

**RESPONSE TO FREEDOM OF
INFORMATION ACT (FOIA) / PRIVACY
ACT (PA) REQUEST**

2000-0101

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RESPONSE
TYPE☐

FINAL

☒

PARTIAL

DATE

MAR 06 2001

REQUESTER

Denise Wilt

PART I. -- INFORMATION RELEASED

- ☐ No additional agency records subject to the request have been located.
- ☐ Requested records are available through another public distribution program. See Comments section.
- ☐ APPENDICES
Agency records subject to the request that are identified in the listed appendices are already available for public inspection and copying at the NRC Public Document Room.
- ☒ APPENDICES
H,G Agency records subject to the request that are identified in the listed appendices are being made available for public inspection and copying at the NRC Public Document Room.
- ☒ Enclosed is information on how you may obtain access to and the charges for copying records located at the NRC Public Document Room, ~~2420 L Street, NW, Washington, DC.~~
- ☐ APPENDICES
Agency records subject to the request are enclosed.
- ☐ Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (see comments section) for a disclosure determination and direct response to you.
- ☒ We are continuing to process your request.
- ☐ See Comments.

PART I.A -- FEES

AMOUNT *

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* See comments
for details☐

You will be billed by NRC for the amount listed.

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None. Minimum fee threshold not met.

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You will receive a refund for the amount listed.

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Fees waived.

PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE

- ☐ No agency records subject to the request have been located.
- ☒ Certain information in the requested records is being withheld from disclosure pursuant to the exemptions described in and for the reasons stated in Part II.
- ☒ This determination may be appealed within 30 days by writing to the FOIA/PA Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Clearly state on the envelope and in the letter that it is a "FOIA/PA Appeal."

PART I.C COMMENTS (Use attached Comments continuation page if required)

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Carol Ann Reed

**RESPONSE TO FREEDOM OF INFORMATION
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PART II.A -- APPLICABLE EXEMPTIONS**APPENDICES
G**

Records subject to the request that are described in the enclosed Appendices are being withheld in their entirety or in part under the Exemption No.(s) of the PA and/or the FOIA as indicated below (5 U.S.C. 552a and/or 5 U.S.C. 552(b)).

- ☐ Exemption 1: The withheld information is properly classified pursuant to Executive Order 12958.
- ☐ Exemption 2: The withheld information relates solely to the internal personnel rules and procedures of NRC.
- ☐ Exemption 3: The withheld information is specifically exempted from public disclosure by statute indicated.
- ☐ Sections 141-145 of the Atomic Energy Act, which prohibits the disclosure of Restricted Data or Formerly Restricted Data (42 U.S.C. 2161-2165).
- ☐ Section 147 of the Atomic Energy Act, which prohibits the disclosure of Unclassified Safeguards Information (42 U.S.C. 2167).
- ☐ 41 U.S.C., Section 253(b), subsection (m)(1), prohibits the disclosure of contractor proposals in the possession and control of an executive agency to any person under section 552 of Title 5, U.S.C. (the FOIA), except when incorporated into the contract between the agency and the submitter of the proposal.
- ☐ Exemption 4: The withheld information is a trade secret or commercial or financial information that is being withheld for the reason(s) indicated.
- ☐ The information is considered to be confidential business (proprietary) information.
- ☐ The information is considered to be proprietary because it concerns a licensee's or applicant's physical protection or material control and accounting program for special nuclear material pursuant to 10 CFR 2.790(d)(1).
- ☐ The information was submitted by a foreign source and received in confidence pursuant to 10 CFR 2.790(d)(2).
- ☐ Exemption 5: The withheld information consists of interagency or intraagency records that are not available through discovery during litigation. Applicable privileges:
- ☐ Deliberative process: Disclosure of predecisional information would tend to inhibit the open and frank exchange of ideas essential to the deliberative process. Where records are withheld in their entirety, the facts are inextricably intertwined with the predecisional information. There also are no reasonably segregable factual portions because the release of the facts would permit an indirect inquiry into the predecisional process of the agency.
- ☐ Attorney work-product privilege. (Documents prepared by an attorney in contemplation of litigation)
- ☐ Attorney-client privilege. (Confidential communications between an attorney and his/her client)
- ☒ Exemption 6: The withheld information is exempted from public disclosure because its disclosure would result in a clearly unwarranted invasion of personal privacy.
- ☐ Exemption 7: The withheld information consists of records compiled for law enforcement purposes and is being withheld for the reason(s) indicated.
- ☐ (A) Disclosure could reasonably be expected to interfere with an enforcement proceeding (e.g., it would reveal the scope, direction, and focus of enforcement efforts, and thus could possibly allow recipients to take action to shield potential wrongdoing or a violation of NRC requirements from investigators).
- ☐ (C) Disclosure would constitute an unwarranted invasion of personal privacy.
- ☐ (D) The information consists of names of individuals and other information the disclosure of which could reasonably be expected to reveal identities of confidential sources.
- ☐ (E) Disclosure would reveal techniques and procedures for law enforcement investigations or prosecutions, or guidelines that could reasonably be expected to risk circumvention of the law.
- ☐ (F) Disclosure could reasonably be expected to endanger the life or physical safety of an individual.
- ☐ OTHER (Specify)

