



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

APR 12 1984

Mr. R. J. Basiaga
Assistant Q.A. Manager
The Zack Company
4600 W. 12th Place
Chicago, IL 60650

PDR-016
IN RESPONSE REFER
TO FOIA-84-57

Dear Mr. Basiaga:

This is in response to your letter dated January 20, 1984, in which you requested, pursuant to the Freedom of Information Act, copies of the Office of Investigations' Reports 3-82-025 and 3-82-065.

Report 3-82-025 is being withheld in its entirety pursuant to exemption (7)(A) of the Freedom of Information Act (5 U.S.C. 552(b)(7)(A)) and 10 CFR 9.5(a)(7)(i) of the Commission's regulations because its release would interfere with an ongoing investigation. For your information, while conducting this investigation NRC became aware of certain information which warranted attention by the Department of Justice (DOJ). This report has been referred to DOJ for appropriate action. Our records indicate that this matter is still pending DOJ action.

Portions of Report 3-82-065 are being withheld pursuant to exemption (7)(D) of the Freedom of Information Act (5 U.S.C. 552(b)(7)(D)) and 10 CFR 9.5(a)(7)(iv) of the Commission's regulations. Disclosure of the withheld information would reveal the identity of a confidential source. The nonexempt portions are enclosed and are being placed in the NRC Public Document Room.

Pursuant to 10 CFR 9.15 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 person responsible for this denial is Mr. Ben B. Hayes, Director, Office of Investigations.

This denial may be appealed to the Commission within 30 days from the receipt of this letter. Any such appeal must be in writing, addressed to the Secretary of the Commission, 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,

G. M. Felton, Director
Division of Rules and Records
Office of Administration