



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

PDR-016

August 12, 1982

Mr. James F. Emigh
Academy of Pharmacy Practice
2215 Constitution Avenue, NW
Washington, DC 20037

IN RESPONSE REFER
TO FOIA-82-363

Dear Mr. Emigh:

This is in response to your letter dated August 5, 1982 in which you requested, pursuant to the Freedom of Information Act, a copy of the report(s) generated as a result of the investigation of the allegations made by Mr. Charles J. Michaels.

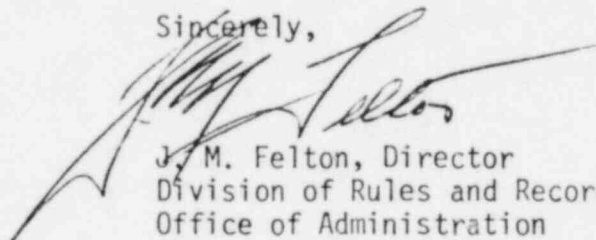
The investigation has not yet been completed. The report is an investigatory record compiled for law enforcement purposes and is being withheld from public disclosure pursuant to Exemption (7)(a) of the Freedom of Information Act (5 U.S.C. 552(b)(7)(a)) and 10 CFR 9.5 (a)(7)(i) of the Commission's regulations. Disclosure of the information would interfere with an ongoing enforcement proceeding.

During an August 10, 1982 telephone conversation with Mr. Stephen Isaacs of my staff, you were informed that the report should be available for disclosure in approximately 3 to 4 weeks.

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. Ronald C. Haynes, Regional Administrator, Region I.

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, DC 20555, and should clearly state on the envelope and in the letter that it is an "Appeal from an Initial FOIA Decision."

Sincerely,



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