



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

NUDOCs

OFFICE OF THE
SECRETARY

March 3, 1989

Steven Aftergood
Committee To Bridge The Gap
1637 Butler Avenue #203
Los Angeles, CA 90025

Re: FOIA Appeal 88A-50

Dear Mr. Aftergood:

This letter responds to your November 14, 1988 appeal of this Agency's decision to withhold documents numbered 36 through 61 on Appendix C of our October 20, 1988 response to FOIA 84-454.

In response to your appeal, the withheld material was again reviewed. On the basis of this review, it has been determined that documents C-38 through C-56, C-58, and C-60 through C-61 should be released in their entirety. This material is being placed in the Public Document Room under FOIA File # 84-454. Documents C-36, C-37, C-57, and C-59 remain withholdable under Exemption 5 of the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552 (b)(5).

Documents C-36, C-37, C-57, and C-59 are all drafts. These documents, which contain penciled revisions and comments, are predecisional in that they were prepared in advance of agency action on investigative findings. The documents are also deliberative in that they reflect the exchange of opinions and conclusions between subordinate OIA personnel and the Commission. Release of this information could chill or otherwise temper the process by which agency decisions are made.

This letter represents final Agency action on your November 14, 1988 appeal. Judicial review of the denial of documents is available in Federal District Court in the district in which you reside, or have your principal place of business, or in the District of Columbia.

Sincerely,

Samuel J. Chalk

Secretary of the Commission