



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

016

27 27 1985

Mr. John W. Flora, Nuclear Consultant
3076 South High Street
Denver, CO 80210

IN RESPONSE REFER
TO FOIA-85-243

Dear Mr. Flora:

This is in further response to your letter dated April 2, 1985, in which you requested, pursuant to the Freedom of Information Act (FOIA), copies of Commission staff explanations of its intent in setting, or interpreting or clarifying Technical Specifications.

In my letter to you dated May 30, 1985, I informed you that the review of an additional document that is subject to your request was continuing. The review has now been completed; and the document, which is identified on enclosed Appendix B, is being withheld. This document contains the predecisional advice, opinions, and recommendations of the staff on what to include in Technical Specifications on plant-out-of-service time. This Technical Specification is not expected to be completed until the fall of 1985. The document is being withheld from public 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. Harold R. Denton, Director, Office of Nuclear Reactor Regulation.

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 NRC action on your request.

Sincerely,

A handwritten signature in dark ink, appearing to read "G. M. Felton", written over a horizontal line.

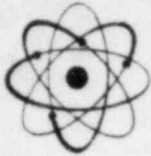
G. M. Felton, Director
Division of Rules and Records
Office of Administration

Enclosure: As stated

APPENDIX B

DOCUMENT BEING WITHHELD

1. 4/15/83 Memo from Warren Minners to Samuel Bryan, Subject: Limiting Conditions for Operation. (2 pages)



John W. Flora

nuclear consultant

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April 2, 1985

INDEPENDENT REVIEWS, AUDITS,
AND TECHNICAL ANALYSES

**FREEDOM OF INFORMATION
ACT REQUEST**

FOIA 85-243
rec'd 4/8/85

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

Dear Mr. Felton:

I wish to obtain all clarifications to Technical Specifications that the Commission staff has provided to nuclear power plant licensees, since January 1, 1980.

I am not interested in formal documentation related to either the application for, or granting of, modifications of Technical Specifications. I am only interested in obtaining Commission staff explanations of its intent in setting, or interpretation or clarification of, the Specifications. It is not important to me whether such records are in the form of notes regarding telephone conversations or, on the other hand, generic letters.

The purpose of this inquiry is to disseminate to the licensees with whom I have contact the interpretations that have been provided by the staff, to promote uniform compliance.

I thank you for your continued cooperation.

Very truly yours,

John W. Flora

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