



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

PDR 016

APR 02 1985

Ms. Nina Bell
Assistant Director
Nuclear Information and
Resource Service
1346 Connecticut Avenue, NW, 4th Floor
Washington, DC 20036

IN RESPONSE REFER
TO FOIA-85-75

Dear Ms. Bell:

This is in response to your letter dated January 30, 1985, in which you requested, pursuant to the Freedom of Information Act (FOIA), all draft versions of NUREG-0956, including but not limited to those titled "Radionuclide Release Under LWR Specific Accident Conditions."

The two documents listed on the enclosed appendix are responsive to your request. These documents are internal drafts containing the opinions, conclusions, and recommendations of the staff which are still under consideration. The senior staff has yet to review these drafts to arrive at a finalized document. These documents contain no reasonably segregable factual information.

Release of these documents would tend to inhibit the open and frank exchange of ideas and other information essential to the deliberative process. The documents reflect the predecisional process and, therefore, are exempt from mandatory disclosure pursuant to Exemption (5) of the FOIA (5 U.S.C. 552(b)(5)) and 10 CFR 9.5(a)(5) of the Commission's regulations.

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 this denial are the undersigned and Mr. Robert B. Minogue, Director, Office of Nuclear Regulatory Research.

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."

Sincerely,

A handwritten signature in cursive script, appearing to read "John Philip Felton".

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

Enclosure: As stated

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APPENDIX

1. 01/02/85 Draft-A Reassessment of the Technical Bases for Estimating Fission Product Behavior During LWR Accidents
2. 01/25/85 Draft-A Reassessment of the Technical Bases for Estimating Fission Product Behavior During LWR Accidents