

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

2003-0219

1

RESPONSE  
TYPE ☐ FINAL ☒ PARTIAL

REQUESTER

Lindsay Breyer

DATE

MAY 28 2003

**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**  
**A\*** 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**  
**B** 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, 2120 L Street, NW, Washington, DC.
- ☒ **APPENDICES**  
**B** 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 \*

\$

☐

You will be billed by NRC for the amount listed.

☐

None. Minimum fee threshold not met.

☐

You will receive a refund for the amount listed.

☐

Fees waived.

\* See comments  
for details**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)**

\*Also enclosed are computer printouts of additional records subject to your request that are already publicly available. We have enclosed a notice which provides procedures for obtaining copies of records from the NRC Public Document Room

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Carol Ann Reed

**APPENDIX A**  
**RECORDS ALREADY AVAILABLE IN THE PDR**

<u>NO.</u>	<u>DATE</u>	<u>ACCESSION NUMBER</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
1.	06/01/78	8605120205	Transcript of Hearing in the Matter of Radiation Technology, Inc. 116 pages
2.	05/31/78	8605120209	Transcript of Hearing on the Matter of Radiation Technology, Inc. 144 pages

**APPENDIX B**  
**DOCUMENTS BEING RELEASED IN ENTIRETY**

<u>Number</u>	<u>Date</u>	<u>Description/Page Count</u>
1.	09/23/1977	Order Suspending License / 5 pages
2.	09/27/1977	Letter from M. Welt, Radiation Technology, Inc. (RD) to E. Volgenau, NRC, re: Reply to Order Suspending License / 21 pages
3.	09/28/1977	Meeting at Region I Office / 1 page
4.	09/29/1977	Proposed Abnormal Occurrence Report / 11pages
5.	09/29/1977	Letter from M. Welt, Radiation Technology, Inc. (RD) to E. Volgenau, NRC re: Commendation concerning affirmative action taken by RT to strengthen the management posture with regard to preventing any future license infraction / 2 pages
6.	10/04/1977	Letter from E. Volgenau, NRC, to M. Welt, RT, re: Order Modifying Order Suspending License / 5 pages
7.	10/05/1977	Ltr from B. Grier, NRC, to M. Welt, RT, re: Meeting at Region I Office / 3 pages
8.	10/06/1977	Letter from E. Volgenau, NRC, to M. Welt, RT, re: Response to Order Suspending License / 6 pages
9.	10/07/1977	Mailgram from M. Welt, RT, to Commission Chairman Anders, NRC, re: Request to intercede in a financial catastrophe to RT / 1 page
10.	10/07/1977	Letter from E. Volgenau, NRC, to M. Welt, RT, re: Order Modifying Order Suspending License / 16 pages
11.	10/08/1977	Letter from E. Volgenau, NRC, to M. Welt, RT, re: Order Modifying Order Suspending License / 5 pages
12.	10/12/1977	Letter from M. Welt, RT, to E. Volgenau, NRC, re: Reply to October 6, 1977, letter review by Safety Review Committee / 43 pages

13. 10/12/1977 Letter from E. Volgenau, NRC, to M. Welt, RT, re: Request for additional modification of the Order Suspending License / 2 pages
14. 10/12/1977 Letter from J. Lieberman, NRC, to Judge Samuel Jensch, NRC, re: Ltr dated October 5, 1977, informed suspending license of RT / 1 page
15. 10/14/1977 Order Rescinding Order Suspending License / 3 pages
16. 10/17/1977 Order Rescinding Order Suspending License / 1 pages
17. 10/17/1977 Report of Overexposure / 2 pages
18. 10/27/1977 Letter from J. Fouchard, NRC, to M. Welt, RT, re: News clippings of radiation exposure / 8 pages
19. 10/31/1977 Staff response to RT letter of October 18, 1977 / 3 pages
20. 11/01/1977 Letter from S. Jensch, NRC, to M. Welt, RT, re: Inquire as to when response or comments to staff submittal filled on September 12, 1977 / 1 page
21. 11/10/1977 Letter from S. Jensch, NRC, to M. Welt, RT, re: Comments of staff submittal received September 12, record in this matter will be considered closed / 1 page
22. 11/11/1977 Letter from B. Grier, NRC, to M. Welt, RT, re: Report of personnel overexposure / 3 pages
23. 11/22/1977 Letter from B. Grier, NRC, to M. Welt, RT, re: Inspection conducted on November 7 and 8, 1977 / 6 pages
24. 11/26/1977 Letter from J. Lieberman, NRC, to S. Jensch, NRC, re: Staff agreement to meet with RT / 1 page
25. 11/30/1977 Letter from S. Jensch, NRC, to J. Lieberman, NRC, re: Request for hearing by RT cannot be granted until specific position are known / 1 page
26. 12/02/1977 Letter from M.V. Ridout, Atomic Energy of Canada Limited, to R. McClintock, NRC, re: Radiation incident at RT / 2 pages
27. 12/09/1977 Letter from J. Lieberman, NRC, to S. Jensch, NRC, re: Position of material issues / 4 pages
28. 12/15/1977 Notice of Appearance / 2 pages

