



Nuclear Information and Resource Service

1346 Connecticut Avenue NW, 4th Floor, Washington, D.C. 20036 (202) 296-7552

November 28, 1984

William J. Dircks
Executive Director for Operations
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Samuel J. Chilk, Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Re: Appeal from an Initial FOIA Decision
FOIA 84-809

Dear Sirs:

This letter is an appeal of the denial (by the failure to respond) of a request made by the Nuclear Information and Resource Service (NIRS) pursuant to the Freedom of Information Act, 5 U.S.C. 552(a)(6), and NRC regulations at 10 CFR 9.11. The hand-delivered request, dated October 9, 1984, asked for:

1. All transcripts from all Commission meetings regarding the issuance of the full-power license for Diablo Canyon Unit 1 held during June, July, and August of 1984, including, but not limited to, meetings held on July 25, July 30, and August 3, 1984.

That FOIA request has not yet been responded to despite a specific request for a response within ten working days or a written statement that a response would not be ready by that same date. Additionally, no specific additional period of time has been stated by NRC within which a complete response will be provided, as required by NRC regulations 10 CFR 9.9(c) & (d) and 9.13. I urge the Commission to reach a timely decision in this matter taking into consideration the importance of the issues contained within the requested documents.

APPEAL OF INITIAL FOIA DECISION

84-A-81E(84-809)
Rec'd 12-3-84

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PDR FOIA
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NIRS urges that you review the withheld documents and decide to disclose them. If you do not, the NRC must provide a detailed justification for the denial of each document or the portions of each document being withheld. I look forward to your response within the twenty working days allowed by law.

Sincerely,

A handwritten signature in cursive script, appearing to read "Nina Bell", written in dark ink.

Nina Bell
Assistant Director

cc: File