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JONES MACK DELANEY
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WASHINGTON, D.C.

APPEAL OF INITIAL FOIA DECISION

89A23IG(87-535)
Rec'd 7-24-89

July 17, 1989

Inspector General
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

✓ Dir _____
✓ DDir _____
AD/AA _____
AD/TA _____
✓ AD/I *mm*
Asst _____
File *Chung*

Re: Appeal of FOIA 87-535

Dear Inspector General:

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 to release documents requested on August 12, 1987 by the Government Accountability Project.

By letter dated June 9, 1989, Donnie H. Grimsley, Director Division of Freedom of Information and Publication Services, informed us that Appendix G 1-5 is being withheld from disclosure in their entirety or in part, pursuant to FOIA Exemption 5, 6, 7, and 7A.

as follows: the withheld information consists of interagency or interagency records that are not available through discovery during litigation. Disclosure of predecisional information would tend to inhibit the open and frank exchange of ideas essential to the deliberative process (exempt. 5); because their disclosure would result in a clearly unwarranted invasion of personal privacy (exempt. 6); the withheld information consists of investigatory records compiled for law enforcement purposes and is being withheld for the reasons(s) indicated (exempt. 7); disclosure would interfere with an enforcement proceeding because it could reveal the scope, direction, and focus of enforcement efforts, and thus could possibly allow them to take action to shield potential wrongdoing or a violation of NRC requirements from investigators (exempt. 7A).

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

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PDR FOIA
BAUMAN89-A-23 PDR

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 L. Bauman/ekt

Linda L. Bauman
FOIA Coordinator

LLB/ekt
87-535