

GOVERNMENT ACCOUNTABILITY PROJECT

MIDWEST OFFICE

104 East Wisconsin Avenue

Appleton, Wisconsin 54911

(414) 730-8533

November 6, 1987

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

APPEAL OF INITIAL FOIA DECISION

87-A-99C (87-661)
Rec'd 11-13-87

RE: Appeal of FOIA 87-661

Dear Mr. Chilk,

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 September 24, 1987, by the Government Accountability Project.

By letter dated Oct. 22, 1987 Donnie H. Grimsley, Director of the Division of Rules and Records, informed us that Appendix B is being withheld from disclosure in their entirety pursuant to FOIA Exemption 5 because the withheld information consists of interagency or intraagency records that are not available through discovery during litigation. Disclosure of predecisional information would inhibit the open and frank exchange of ideas essential to the deliberative process.

We believe we are entitled to the release of the documents being withheld.

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,

Linda Bauman

Linda Bauman
FOIA Coordinator

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PDR FOIA
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