

B. Shields
H-1035

ELAR 1 1979

Mr. A. Kranish, Editor
Trends Publishing, Inc.
National Press Building
Washington, DC 20045

IN RESPONSE REFER
TO FOIA-78-318

Dear Mr. Kranish:

This is in response to your letter dated November 7, 1978, in which you requested, pursuant to the Freedom of Information Act, a copy of the transcript of the closed Commission meeting of November 6, 1978 relating to the EDO Testimony.

As specified in the Commission Determination Statement attached to the transcript, portions of the transcript are properly classified pursuant to Executive Order 12065 and are being withheld from public disclosure pursuant to section 552b(c)(1) of the Government in the Sunshine Act (5 U.S.C. 552b) and 10 CFR 9.104(a)(1) of the Commission's regulations. The transcript, with exempt portions deleted, has been placed in the NRC Public Document Room, 1717 H Street, N.W., Washington, DC.

Pursuant to 10 CFR 9.15 of the Commission's regulations, it has been determined that the information withheld is exempt from production or disclosure, and that its production or disclosure is contrary to the public interest. The person responsible for the denial of the withheld portions of the transcript is Mr. Samuel J. Chilk, Secretary of the Commission.

This denial may be appealed to the Commission within 30 days from the receipt of this letter. Any such appeal must be in writing, addressed to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should clearly state on the envelope and in the letter that it is an "Appeal from an Initial FOIA Decision".

This completes action on your request.

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Sincerely,

7905100045

J. M. Felton, Director
Division of Rules & Records
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