



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

PDR-016

DEC 08 1984

Ms. Nina Bell, Assistant Director
Nuclear Information and Resource Service
1346 Connecticut Avenue, NW
Fourth Floor
Washington, DC 20036

IN RESPONSE REFER
TO FOIA-84-809

Dear Ms. Bell:

This is in response to your letter dated October 15, 1984, in which you requested, pursuant to the Freedom of Information Act (FOIA), copies of transcripts of all Commission meetings regarding the issuance of the fullpower license for the Diablo Canyon Nuclear Plant during the period June, 1984, through August, 1984.

Copies of the transcripts listed on Appendix A are already available for inspection and copying in the NRC Public Document Room (PDR).

The documents listed on Appendix B are transcripts of closed Commission meetings pertaining to a discussion of the effects of earthquakes on emergency planning for the Diablo Canyon Nuclear Plant. These documents are being withheld in their entirety pursuant to Exemption 10 of the Government in the Sunshine Act (5 U.S.C. 552b(c)(10)) and 10 CFR 9.104(a)(10) of the Commission's regulations.

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 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.

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,

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

Enclosures: As stated

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APPENDIX A

1. August 2, 1984 Transcript of Commission meeting entitled
"Discussion/Possible Vote on Full Power
Operating License for Diablo Canyon," 195 pp.
Accession #8408220338

2. August 3, 1984 Transcript of Commission meeting entitled
"Discussion/Possible Vote on Order on
Earthquakes and Emergency Planning for Diablo
Canyon," 9 pp. Accession # 8408200407

APPENDIX B

1. July 25, 1984 Transcript of Commission meeting entitled "Discussion of Earthquake and Emergency Planning for Diablo Canyon," 65 pp.
2. July 30, 1984 Transcript of Commission meeting entitled "Discussion of Earthquakes and Emergency Planning for Diablo Canyon and Discussion of Stay Motion," 70 pp.
3. August 3, 1984 Transcript of Commission meeting entitled "Discussion/Possible Vote on Order on Earthquakes and Emergency Planning for Diablo Canyon," 95 pp.