

NUCLEAR INFORMATION AND RESOURCE SERVICE  
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APPEAL OF INITIAL FOIA DECISION  
84-A-320 (13-690)  
Rec'd 2-24-84

February 20, 1984

Mr. William Dircks  
Executive Director for Operations  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20545

Re: FOIA 83-690 (BELL)  
Appeal from Initial Decision

Dear Mr. Dircks:

This letter constitutes an appeal of the withholding of certain records by NRC in response to FOIA 83-690, namely items 1, 2, 3, 4, and 6 of Enclosure C.

It is stated in the denial letter from J. M. Felton, dated January 26, 1984, that these particular documents consist of analyses and summaries of Lorion v. NRC. Analyses and summaries do not constitute legal advice, opinions or recommendations which are properly considered exempt under Exemption 5 of the FOIA. Neither are these records pre-decisional.

Section 552(b) of the Act provides for the release of segregable portions of agency records. It is irrelevant if certain factual portions of these documents exist elsewhere in the public record. The analyses and summaries remain subject to release.

Sincerely,



Nina Bell  
Nuclear Safety Analyst

cc: File

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PDR FOIA  
BELL84-A-320 PDR