



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

August 24, 1982

PDR-016
Cross-reference
50-358

Mr. Darwin Sator
Dayton Newspapers Inc.
The Dayton Daily News
The Dayton Journal Herald
Dayton, OH 45401

IN RESPONSE REFER
TO FOIA-82-336

Dear Mr. Sator:

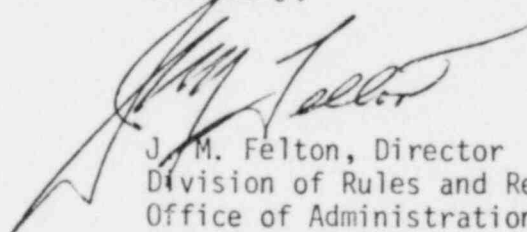
This is in response to your letter dated July 26, 1982 in which you requested, pursuant to the Freedom of Information Act, (5 U.S.C. 552) a copy of a report from Sherril J. Nolder on the Zimmer Nuclear Power Plant located in Moscow, Ohio.

The document requested is an investigatory record which is part of an ongoing investigation and is being withheld from public disclosure pursuant to exemption (7)(A) of the Freedom of Information Act and 10 CFR 9.5(a)(7)(i) of the Commission's regulations, because disclosure of this information would interfere with an ongoing investigation.

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. James Keppler, Regional Administrator, Region III.

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