

Rec'd 1-27-92

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January 21, 1992

VIA FAX 301/492-7617

Robert C. Hardzog  
Chief, FOIA-LPDR Branch  
Division of Freedom of Information  
Public Services  
Office of Administration  
United States Regulatory Commission  
Washington, D.C. 20555

Re: Appeal of FOIA Request No. 91533/University of Cincinnati

Dear Mr. Hardzog:

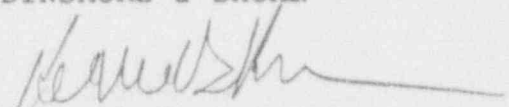
As a supplement to our telephone conversation this morning, I wish to remind you that my prior FOIA request on behalf of The University of Cincinnati sought the evidentiary summary of the alleged violations prepared by the Office of Investigations. The University does not seek any documents prepared by the Office of Enforcement that relate to any proposed action the Office of Enforcement may or may not take on the basis of the evidentiary summary prepared by the Office of Investigations. Since the Office of Investigations has completed its investigation, there is absolutely no legitimate basis under exemption 7(A) to withhold the evidentiary summary initially sought by the University in its FOIA request. However, to the extent that the evidentiary summary contains any reference to potential enforcement action, the University would agree to the redaction of such references.

This letter should be considered an addendum to the appeal filed by the University in connection with the above action FOIA request.

Please do everything in your power to expedite this appeal. As you know, the enforcement conference is scheduled for January 29, 1992. If you have any questions please give me a call.

Yours very truly,

DINSMORE & SHOHL

  
Kenneth S. Resnick

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RESNICK91-533 PDR

cc: Mr. John A. Grobe  
Chief, Nuclear Material Safety Branch  
U.S. Nuclear Regulatory Commission  
Region III  
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