PART II.B -- DENYING OFFICIALS

Pursuant to 10 CFR 9.25(g), 9.25(h), and/or 9.65(b) of the U.S. Nuclear Regulatory Commission 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 the denial are those officials identified below as denying officials and the FOIA/PA Officer for any denials that may be appealed to the Executive Director for Operations (EDO).

DENYING OFFICIAL	TITLE/OFFICE	RECORDS DENIED	APPELLATE OFFICIAL		
			EDO	SECY	IG
William F. Kane	Director, Office of Nuclear Material Safety and Safeguards	Appendix G	✓		

Appeal must be made in writing within 30 days of receipt of this response. Appeals should be mailed to the FOIA/Privacy Act Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, for action by the appropriate appellate official(s). You should clearly state on the envelope and letter that it is a "FOIA/PA Appeal."

APPENDIX H
RECORDS BEING RELEASED IN THEIR ENTIRETY

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
1.	04/19/57	Ltr to LJohnson fm DBarrett re: reference to license R-196 (1 page)
2.	05/24/57	Ltr to LJohnson fm TRunion re: 2 drawings that had been "company confidential" and can be released and phrase deleted (4 pages)
3.	06/05/57	Ltr to TRunion fm LJohnson re: license C-3749 (1 pages)
4.	05/13/58	Compliance Inspection Report (11 pages)
5.	05/15/59	Ltr to FHurley fm LJohnson re: notice of violations during 1/22/59 inspection (1 page)
6.	06/10/59	Ltr to LJohnson fm FHurley re: two irregularities in activities under license C-4132 (2 pages)
7.	06/19/59	Ltr to FHurley fm LJohnson re: correction of violations will be reviewed during next inspection (1 page)
8.	05/03/60	Ltr to LJohnson fm FFitch re: renewal of license C-4132 (2 pages)
9.	06/06/60	Ltr to FFitch fm JDelaney re: renewal of C-4132 (2 pages)
10.	10/18/60	Ltr to WGage fm JDelaney re: license SNM-417 (2 pages)
11.	06/15/61	Ltr to JDelaney fm FFitch re: request for renewal of C-4132 (2 pages)
12.	06/21/61	Ltr to FFitch fm DNussbaumer re: need more information on license (1 page)
13.	09/21/61	Ltr to AEC fm WGage re: application for license SNM-417 (2 pages)
14.	09/29/61	Special nuclear material license SNM-417 amended (1 page)
15.	03/29/62	Ltr to FMitchell fm EPrice re: 9/29/61 inspection under license 19-4003-1, SMB-334, SNM-417 (2 pages)
16.	09/11/62	Ltr to AEC fm WGage re: license application SNM-417 (2 pages)
17.	09/19/62	Ltr to WGage fm DNussbaumer re: amended SNM-417 (2 pages)
18.	10/02/63	Ltr to AEC fm TGibian re: license application SNM-417 (2 pages)

