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

AUG 2 1985

Mr. Anthony C. Dicola  
3320 Plank Road  
New Castle, PA 16105

IN RESPONSE REFER  
TO FOIA-85-467

Dear Mr. Dicola:

This is in response to your undated letter in which you requested, pursuant to the Freedom of Information Act (FOIA), copies of all surveys conducted by the NRC since January 1984, and all correspondence between Dollar Savings and the NRC from January 1984 to the present concerning METCOA, Inc., of Pulaski, Pennsylvania.

The documents listed on the enclosed Appendix A are being placed in the NRC Public Document Room (PDR) located at 1717 H Street, NW, Washington, DC, where they will be filed in folder FOIA-85-467 under your name. We are enclosing a copy of a notice that provides charges and procedures for obtaining copies of records from the PDR.

The letter and proposal identified on Appendix B contain information concerning current procurement activities which is confidential business (proprietary) information. Because disclosure of this information could result in harm to the competitive position of the originator, this information is being withheld from public disclosure 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 regulations.

Pursuant to 10 CFR 9.9 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 persons responsible for this denial are the undersigned and Mr. Thomas E. Murley, Regional Administrator, Region I, Philadelphia.

This denial may be appealed to the Commission'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,

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

Enclosures: As stated

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PDR FOIA  
DICOLA85-467 PDR

Re: FOIA-85-467

APPENDIX A

1. 04/03/85 Memo to Dollar Savings Association from NRC, subject: Metcoa Property and the Pesses Company, w/attachment (6 pages)
2. 07/10/85 Memo to Dollar Savings Association from NRC, subject: Pesses Company and Metcoa Property, w/attachments (22 pages)

APPENDIX B

1. 06/06/85 Letter (2 pages) to NRC from Dollar Savings Association enclosing proposal from Chem-Nuclear Systems, Inc. to clean up hazardous waste material at the METCOA plant site, Pulaski, Pennsylvania (94 pages) (withheld)