29. 12/30/1977 Letter from E. Volgenau, NRC, to M. Welt, RT, re: Overexposure of an employee / 5 pages
30. 12/30/1977 Letter from M. Welt, RT, to NRC, re: Reimbursement in the amount \$42,347.25 / 3 pages
31. 01/19/1978 Letter from B. Grier, NRC, to M. Welt, RT, re: Inspection conducted on December 21, 21, and 22, 1977 / 10 pages
32. 03/28/1978 Letter from M. Welt, RT, to S. Jensch, NRC, re: Concerns over scheduled date for hearing / 2 pages
33. 03/29/1978 Letter from B. Grier, NRC, to M. Welt, RT, re: Difficulties gaining access to facility for inspection / 3 pages
34. 03/31/1978 Letter from M. Welt, RT, to B. Grier, NRC, re: Inspector access to licensee facilities / 2 pages
35. 04/06/1978 Letter from S. Jensch, NRC, to M. Welt, RT, re: Hearing scheduled for May 3, 4, and 5, 1978 / 2 pages
36. 04/11/1978 Order granting staff motion for identification of witnesses and summary of proposed evidence / 3 pages
37. 04/19/1978 Letter from S. Jensch, NRC, to M. Welt, RT, re: Depositions taken of intended witnesses / 1 page
38. 04/19/1978 Letter from S. Jensch, NRC, to M. Welt, RT, re: Matters that appear to lessen time for hearing procedures / 1 page
39. 04/20/1978 Letter from K. Cyr, NRC, to M. Welt, RT, re: Confirm substance of conversation on April 19, 1978 / 1 page
40. 04/24/1978 Letter from M. Welt, RT, to S. Jansch, NRC, re: Not prepared for hearing scheduled for May 3, 4, and 5, 1978 / 2 pages
41. 04/26/1978 Staff testimony for civil penalty hearing / 3 pages
42. 04/27/1978 Letter from M. Welt, RT, to B. Grier, NRC, re: Inspection conducted at facility / 1 page
43. 04/27/1978 Notice of error in staff pleading / 25 pages
44. 04/27/1978 Letter from S. Jensch, NRC, to M. Welt, RT, re: Acknowledge receipt of statements proposed to be presented at hearing / 1 page

- 45. 04/28/1978 Letter from J. Lieberman, NRC, to S. Jensch, NRC, re: receipt of copy of ex parte letter / 3 pages
- 46. 05/02/1978 Order signed by S. Jensch, NRC, postponing evidentiary hearing / 1 page
- 47. 10/18/1978 Letter from M. Welt, RT, to S. Jensch, NRC, re: Admittance of R. McClintock, Region I, he has a personality conflict with M. Welt / 5 pages
- 48. 05/22/1978 Order signed by S. Jensch, NRC, confirming resumption of evidentiary hearing on May 31, 1978 / 1 page
- 49. 06/09/1978 Letter from S. Jensch, NRC, to J. Lieberman, NRC, transmitting staff comments on the June 5, 1978, letter of RT / 1 page
- 50. 06/19/1978 Staff comments on June 5, 1978, / 9 pages
- 51. 06/21/1978 Letter from B. Grier, NRC, to M. Welt, RT, re: Inspection conducted April 6 and 26, 1978 / 22 pages
- 52. 06/30/1978 NRC staff motion to correct evidentiary hearing transcript / 8 pages
- 53. 06/30/1978 Letter from M. Welt, RT, to S. Jensch, NRC, re: workload and delayed review of transcript / 1 page
- 54. 07/05/1978 Letter from H. Williams, Jr., NJ Congressman, U.S. Senate, to Congressional Relations, NRC. re: Letter from his constituent / 5 pages
- 55. 07/06/1978 Letter from M. Welt, RT, to S. Jensch, NRC, re: Typographical errors in approximately 1000 page transcript / 1 page
- 56. 07/20/1978 Letter from J. Lieberman, NRC, to S. Jansch, NRC, re: Do not have originals of Exhibits 7 and 8 / 1 page
- 57. 07/21/1978 Order directing transmittal of Exhibits 7 and 8 to Secretary of the Commission / 3 pages
- 58. 07/21/1978 Letter from S. Jensch, NRC, to K. Cyr, NRC, J. Lieberman, NRC, & M. Welt, RT, re: Delay in receiving Exhibits 7 and 8 / 1 page

