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May 16, 1990

APPEAL OF INITIAL FOIA DECISION

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

90-A-27E(90-76)
Rec'd 5-24-90

APPEAL FROM AN INITIAL FOIA DECISION

Executive Director for Operations/
Secretary of the Nuclear Regulatory Commission
U.S. NUCLEAR REGULATORY COMMISSION
Washington, D.C. 20555

Re: FOIA-90-76

To whom this may concern:

Please take notice that this letter will serve as an appeal from the denial by James Lieberman, Director of Office of Enforcement, of petitioner's Freedom of Information Act request. Your partial denial was dated April 26, 1990.

Petitioner seeks an appeal from the decision to withhold the Appendix C documents in their entirety from public disclosure. Further, since the remainder of petitioner's FOIA request has not been acted upon within the time prescribed by law, petitioner seeks immediately appellate review of the balance of this FOIA request.

Unless a response is provided on this appeal within ten days, petitioner will file suit in Federal Court. As you know, this FOIA request was initiated over 90 days ago.

Petitioner also seeks appellate review of the denial of the fee waiver request by Donnie H. Grimsley, on April 25, 1990.

Thank you for your very prompt attention to this matter.

Very truly yours,

FRIEDMAN, COLLARD & POSWALL


BARRY A. ZIMMERMAN

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