

200 North Church Street, Oak 203
Parkesburg, Pennsylvania 19365

APPEAL OF INITIAL FOIA DECISION

Secretary of the Commission
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

FOIA-85-A-18C (85-8)

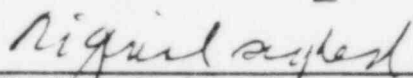
rec'd 4/30/85

Dear Secretary:

By letter of March 27, 1985 from J.M. Felton, Director, Division of Rules and Records, Office of Administration, Nuclear Regulatory Commission (letter attached), our Freedom of Information Act request of December 20, 1984 has been denied in part. The Felton letter lists fourteen documents in two appendices (D and E) which fall into one of the categories of documents requested but to which the Nuclear Regulatory Commission has denied us access.

We appeal the agency's decision to withhold the documents, supra. The February 10, 1984 ruling of the United States Court of Appeals for the District of Columbia Circuit in Philadelphia Newspapers, Inc. v. NRC (No. 83-1698) is effective in our case, not those cites relied upon by the agency in the Felton letter. The court has upheld the public's interest in and access to the deliberations of the Commissioners concerning Three Mile Island Unit 1 interim decisions in meetings that were closed to the public. The agency's denial is flying in the face of this clear and relevant ruling.

Very truly yours,


Marjorie M. Aamodt

cc: James A. Fitzgerald, Assistant General Counsel
John C. Hoyle, Assistant Secretary to the Commission
J.M. Felton, Director, Division of Rules and Records, Office of Administration

R. D. 5, Box 428
Coatesville, PA 19320

December 20, 1984

J. Felton, Director - Rules & Regulations
Nuclear Regulatory Commission
Washington, D. C. 20555

FREEDOM OF INFORMATION
ACT REQUEST
FOIA-85-8
Rec'd 1-7-85

Dear Sir:

On the basis of our interest in the TMI Restart Proceeding
(Docket 50-289) and the Freedom of Information Act, I am requesting
the following information:

- (1) All communications, written and verbal, between the
NRC Staff and the Commission or any of the Commissioners
concerning the Aamodt Motion of June 21, 1984 and the Center
for Disease Control review of that motion.
- (2) All communications, written or verbal, between the
Commonwealth of Pennsylvania or any of its agents, including
Dr. George Tokohata, concerning the Aamodt Motion of June 21,
1984 and the Center for Disease Control review of that motion.
- (3) The transcripts of the Commission meetings of August 15, 1984,
September 7, 1984 and December 13, 1984.

Respectfully submitted,

Marjorie M. Aamodt
Marjorie M. Aamodt

~~8503010096-1P~~
PDR