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February 7, 1991

Executive Director  
for Operations  
c/o US NUCLEAR REGULATORY COMMISSION  
Washington, D.C. 20555

RE: William Luce

Dear Director:


Pursuant to the Freedom of Information Act Response Part II, Section D Appeal Rights, please consider this letter as our written notice of appeal from your initial FOIA decision, FOIA No. 90-504 dated January 16, 1991. The reason given for the denial is exemption 6 stating that disclosure of the two documents identified would clearly invade personal privacy.

It is our contention that these documents are necessary to marshal evidence of proof of Minnesota Mining and Manufacturing Company and Nite Site's knowledge of the ultrahazardous propensities of Promethium 147.

If you request any additional information regarding this appeal, please do not hesitate to contact the undersigned. We appreciate your anticipated cooperation and eagerly await your response.

Very truly yours,

JOSEPH R. CURCIO, LTD.

  
Mark A. Bazzanella

MAB/dmm

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APPEAL OF INITIAL FOIA DECISION

91A4E(90-504)

Rec'd 2-12-91