

PDR-016



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

January 21, 1983

Docket Nos. 50-440/441

Mr. Stephen G. Sawicki  
The Lake County News-Herald  
38879 Mentor Avenue  
Box 351  
Willoughby, OH 44094

IN RESPONSE REFER  
TO FOIA-82-397

Dear Mr. Sawicki:

This is in final response to your letter dated August 18, 1982 in which you requested, pursuant to the Freedom of Information Act, all documents since 1979 concerning labor unions, strikes, etc. at the Perry Nuclear Power Plant, Perry, Ohio and all documents since 1980 regarding construction defects, design errors or quality assurance problems involving L. K. Comstock Co. at the Perry Plant.

Portions of the document:

September 25, 1981 Memo to R. Warnick from G. Pirtle, DETI  
SALP INPUTS FOR PERRY

contain information which constitutes advice, opinions and recommendations of the staff. This information is being withheld from public disclosure pursuant to 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. A copy of the released portion of the document is enclosed.

Pursuant to 10 CFR 9.9 of the Commission's regulations, it has been determined that the information being 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 G. 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

Enclosure: As stated

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