59.	07/24/1978	Order approving corrections to transcript / 5 pages
60.	07/27/1978	Letter from L. Gossick, NRC, to M. Welt, RT, re: Request for reconsideration of denial of RT claim in the amount of \$43,001.66 1 page
61.	07/27/1978	Letter from L. Gossick, NRC, to E Zorn, RT, re: Claim not supported by any new or additional information relative to claim / 1 page
62.	07/28/1978	Submittals requested at close of hearing / 199 pages
63.	07/28/1978	Letter from L. Gossick, NRC, to H. Williams, U.S. Senate, re: Additional information requested on behalf of constituent / 15 pages
64.	07/28/1978	Letter from J. Lieberman, NRC, to S. Jensch, NRC, re: Submittals requested at close of hearing / 2 pages
65.	08/07/1978	Letter from J. Lieberman, NRC, to C. Stephens, NRC, re: Submittal of Exhibits 7 and 8 / 1 page
66.	08/31/1978	Letter from M. Welt, RT, to S. Jensch, NRC, re: Licensee summary brief / 25 pages
67.	09/29/1978	Staff response to licensee's proposed findings of fact and conclusions of law / 51 pages
68.	10/16/1978	Letter form L. Gossick, NRC, to M. Welt, RT, re: Claim filed in the amount of \$1,000 / 3 pages
69.	11/24/1978	Letter from B. Grier, NRC, to M. Welt, RT, re: Training in pursuant to condition of license / 2 pages
70.	11/24/1978	Initial decision affirming the imposition of civil penalties in the amount of \$3,300 / 36 pages
71.	11/24/1978	Addendum / 2 pages
72.	12/07/1978	NRC staff exceptions to initial decision affirming the imposition of civil penalties in the amount of \$3,300 / 4 pages
73.	12/08/1978	Assignment of panel members to serve as the Atomic Safety and Licensing Appeal Board / 2 pages

74.	12/11/1978	Letter from M. Welt, RT, to NRC, re: Appeal Initial Decision rendered by Judge S. Jensch, NRC / 3 pages
75.	12/12/1978	Letter from S. Chilk, NRC, to Office of the Federal Register re: Publication of panel members / 2 pages
76.	12/14/1978	Order / 2 pages
77.	12/22/1978	Letter from M. Welt, RT, to R. Salzman, NRC, re: Appeal initial decision / 1 page
78.	12/29/1978	Motion to establish briefing schedule / 3 pages
79.	02/26/1979	Brief in support of staff's exceptions to the initial decision / 28 pages
80.	03/20/1979	Letter from M. Welt, RT, to NRC, re: Equipment failure / 2 pages
81.	04/16/1979	Staff's brief opposing licensee's exceptions to the initial decision / 93 pages
82.	07/26/1980	Letter from W. Dircks, NRC, to J. Courter, House of Representatives, re: Availability of Cobalt-60 in the U.S. / 1 page
83.	02/25/1980	Dismissal and Release / 5 pages
84.	03/18/1986	Memorandum from J. Lieberman, NRC, to S. Chilk, NRC, re: Request for hearing by RT / 1 page
85.	07/14/1986	Memorandum for R. Martin, RIV, from E. Jordan, NRC, re: RIV incorporation of expanded activation site team guidance / 1 page
86.	07/31/1996	Memorandum from L. Bykoski, NRC, to J. Madera, NRC, re: Comments on non-standard financial assurance submittals / 1 page
87.	03/11/1997	Letter from L. Bykoski, NRC, to P. Bailey, ICF, Inc., re: Review of Financial assurance submittal / 1 page
88.	03/27/1998	Letter from M. Smith, SteriGenics, to P. Pelke, re: Exemption request / 3 pages



- 89. 04/29/97 Memo from John Hickey to Stuart Treby, subject: Review of ICF Incorporated Comments on Non Standard Financial Assurance Submittal - Task Order Two. (3 pages)
- 90. 06/11/1998 Memorandum from L. Byloski, NRC, to C. Gill, NRC, re: Office of the General Counsel and Contractor comments on non-standard financial assurance submittal / 1 page
- 91. 09/16/1998 Memorandum from L. Camper, NRC, to E. Ten Eyck, NRC, re: Technical Assistance Request / 246 pages
- 92. 11/09/1998 Memorandum from L. Camper, NRC, to R. Caniano, NRC, re: Technical Assistance request/ 19 pages
- 93. 02/25/1999 Letter from M. Smith, SteriGenics, to P. Pelke, re: Request to process more than small quantities of flammable material / 4 pages
- 94. 08/11/1999 Memorandum from D. Coe, NRC, to Cy. Pederson, NRC, re: Technical Assistance Request: / 26 pages