



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

NUDACS

OCT 8 1992

Bradley W. Jones, Esquire
Akin, Gump, Hauer & Feld, L.L.P.
1333 New Hampshire Avenue, NW
Suite 400
Washington, DC 20036

IN RESPONSE REFER
TO FOIA-92-409

Dear Mr. Jones:

I am responding to your letter dated August 13, 1992, in which you requested, pursuant to the Freedom of Information Act, copies of records relating to the Palo Verde Nuclear Units and NRC Senior Management Meeting discussions.

The NRC's policy is not to disclose predecisional information about plants that may have been discussed at Senior Management Meetings but not placed on NRC's Watch List. This policy extends to withholding the names of plants that may have been discussed but were not placed on the Watch List. Your request is, therefore, being denied pursuant to Exemption 5 of the FOIA (5 U.S.C. 552(b)(5)) and 10 CFR 9.17(a)(5) of the Commission's regulations.

Pursuant to 10 CFR 9.25(b) of the Commission's regulations, it has been determined that information about plants that may have been discussed at Senior Management Meetings but not placed on NRC's Watch List is exempt from production or disclosure, and that its production or disclosure is contrary to the public interest. The persons responsible for this denial are the undersigned and James H. Snizek, Deputy Executive Director for Nuclear Reactor Regulation, Regional Operations, and Research.

This denial may be appealed to the NRC's Executive Director for Operations within 30 days from the receipt of this letter. As provided in 10 CFR 9.29, any such appeal must be in writing,

Bradley W. Jones, Esquire

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addressed to the Executive Director for Operations, 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

Donnie H. Grimsley

Donnie H. Grimsley, Director
Division of Freedom of Information
and Publications Services
Office of Administration