

PDR-016



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

JUN 21 1984

Ellyn R. Weiss, Esquire  
Union of Concerned Scientists  
1346 Connecticut Avenue, NW  
Suite 1101  
Washington, DC 20036

IN RESPONSE REFER  
TO FOIA-84-363

Dear Ms. Weiss:

This is in further response to your letter dated June 28, 1983 in which you requested, pursuant to the Freedom of Information Act, that all 1982 SECY papers be made available.

SECY-82-226, SECY-82-237, SECY-82-295, SECY-82-311, and SECY-82-469 have been placed in the Public Document Room.

SECY-82-368, "Proposed Rulemaking to Clarify the Procedures for Appealing Prehearing and Special Prehearing Conference Orders Granting or Denying Intervention," 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). This 27 page document contains the opinions, advice and recommendations of the staff to the Commission, which were never expressly adopted by the Commission. The release of this document would inhibit the Commission in its consideration of regulatory proposals. This document is being withheld in its entirety as it contains no reasonably segregable factual portions.

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. John C. Hoyle, Assistant Secretary of the Commission.

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Ellyn R. Weiss, Esquire

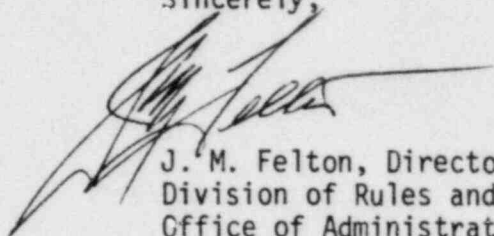
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This denial may be appealed to the Commission within 30 days from the receipt of this letter. Any such appeal must be in writing, addressed to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should clearly state on the envelope and in the letter that it is an "Appeal from an Initial FOIA Decision."

We will respond to the remainder of your request as expeditiously as possible.

Sincerely,

A handwritten signature in black ink, appearing to read "J. M. Felton", with a long horizontal flourish extending to the right.

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

HARMON & WEISS

1725 I STREET, N.W.

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June 28, 1983

Joseph Felton, Director  
Division of Rules and Records  
Office of Administration  
United States Nuclear Regulatory Commission  
Washington, D.C. 20055

FREEDOM OF INFORMATION  
ACT REQUEST

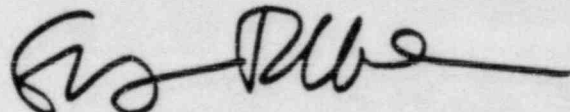
FOIA-83-365  
Rec'd 7-1-83

Freedom of Information Act Request

Dear Mr. Felton,

On behalf to The Union of Concerned Scientists and pursuant to the federal Freedom of Information Act, I hereby request that all 1982 SECY papers be made available.

Very truly yours,



Ellyn R. Weiss

ERW/cpk

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