collins  
Research Associate

Enclosures

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