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
19.	10/14/63	Ltr to TGibian fm DNussbaumer re: amended SNM-417 (2 pages)
20.	06/12/64	Ltr to R Layfield fm WO'Loughlin re: SNM-417 (1 page)
21.	06/26/64	Ltr to WO'Loughlin fm DNussbaumer re: amended SNM-417 (1 page)
22.	07/06/64	Memo to CLuke fm DNussbaumer re: amendment to SNM-417 (1 page)
23.	10/30/64	Memo to CLuke fm DNussbaumer re: review renewal of SNM-417 for criticality control (1 page)
24.	11/09/64	Memo to DNussbaumer fm CLuke re: renewal application for SNM for Docket 70-456 (1 page)
25.	12/14/64	Ltr to TGibian fm R Layfield re: amended SNM-840 (3 pages)
26.	09/17/65	Inspection findings and licensee acknowledgement for SNM-840 (1 page)
27.	09/17/65	Inspection findings and licensee acknowledgement for SMB-334 (1 page)
28.	06/08/67	Ltr to AGammill fm DHarmon re: SMB-334 renewed (2 pages)
29.	10/20/67	Review of application dated 10/5/67 (3 pages)
30.	10/30/67	Ltr to DNussbaumer fm AGammill re: license SNM-840 replacement pages (12 pages)
31.	11/15/67	Ltr to DNussbaumer fm AGammill re: SNM-840 additional explanations and comments (2 pages)
32.	12/06/67	Ltr to AGammill fm R Layfield re: SNM-840 renewal (3 pages)
33.	08/20/68	Inspection Findings and Licensee Acknowledgement for SMB-334 (1 page)
34.	8/20/68	Inspection Findings and Licensee Acknowledgement for 19-4003-1 and SNM-840 (1 page)
35.	04/15/70	Memo to DNussbaumer fm RSmith re: notification of intended action (1 page)
36.	05/04/70	Ltr. to AEC from G. Ashby re: Application for amendment to SNM license 840 (2 pages)
37.	06/02/70	Ltr to RDube fm DTelesca re: paragraph 7.22, 7.23 and Table 7.23 (4 pages)

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
38.	06/05/70	Ltr to CKnesel fm DNussbaumer re: classification review of WGrace & Co. submittal (1 page)
39.	07/02/70	Ltr to DNussbaumer fm DTelesca re: response to additional information (1 page)
40.	08/05/70	Ltr to DNussbaumer fm DTelesca re: revised pages to license application (2 pages)
41.	08/10/70	SNM-840 license amendment (6 pages)
42.	08/19/70	Inspection findings and licensee acknowledgement for SNM-840 (1 page)
43.	09/04/70	Ltr to TGibian fm RPage re: SNM-840 material status report (1 page)
44.	10/01/70	Memo to Files fm JDelaney re: SNM-840 license application (1 page)
45.	12/08/70	Ltr to DTelesca fm DNussbaumer re: SNM-840 amended (1 page)
46.	02/23/71	Inspection findings and licensee acknowledgement for SNM-840 (1 page)
47.	03/03/71	Ltr to DNussbaumer fm DTelesca re: confirmation of 2/26 telecon (2 pages)
48.	03/15/71	Memo to DNussbaumer fm RSmith re: notification of intended action (1 page)
49.	04/07/71	Ltr to DTelesca fm DNussbaumer re: notice of temporarily discontinuing operations under SNM-840 (1 page)
50.	05/06/71	Ltr to GAshby fm CThornton re: safeguards amendment (2 pages)
51.	06/01/71	Ltr to GAshby fm CThornton re: compliance inspection (1 page)
52.	07/15/71	Ltr to GAshby fm CThornton re: safeguards amendment (2 pages)
53.	12/23/71	Ltr to GAshby fm CThornton re: demonstrate compliance with Condition 3.1 (2 pages)
54.	02/09/72	Emergency Control Organization--Standard Operation Procedures (42 pages)
55.	03/10/72	Ltr to DNussbaumer fm DTelesca re: received enriched uranium (1 page)

