



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

MAY 30 1985

PDR
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Ms. Jon Lynn Kerchner
Doc Search Associates
5200 Daventry Court
Burke, VA 22015

IN RESPONSE REFER
TO FOIA-84-411

Dear Ms. Kerchner:

This is in further response to your letter dated May 18, 1984, in which you requested, pursuant to the Freedom of Information Act (FOIA), the following be placed in the NRC Public Document Room (PDR), 1717 H Street, NW, Washington, DC 20555:

All details of the presentation given by Dr. H. Weidlich of the German Society for Reactor Safety to members of NRR, RES, and AEOD on the results of a German study on a comparison of limiting conditions for operation of German and U.S. PWRs.

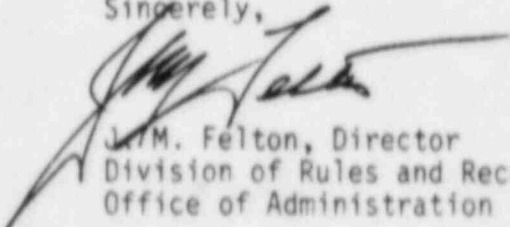
We have completed our review of the English translation of the German document KTA 1407: "Methods for the Determination of Permissible Maintenance Times in Nuclear Power Plants," which consists of 15 pages. Pursuant to Exemption 4 of the FOIA (5 U.S.C. 552(b)(4)) and 10 CFR 9.5(a)(4) of the Commission's regulation, this document is being withheld in its entirety. The document contains information received in confidence from a foreign source. Under these conditions, the document is protected from mandatory public disclosure under the alternative test set out in National Parks and Conservation Association v. Morton, 498 F.2d 765 (D.C. Cir. 1974). Under that test, a record can be withheld because disclosure would impair the Government's ability to obtain necessary information in the future. It is our view that a breach of understanding between the NRC and a foreign source could in the future inhibit the free flow of information to the NRC and could interfere with our mission.

Pursuant to 10 CFR 9.9 of the NRC'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 persons responsible for the denial of the document are the undersigned and James R. Shea, Director, Office of International Programs.

This denial may be appealed to the NRC's Executive Director for Operations within 30 days from the receipt of this letter. As provided in 10 CFR 9.11, any such appeal must be in writing, addressed to the Executive Director for Operations, 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.

Sincerely,



J. M. Felton, Director
Division of Rules and Records
Office of Administration

Mr. J.M. Felton, Director
Division of Rules and Records
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

May 18, 1984

FREEDOM OF INFORMATION
ACT REQUEST

FOIA-84-411
Rec'd 5-23-84

Dear Mr. Felton:

Pursuant to the Freedom of Information Act, please make available at the NRC's Public Document Room at 1717 H Street, N.W., Washington, D.C., copies of documents in the following categories:

All details of the presentation given by Dr. H. Weidlich of the German Society for Reactor Safety to members of NRR, RES and AEOD on the results of a German study on a comparison of limiting conditions for operation of German and U.S. PWRs.

If you or your staff have any questions regarding this request, please call me at (202) 634-1439. For your information, the presentation was referenced on page 1 of Enclosure G of the "Weekly Information Report" for the week ending April 27, 1984, dated May 3, 1984.

Thank you for your attention to this request.

Sincerely,



Jon Lynn Kerchner
Doc Search Associates
5200 Daventry Court
Burke, Virginia 22015

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