NRC FORM 464 Part I
(4-2011)

U.S. NUCLEAR REGULATORY COMMISSION

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

FOIA/PA	RESPONSE NUMBER
2012-0073	1

RESPONSE TYPE: [✓] FINAL [ ] PARTIAL

REQUESTER: Krystina E. Hollarn

DATE: APR 12 2012

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&C — 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, 11555 Rockville Pike, Rockville, MD 20852-2738.
- [✓] APPENDICES B&C — 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 *
$ 118.35
* See comments for details

- [ ] You will be billed by NRC for the amount listed.
- [✓] You will receive a refund for the amount listed.
- [ ] None. Minimum fee threshold not met.
- [ ] 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)

1. The incoming FOIA request can be located in ADAMS at accession number ML113360287.

2. Fees associated with the processing of this request total $480.71 based upon the following:

Search - 3.5hrs @ $56.36 per hr =	$197.26
Review - 5 hrs @ $56.36 per hr =	281.80
Duplication - 1 CD @ $1.65	1.65
SUB-TOTAL:	$480.71
-ADV FEES	- 599.06
REFUND	$118.35

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Donna L. Sealing

NRC FORM 464 Part II (4-2011) U.S. NUCLEAR REGULATORY COMMISSION

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

FOIA/PA 2012-0073

DATE APR 12 2012

PART II.A -- APPLICABLE EXEMPTIONS

APPENDICES C

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 practices 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 253b, 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 2.390(d)(1).
- ☐ The information was submitted by a foreign source and received in confidence pursuant to 10 CFR 2.390(d)(2).
- ☐ Disclosure will harm an identifiable private or governmental interest.

☐ 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 wrong doing or a violation of NRC requirements from investigators).
- ☐ (C) Disclosure could 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
Elmo E. Collins	Regional Administrator, Region IV	See Appendix B	☑	☐	☑
			☐	☐	☐
			☐	☐	☐

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."

Re: FOIA/PA-2012-0073

APPENDIX A
RECORDS ALREADY PUBLICLY AVAILABLE

NO.	ACCESSION NUMBER	DESCRIPTION/ (PAGE COUNT)
1.	ML093480037	Enforcement Policy (76 pgs)
2.	ML102630150	Enforcement Manual (421 pgs)

APPENDIX B
RECORDS BEING RELEASED IN THEIR ENTIRETY

NO.	DATE	DESCRIPTION/ (PAGE COUNT)
1.	9/23/87	Letter to A. Baker, Halliburton from J. Taylor, NRC, subj: Order Modifying License and Notice of Violation... (11 pgs)
2.	8/19/88	Letter to A. Baker, Halliburton from D. Bangart, RIV, subj: Forwarding Inspection Report & Confirming Enforcement Conference, (7 pgs)
3.	8/22/88	Notice of Significant Meeting, re; Halliburton, (2 pgs)
4.	10/27/88	Letter to A. Baker, Halliburton from W. Fisher, RIV, subj: Forwarding Notice of Violation & Enforcement Conference Attendance List, (5 pgs)
5.	12/16/86	Letter from Halliburton, (2 pgs)
6.	1/21/87	Letter to J.A. Dunlop, Halliburton, re: Licenses 35-00502-02 & License 35-00502-05, (12 pgs)
7.	1/23/87	Notice of Significant Meeting, re: Halliburton, (2 pgs)
8.	2/2/87	Letter from Halliburton, re; Compliance Letter Dated 12-12-86 for Inspection 8-26-86 at Prudhoe Bay, AK
9.	2/11/87	Letter to J.A. Dunlop, Halliburton, re: Licenses 35-00502-02 & License 35-00502-05, (1 pg)
10.	2/20/87	Letter to Halliburton, re; Inspection Report 30-05900/87-01 and 30-20094/87-01, (3 pgs)
11.	2/23/87	Letter from J.A. Dunlop, Halliburton, re: Licenses 35-00502-02 & License 35-00502-05, (1 pg)
12.	4/16/87	Letter from R.L. Bechtel, Halliburton, (1 pg)
13.	6/9/87	Letter to Halliburton, re; Inspection Report 30-05900/87-02, (5 pgs)
14.	9/18/87	Notice of Significant Enforcement Action, (1 pg)

APPENDIX B
RECORDS BEING RELEASED IN THEIR ENTIRETY

NO.	DATE	DESCRIPTION/ (PAGE COUNT)
15.	10/19/87	Letter to Halliburton, subj: Radiation Safety Program Concerns in the Well Logging Industry, (2 pgs)
16.	10/22/87	Letter from R.L. Bechtel, Halliburton, re; Reply to Notice of Violation, (6 pgs)
17.	12/22/86	Preliminary Notification of Event or Unusual Occurrence, (1 pg)
18.	1/14/83	Letter to Halliburton, re; Application for Byproduct Material License, (3 pgs)
19.	Undated	RIV Draft Inspection Report, (5 pgs)
20.	6/30/93	Letter to Honorable Tim Hutchinson, re; Halliburton, (2 pgs)
21.	10/19/83	Safety Inspection, (1 pg)
22.	8/25/86	Voided Application, (8 pgs)
23.	5/12/87	Letter to J. Whitten from Halliburton, re; License Amendment, #35-00502-03, (5 pgs)
24.	9/23/87	Letter to R. Bangart, NRC, re: Shipment of Low Level Waste (1 pg)
25.	1/12/88	Letter to A. Baker, Halliburton, re: Payment of Civil Penalty, (2 pgs)
26.	Undated	Memo To File, subj: Halliburton Industrial Services, Inc., License No. 35-00502-05
27.	11/23/87	Letter to J. Hickey, re; Materials License Number 35-00502-05, Halliburton Industrial Services, Inc., (3 pgs)
28.	12/17/09	Email from R. Leonardi, subj: re: Sensitive Information for OK DEQ, (2 pgs)

APPENDIX C
RECORDS BEING WITHHELD IN PART

NO.	DATE	DESCRIPTION/ (PAGE COUNT)/EXEMPTIONS
1.	1/11/83	Materials Data Input, Halliburton Industrial Services, (6 pgs), Ex. 4/Ex. 7(F)
2.	2/10/83	Materials License Halliburton Industrial Services, (4 pgs), Ex. 4/Ex. 7(F)
3.	2/14/84	Renewal of Halliburton Services Byproduct Material License No. 35-00502-03, (39 pgs), Ex. 4/Ex/ 6/Ex. 7(F)
4.	Undated	Application for Byproduct Material License, (38 pgs) Ex. 4/Ex.6/Ex. 7(F)
5.	6/11/86	Material License, (2 pgs), Ex. 4/Ex. 7(F