

GOVERNMENT ACCOUNTABILITY PROJECT

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June 26, 1986

Victor Stello
Executive Director for Operations
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

APPEAL OF INITIAL FOIA DECISION

86-A-99E (86-84)

Rec'd 7-1-86

Re: Appeal of FOIA 86-84

Dear Mr. Stello:

This is an appeal, pursuant to subsection (a)(6) of the Freedom of Information Act as amended (5 U.S.C. 552), of the actual denial of the Commission to release documents requested on February 10, 1986 by the Government Accountability Project regarding records developed subsequent to the issuance of the August 30, 1985 report about the Comanche Peak T-shirt incident.

By letter dated June 2, 1986 Mr. Donnie Grimsley, Director of the Division of Rules and Records advised us of 4 documents being withheld in their entirety pursuant to FOIA Exemption 5, because they contain the predecisional advice, opinions and recommendations prepared by the staff during the deliberative process involving an enforcement action.

We believe we are entitled to the release of these documents.

We expect your response to this appeal within 20 working days of your receipt so that we can determine whether to pursue this matter further in the courts.

Thank you for your consideration of this appeal.

Sincerely,

Billie Pirner Garde

Billie Pirner Garde
Director, Environmental
Whistleblower Clinic

/sls

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PDR FOIA
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