

Dated
11/20/89

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030-04951, 030-04971
22-00057-06, 22-00057-326

Mr. David L. Black
Robins, Kaplan, Miller,
& Ciresi
1300 International Centre
900 Second Avenue South
Minneapolis, MN 55402-3394

SUBJECT: 3M REQUEST TO WITHHOLD FROM PUBLIC DISCLOSURE
VARIOUS DOCUMENTS SUBMITTED ON JULY 18, 1988

Dear Mr. Black:

This is in reference to Minnesota Mining and Manufacturing Company's (3M's) undated "Application for Withholding from Disclosure as Public Documents Various Reports Submitted in Response to NRC Orders of January 25, 1988 and February 18, 1988" ("Application"), and the "Affidavit of Robert G. Wissink" ("Affidavit") dated July 15, 1988. The Nuclear Regulatory Commission (NRC) postponed a decision on 3M's Application pending resolution of 3M's similar request ("Request") about the February 25, 1988 Battelle Pacific Northwest Laboratories ("Battelle") Report. By letter dated January 9, 1989 (Enclosure 1), NRC notified you of its decision on that report.

By letter dated April 25, 1989 (Enclosure 2), we informed you that the issues and documents in 3M's Request are similar to those in 3M's Application. We asked you to provide marked copies of the documents 3M is requesting be withheld, showing those portions of the documents that contain evaluations and conclusions. We also offered 3M the opportunity to present additional documentation to support its request for withholding.

3M's reply dated June 23, 1989 did not provide marked copies of all documents as requested. Rather, 3M asked NRC to: withhold, in their entirety, three reports of 3M Task Forces and Exhibits D and E to the Application; withhold certain portions of Battelle Reports dated March 16, 1988, April 20, 1988, and May 31, 1988; and release Battelle letter dated July 7, 1988. Hereafter, the eight documents that 3M asked to be withheld, in whole or in part, will be referred to as "the Documents."

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Mr. David L. Black

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any specific objections can be considered fully by the agency. The documents will be placed in the Public Document Room thirty days after the date of this letter, unless we receive an acceptable application to withhold before that time.

Sincerely,

(Signature) Robert M. Bernero

Robert M. Bernero, Director
Office of Nuclear Material Safety
and Safeguards

Enclosures:

- 1. NRC ltr dtd 1/9/89 (w/o encl)
- 2. NRC ltr dtd 4/25/89 (w/o encl)
- 3. 3M's Response to Show Cause Order
dtd 7/15/88 and various documents
referenced in Application as marked
for withholding by the NRC staff
(CERTIFIED MAIL, RETURN RECEIPT REQUESTED)

cc w/encl:

Mr. David R. Lewis
Shaw, Pittman, Potts and Trowbridge
2300 N Street, NW
Washington, DC 20037
(CERTIFIED MAIL, RETURN RECEIPT REQUESTED)

Minnesota Mining and Manufacturing Company
ATTN: Mr. Robert G. Wissink
Chairman, Isotope Committee
3M Center 220-2E-02
St. Paul, Minnesota 55101-1000
(CERTIFIED MAIL, RETURN RECEIPT REQUESTED)

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