

JUN 24 1986

The Honorable John P. Murtha  
United States House of Representatives  
Washington, DC 20515

Dear Congressman Murtha:

This responds to your referral of a letter dated June 2, 1986, to you from your constituent, [redacted]. In her letter, [redacted] requested your assistance in obtaining a report which the U.S. Nuclear Regulatory Commission (NRC) denied her in response to a Freedom of Information request (FOIA-85-711). EJL

The information to which the NRC denied access consists of certain parts of the Comprehensive Evaluation Report on the Babcock and Wilcox Plant, Apollo, Pennsylvania, dated November 1978. Parts of the report contain information relating to nuclear material accountability measurements which must be protected as restricted data pursuant to sections 2161 through 2165 of the Atomic Energy Act, as amended (42 U.S.C. 2161-2165). Additional information in the report was denied because it reflects details of the physical security which are still operational at the plant. By our response to [redacted], the NRC made available the report with the exception of those parts which must be denied under the Atomic Energy Act and NRC regulations. EJL

The NRC in its response to [redacted], a copy of which is enclosed, informed her of the right to appeal the denial of the information withheld. She did not take the opportunity to appeal our denial. EJL

Please let me know if we can be of any further assistance in this matter.

Sincerely,

(Signed) T. A. Rehm

*for*

Victor Stello, Jr.  
Executive Director for Operations

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L-4-1FOIA REQ CF

Enclosure:  
As stated

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