

THE PLAIN DEALER

OHIO'S LARGEST NEWSPAPER

1801 SUPERIOR AVE.
CLEVELAND, OHIO 44114

216-344-4500
OHIO TOLL FREE
800-362-0727

June 10, 1992

Executive Director for Operations
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

APPEAL OF INITIAL FOIA DECISION

92 A7E(92-188)

Rec'd 6-15-92

RECEIVED

Appeal From An Initial FOIA Decision

Dear Sir or Madam:

92 JUN 15 A8:38

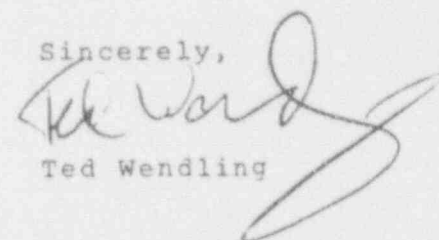
This is a FOIA appeal of a recent NRC denial of public information. I am including copies of the agency's response to my original request and appendixes E and F, the latter of which shows that material from Investigation Report RGI 1-87-001 was denied under exemptions 6 and 7c. I am also including a copy of page 18 from that report, which contains the redaction I am specifically contesting.

It is obvious from the narrative that begins, "It was like this . . ." that the deleted comments identify Dr. Delgado's previous place of employment. This is an institution, which clearly has no personal privacy rights (Exemption 6). The other exemption cited, 7c, pertains to law enforcement investigatory records whose release would result in a "clearly unwarranted invasion of personal privacy" by identifying individuals who provide information to law enforcement. Obviously, the name of Dr. Delgado's previous employer cannot be denied under 7c.

This is a problem my partner, Dave Davis, encountered previously with the NRC when he requested documents on the Cleveland Clinic. He was denied the name of a music school that had been contaminated by a Clinic employee, and the denial cited exemptions 6 and 7c. Although he appealed that denial and won, I am concerned that Jeanne Hunt and the other reviewer in the Office of Investigations have been routinely redacting information that is clearly public record. I have made my complaints known to both Ms. Hunt and to Donnie Grimsley, who has said he is inclined to agree with me.

Thanks for your consideration. If you have any questions, please call me at (216) 344-4987.

Sincerely,



Ted Wendling

9301080168 920610
PDR FOIA
WENDLIN92-A-7 PDR