

PDR-016



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

October 19, 1982

Eldon V. C. Greenberg, Esquire
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1901 L Street, N.W.
Suite 805
Washington, DC 20036

IN RESPONSE REFER
TO FOIA-82-334

Dear Mr. Greenberg:

This is in further response to your letter dated July 26, 1982, in which you requested, pursuant to the Freedom of Information Act, documents relating to the nuclear materials safeguards program of the International Atomic Energy Agency (IAEA).

The five documents listed on Appendix A are responsive to your request. Document 1 is released in its entirety. Documents 2 through 5 contain information classified pursuant to Executive Order 12356. This information is being withheld from public disclosure pursuant to Exemption (1) of the Freedom of Information Act (5 U.S.C. 552(b)(1)) and 10 CFR 9.5(a)(1). Copies of the non-exempt portions of these documents are enclosed.

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. John G. Davis, Director, Nuclear Material Safety and Safeguards.

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."

The search for additional documents subject to your request is continuing. When we have completed our search, you will be advised of our determination.

Sincerely,

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

Enclosures: As stated

Appendix A

1. NUREG/CR-2427, "Design Features to Facilitate IAEA Safeguards at Mixed - Oxide Fuel Fabrication Plants," September 1981.
2. Executive Summary for the IAEA Safeguards Implementation Report for 1981, July 14, 1982.
3. Memo for James V. Zimmerman, from Theodore S. Sherr, "Subsequent Arrangement for Reprocessing at CPF in Japan," May 17, 1982.
4. Memo for William J. Dircks from John G. Davis, "IAEA Safeguards Implementation Report (SIR) for 1980," March 4, 1982.
5. Memo for James R. Shea from Robert F. Burnett, "Safeguards Country Analysis -- Republic of Korea," July 14, 1982.