



Commonwealth Edison
One First National Plaza, Chicago, Illinois
Address Reply to: Post Office Box 767
Chicago, Illinois 60690 - 0767

DOCKET NUMBER
PROPOSED RULE **PR-219**
(52 FR 29196)

(5)

August 25, 1987

'87 AUG 31 P12:06

Mr. Samuel J. Chilk, Secretary
U.S. Nuclear Regulatory Commission
Attn: Docketing and Service Branch
Washington, D.C. 20555

Dear Mr. Chilk:

Subject: Proposed Revisions to NRC Freedom
of Information Act Regulations
(52 Fed. Reg. 29196, August 6, 1987)

This provides Commonwealth Edison Company's ("Edison") comments on the Nuclear Regulatory Commission's ("NRC") proposed revisions to its regulations implementing the Freedom of Information Act ("FOIA"). In general, Edison supports the proposed changes subject to the following understanding of them:

1. The deletion of 10 CFR 9.5(a)(2)(i) from proposed 10 CFR 9.17(a)(2) is intended to permit the public disclosure of a greater range of NRC documents relating to operating rules, guidelines, manuals on internal procedure and methods utilized by NRC inspectors, investigators, auditors and examiners.
2. The expanded scope of records compiled for law enforcement purposes and, thus, withholdable under proposed 10 CFR 9.17(a)(7) includes:
 - (a) any information which Edison obtains from criminal history records forwarded to it pursuant to 10 CFR 73.57 and subsequently provided to the NRC; and
 - (b) any information which the NRC has obtained from investigative reports provided by Edison such that the release of that information could reasonably be expected to result in the identification of suspects, witnesses, complainants or employees or otherwise interfere with the effectiveness of an Employee Assistance Program; and

DSK 1/0
Add Dennis H. Grooms, 4210 194BP

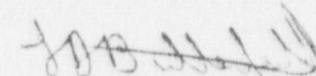
8709100060 870825
PDR PR
2 52FR29196 PDR

Acknowledged by card.

Mr. Samuel J. Chilk, Secretary
U.S. Nuclear Regulatory Commission
Page 2
August 25, 1987

- (c) continuing circumstances for the purposes of proposed 10 CFR 9.17(c) include the need to keep confidential the identities of employees who have participated in an Employee Assistance Plan; and
- 3. The implementation of proposed 10 CFR 9.25(a) will require that any NRC employee who intends to release an otherwise withholdable document provided by a licensee will first obtain that licensee's approval of such discretionary release, especially in instances involving proprietary information.

Sincerely,



L. D. Butterfield
Nuclear Licensing Manager

LDB/ck

USNRC-DS

1997 SEP -9 A 9 37