

BACKUS, SHEA & MEYER

ATTORNEYS AT LAW

116 LOWELL STREET

P O Box 516

MANCHESTER, N. H. 03105

ROBERT A. BACKUS

JOHN P. SHEA

JON MEYER*

AREA CODE 603
668-7272

*ALSO ADMITTED
TO MASSACHUSETTS BAR

FREEDOM OF INFORMATION
ACT REQUEST

FOIA-83-163

Rec'd 3-31-83

March 28, 1983

Director, Office of Administration
Freedom of Information and Privacy Dept.
U. S. Nuclear Regulatory Commission
Washington, DC 20555

RE: Seacoast Anti-Pollution League,
Freedom of Information Act Request

Dear Sir:

Pursuant to the Freedom of Information Act, 5 U.S.C. §552, as amended, and 10 C.F.R., Part 9, the Seacoast Anti-Pollution League requests the following documents relating to a letter that was sent from Chairman Gus Speth to Commission John Ahearne of the U.S. Nuclear Regulatory Commission on or about March 20, 1980 concerning NRC treatment of "Class 9" accidents in their Environmental Impact Statements.

DEFINITIONS

- I. The Term "Document(s)" refers to the original and copy (but not both if identical in every respect) of any printed, written, recorded, transcribed, punched, taped, filmed, photographed, or graphic matter in the possession or subject to the control of the NRC or any Commissioner, employee, agent, or attorney thereof, whether sent or received, or neither, whether a draft or otherwise, however produced or reproduced, and both sides thereof, including but not limited to, any memorandum, correspondence, letter, affidavit, court paper, transcript, diary, report, study, telegram, cable, telex message, record, chart, paper, work paper, graph, index, book, notebook, pamphlet, periodical, tape, data sheet, data processing card, note, notation, minute desk calendar, appointment book, sound recording, computer print-out, or microfilm.

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- II. All references to the Nuclear Regulatory Commission herein shall include any Commissioner, officer, director, employee, agent, or attorney thereof.
- III. All references to the Council on Environmental Quality herein shall include any officer, director, employee, agent or attorney thereof.

DOCUMENTS REQUESTED

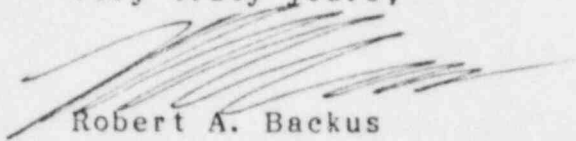
- 1. The full and complete contents of the letter sent from Counsel on Environmental Quality Chairman Gus Speth to Commissioner John Ahearne of the NRC on or about March 20, 1980.
- 2. A full and complete copy of the analysis which accompanied the above mentioned letter. That analysis concerns Mr. Speth's observations concerning NRC treatment of "Class 9" accidents in NRC Environmental Impact Statements prepared under the requirements of the National Environmental Policy Act.
- 3. All documents prepared by the NRC in response to the concerns expressed by Mr. Speth in Items (1) and (2) above, relating in any way to NRC analysis of "Class 9" accidents in nuclear facility Environmental Impact Statements.
- 4. All documents prepared by the NRC with respect to the development of its Interim Policy Statement, published Friday, June 13, 1980. (45 Fed. Reg. 40101.)

The Seacoast Ant-Pollution League is a participant in the NRC Operating License Proceedings for the Seabrook Nuclear Facility and has an immediate interest in obtaining all available information which relates to the health and safety of the citizens of New Hampshire. Because this information can be considered primarily as benefiting the general public, it is our opinion that it would be appropriate in this case for the NRC to waive copying charges pursuant to 5 U.S.C., §552(a)(4)(A) and 10 C.F.R. §9.14(a).

We also understand that under the Freedom of Information Act, you must respond to this request within ten (10) working days and that your failure to respond within that period of time is considered to be a denial of the request. Please notify me immediately if you cannot or will not respond within that time.

Thank you for your assistance.

Very truly yours,

A handwritten signature in dark ink, consisting of several overlapping, sweeping strokes that form a cursive representation of the name Robert A. Backus.

Robert A. Backus

RAB/sld

CERTIFIED MAIL, RETURN RECEIPT REQUESTED