



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

September 21, 2005

Nancy Burton, Esquire
147 Cross Highway
Redding Ridge, CT 06876

IN RESPONSE REFER
TO FOIA-2005-012A
(FOIA-2005-0207)

Dear Ms. Burton:

On behalf of the U.S. Nuclear Regulatory Commission, I am responding to your letter dated August 1, 2005, to the Freedom of Information Act/Privacy Act Officer, in which you appealed the agency's July 1, 2005, decision on your April 19, 2005, Freedom of Information Act (FOIA) request (FOIA/PA-2005-0207) for all records regarding the April 17, 2005, Alert at the Millstone Unit 3 Nuclear Power Plant. You appealed the denial of the record identified on enclosed Appendix E.

Acting on your appeal, I have reviewed the record in the case and have determined that the previously withheld information may now be released. Therefore, I have granted your appeal. A copy of the record is enclosed.

Sincerely,

A handwritten signature in black ink, appearing to read "William F. Kane", is written over a horizontal line.

William F. Kane
Deputy Executive Director for Reactor
and Preparedness Programs
Office of the Executive Director for Operations

Enclosures: As stated

APPENDIX E
RECORD BEING RELEASED IN ENTIRETY

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)/EXEMPTIONS</u>
1.	4/19/05	Fax transmittal sheet from Eric Laine to Ron Nimitz, transmitting Survey Data. 22 pages