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

AUG 01 1985

D. Jeffrey Ireland, Esquire
Smith & Schnacke
2000 Courthouse Plaza, NE
P.O. Box 1817
Dayton, OH 45401

IN RESPONSE REFER
TO FOIA-84-604

Dear Mr. Ireland:

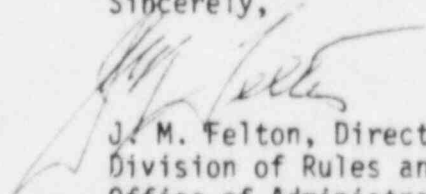
This is the final response to your letter dated July 19, 1984, in which you requested, pursuant to the Freedom of Information Act (FOIA), documents regarding the Office of Investigations' reports on the Zimmer Nuclear Generating Station.

The documents listed on the enclosed computer printout were located in the Office of Investigations (OI) as of February 27, 1984. Since that time approximately 15 inches of documents have been added to the files. As you may know, certain matters concerning Zimmer have been provided to the Department of Justice. All of the documents contained in the OI files concerning the William H. Zimmer Nuclear Power Station are being withheld from public disclosure pursuant to Exemptions (5), (7)(A), (7)(C), and (7)(D) of the FOIA (5 U.S.C. 552(b)(5), (7)(A), (7)(C), and (7)(D)) and 10 CFR 9.5 (a)(5), (7)(i), (7)(iii), and (7)(iv) of the Commission's regulations. These records are withheld in their entirety because they are predecisional in nature or their release could cause an unwarranted invasion of personal privacy, disclose confidential sources, or interfere with an ongoing enforcement proceeding.

Pursuant to CFR 9.15 of the Commission'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 person responsible for this denial is Ben B. Hayes, Director, Office of Investigations.

This denial may be appealed to the Commission within 30 days from the receipt of this letter. Any such appeal must be in writing, addressed to the Secretary of the Commission, 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,



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

Enclosure: As stated

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PDR FOIA
IRELAND84-604 PDR

SMITH & SCHNACKE

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July 19, 1984

**FREEDOM OF INFORMATION
ACT REQUEST**

FOIA-84-604

Rec'd 7-24-84

Ms. Carol Ann Reed
Nuclear Regulatory Commission
Division of Rules and Records
Washington, D.C. 20555

Re: Zimmer Nuclear Plant, FOIA No. 83-559

Dear Carol Ann:

Pursuant to our telephone conversation on July 18, 1984, I am writing you with respect to specific materials that may be available under the Freedom of Information Act relating to an Office of Investigation report on the Zimmer nuclear generating station. Specifically, I am requesting all writings (whether a copy, draft, or original) including but not limited to reports, minutes, correspondence, summaries, memoranda, affidavits, notes or transcripts of interviews, and any other materials relating to this investigation at Zimmer. I realize that some of these materials may not be available at the present time. In that event, I am requesting these materials as soon as they may become available. I am limiting my request to the period after January 1, 1982; however, I am most interested in a final report of the Office of Investigation on Zimmer.

If, for some reason, the requested materials are unavailable or are still protected under the Freedom of Information Act, then I would like to receive copies of those materials with any protected sections redacted.

If you have any questions concerning this matter, please feel free to call me.

Very truly yours,

D. Jeffrey Ireland
D. Jeffrey Ireland

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DJI/e