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
56.	04/10/72	Ltr to GAshby fm JO'Reilly re: 3/20-23/72 inspection (2 pages)
57.	04/27/72	Ltr to JO'Reilly fm DTelesca re: properly labelling storage area containers (3 pages)
58.	05/09/72	Ltr to GAshby fm JO'Reilly re: correction of noncompliance (2 pages)
59.	07/14/72	Ltr to DNussbaumer fm DTelesca re: information withheld (2 pages)
60.	08/23/72	Ltr to AEC fm RHerbst re: use of AEC-284 as an interim receipt (1 page)
61.	08/28/72	Ltr to RHerbst fm RPage re: authorized to use AEC-284 (1 page)
62.	09/01/72	Ltr to CMacDonald fm HDavis re: 10 CFR Part 71.7-71.9 for SNM-33, SNM-777 from United Nuclear Corp. to WGrace & Co. (1 page)
63.	09/28/72	Memo to RChitwood fm RSmith re: notification of intended action (1 page)
64.	10/04/72	Ltr to DNussbaumer fm GAshby re: request to amend SNM-840 (2 pages)
65.	10/05/72	Ltr to DTelesca fm RChitwood re: notice of expiration for SNM-840 (1 page)
66.	10/12/72	Memo to RChitwood fm RSmith re: notification of intended action (1 page)
67.	10/19/72	Ltr to DNussbaumer fm DTelesca re: SS Materials Accountability Manual (1 page)
68.	11/08/72	Ltr to DTelesca fm RChitwood re: SNM-840 amended (3 pages)
69.	11/29/72	Ltr to DTelesca fm SSmiley re: pages to be withheld from SNM-840 amendment (1 page)
70.	12/21/72	Ltr to RChitwood fm GAshby re: request for SNM-840 amendment (3 pages)
71.	01/03/73	Memo to RChitwood fm LWirfs re: notification of intended action (1 page)
72.	01/17/73	Ltr to GAshby fm JO'Reilly re: 1/8/73 meeting (2 pages)
73.	01/18/73	Ltr to GAshby fm JO'Reilly re: 11/29-12/1/72 inspection (5 pages)
74.	02/01/73	Memo to Files fm JDelaney re: SNM-840 license application (1 page)

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
75.	02/01/73	Ltr to GAshby fm RChitwood re: SNM-840 amended (1 page)
76.	02/01/73	Materials Data Input S/SNM AEC Form-783 on SNM-840 (1 page)
77.	02/08/73	Ltr to JO'Reilly fm GAshby re: reply to violations listed in 11/29-12/72 inspection (5 pages)
78.	02/13/73	Ltr to RChitwood fm RHerbst re: revised pages to the SS Materials Accountability Manual for the Nuclear Facility (1 page)
79.	02/16/73	Ltr to GAshby fm CMacDonald re: SNM-840 amendment (5 pages)
80.	02/28/73	Ltr to JO'Reilly fm GAshby re: responses to safety items (3 pages)
81.	03/13/73	Ltr to GAshby fm JO'Reilly re: actions to correct violations re: response to ltr. dtd 1/16/73 (2 pages)
82.	03/13/73	Ltr to GAshby fm JO'Reilly re: actions to correct violations re: response to ltr. dtd 1/18/73 (2 pages)
83.	04/18/73	Memo to files fm EFrederick re: 4/16 conference (2 pages)
84.	05/21/73	Ltr to GAshby fm DKnuth re: 1/2-4/73 inspection of safeguards control provided (3 pages)
85.	06/08/73	Memo to GAshby fm RCarlson re: 5/16-17/73 inspection (3 pages)
86.	06/11/73	Ltr to DKnuth fm GAshby re: inspection conducted 1/2-4/73 (4 pages)
87.	07/10/73	Ltr to RCarlson fm GAshby re: findings of 5/16-17/73 inspection (2 pages)
88.	07/25/73	Ltr to GAshby fm RCarlson re: action taken to correct items of noncompliance (2 pages)
89.	08/02/73	Ltr to GAshby fm JDavis re: corrective actions taken (1 page)
90.	09/28/73	Memo to JDavis fm LRouse re: close out radiation survey of restricted areas associated with WGrace & Co. nuclear activities at the Washington Research Center, Clarksville, MD, SNM-840 (2 pages)
91.	10/09/73	Ltr to AEC fm GAshby re: request for SNM-840 termination (1 page)
92.	11/15/73	Ltr to GAshby fm PNelson re: 10/24-11/9/73 inspection (17 pages)
93.	12/17/73	Materials Data Input S/SNM AEC Form-783 to terminate SNM-840 (2 pages)

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
94.	Undated	License Evaluation Report for License SNM-00334 (1 page)
95.	Undated	License Evaluation Report for License SNM-00417 (1 page)
96.	Undated	License Evaluation Report for License C-04132 (1 page)

APPENDIX G
RECORDS BEING WITHHELD IN PART

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)/EXEMPTIONS</u>
1.	05/28/64	Ltr to DNussbaumer fm WO'Loughlin re: license application SNM-417 (5 pages) EXEMPTION 6
2.	10/28/64	Ltr. to AEC from T. Gibian re: Application for three-year renewal (8 pages) EXEMPTION 6
3.	10/05/67	Ltr to DNussbaumer fm AGammill re: SNM-840 renewal application (48 pages) EXEMPTION 6
4.	08/16/72	Ltr to DNussbaumer fm DTelesca re: request to amend license SNM-840 (20 pages) EXEMPTION 6