



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

September 17, 1982.

Nicholas S. Reynolds, Esquire  
Debevoise & Lieberman  
1200 Seventeenth Street, N.W.  
Washington, DC 20036

IN RESPONSE REFER  
TO FOIA-82-195

Dear Mr. Reynolds:

This is in further response to your letter dated April 13, 1982, in which you requested, pursuant to the Freedom of Information Act, documents prepared by the NRC relating to the Commission's decision to extend the February 1, 1982, deadline to licensees to implement prompt public notification systems.

The documents listed on Appendix A are responsive to your request. These documents all contain the advice, opinions, and recommendations of an assistant to a Commissioner on the final rule on the 15-minute notification systems, which was before the Commission for approval at the time the notes were written. They contain no reasonably segregable factual portions. Release of these documents would impede open, frank discussions between Commissioners and their assistants. Therefore, these documents are part of the deliberative, decision-making process and are withholdable under Exemption 5 of the Freedom of Information Act (5 U.S.C. 552(b)(5)) and 10 CFR 9.5(a)(5) of the Commission's regulations.

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. Samuel J. Chilk, Secretary of the Commission.

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."

This completes NRC's action on your request.

Sincerely,

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

Appendix A

1. Notes - From Roxanne Goldsmith, Special Assistant, To Commissioner Gilinsky, Regarding SECY-81-503, "Proposed Amendment to 10 CFR Part 50, Appendix E - Implementation Date for Prompt Public Notification Systems". (Four sets)

LAW OFFICES OF  
DEBEVOISE & LIBERMAN

1200 SEVENTEENTH STREET, N. W.  
WASHINGTON, D. C. 20036  
TELEPHONE (202) 857-9800

April 13, 1982

FREEDOM OF INFORMATION  
ACT REQUEST

FOIA-82-195  
Rec'd 4-16-82

Mr. J.M. Felton  
Director  
Division of Rules and Records  
Office of Administration  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Re: Freedom of Information Act Request

Dear Mr. Felton:

Pursuant to the Freedom of Information Act (5 U.S.C. §552) and NRC Regulations (10 C.F.R. Part 9), Debevoise & Liberman requests copies of all documents prepared by the NRC, its Staff and consultants relative to the following:

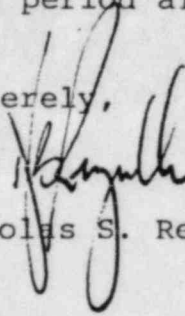
1. the basis for the Commission's decision to extend from July 1, 1981 to February 1, 1982 the deadline by which licensees were required to implement prompt public notification systems pursuant to 10 C.F.R. Part 50, Appendix E;
2. all analyses and evaluations (including Staff dissents and negative viewpoints) of the basis for the Commission's decision referenced in paragraph one, above, whether prepared before or after that decision;
3. the basis for the Commission's decision to require the installation of a prompt public notification system in the area between five and ten miles from a power reactor site pursuant to 10 C.F.R. Part 50, Appendix E; and

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4. all evaluations and analyses (including Staff dissents and negative viewpoints) of the basis for the Commission's decision referenced in paragraph three, above, whether prepared before or after that decision.

We would appreciate your prompt response to this request within the 10 working day period afforded by 10 C.F.R. Part 9.

Sincerely,



Nicholas S. Reynolds

NSR/dfn