

March 23, 1979

UNITED STATES
NUCLEAR REGULATORY COMMISSION

SECY-79-207

CONSENT CALENDAR ITEM

For: The Commissioners

From: Leonard Bickwit, Jr., General Counsel

Subject: KRANISH FOIA APPEAL 79-A-3

Purpose: To propose a letter from the Secretary denying this appeal.

Discussion: In FOIA 78-318 Mr. Kranish requested the transcript of the Commission's meeting of November 6, 1978, at which the EDO Testimony of 1977 was discussed (Attachment 1). The initial response to Mr. Kranish indicated that the transcript would be placed in the PDR minus deletions made for classified material (Attachment 2). The total deletions were approximately 27 lines from a 70-page transcript (Attachment 3).

By letter to the Secretary dated March 9, 1979, Mr. Kranish has appealed the deletions (Attachment 4). A classified copy of the transcript with deleted portions marked is being transmitted by SECY to the Commissioners and OPE.

The proposed letter to Mr. Kranish (Attachment 5) denies the appeal, stating that the deleted portions are properly classified and are withheld from public disclosure

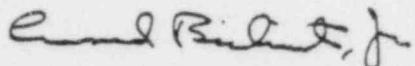
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William Shields
634-3215

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pursuant to Section 552(c)(1) of the Sunshine Act and 10 CFR 9.104(a)(1).



Leonard Bickwit, Jr.
General Counsel

Attachments:

1. Kranish ltr to NRC, 11/7/78
2. Felton ltr to Kranish, 3/1/79
3. Commission Determination, 2/26/79
4. Kranish ltr to NRC, 3/9/79
5. Draft ltr to Kranish fr Chilk

Commissioners' comments or consent should be provided directly to the Office of the Secretary by c.o.b. Wednesday, April 4, 1979.

Commission Staff Office comments, if any, should be submitted to the Commissioners NLT March 29, 1979, with an information copy to the Office of the Secretary. If the paper is of such a nature that it requires additional time for analytical review and comment, the Commissioners and the Secretariat should be apprised of when comments may be expected.

This paper is tentatively scheduled for affirmation at an Open Meeting during the Week of April 9, 1979. Please refer to the appropriate Weekly Commission Schedule, when published, for a specific date and time.

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Freedom of Information Officer
Nuclear Regulatory Commission
Washington, DC 20555

**FREEDOM OF INFORMATION
ACT REQUEST**

FOIA-78-318

rec'd 11-13-78

Freedom of Information Request

Dear Sir:

Under the terms of the Freedom of Information Act, I hereby request a copy of, or access to, a transcript of the "Discussion of EDO Testimony of July-August, 1977," as scheduled for November 6, 1978, as well as any extension of that discussion in subsequent meetings of the Commission.

Since the material is requested for news-gathering purposes, in the public interest, I request that any fees be waived. Should any of the requested material be withheld in whole, or in part, kindly identify such material and the name(s) of the official(s) responsible.

I would appreciate this material within the statutory time mandated by the FOIA.

Cordially,


A. Kranish, Editor

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