



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

CDR 016

Ms. Linda Burke
The Middlesex News
33 New York Avenue
Box 800
Framingham, MA 01701-8880

MAR 27 1985

IN RESPONSE REFER
TO FOIA-85-79

Dear Ms. Burke:

This is in response to your letter dated January 18, 1985, in which you requested, pursuant to the Freedom of Information Act (FOIA), documents pertaining to Harvard University's license for the radioactive waste storage and incineration facility in Southboro, Massachusetts. Specifically, you requested copies of all:

1. Current and previous licenses for the Southboro facility;
2. Amendments to the license that is currently in effect, all applications for renewal, and pertinent correspondence;
3. Reports on inspections of the Southboro facility, notices of violations, and available correspondence relative to notices of violation.

Listed on the enclosed Appendices A and B are documents which have been determined to be subject to your request. The records listed on Appendix A and portions of the records listed on Appendix B are being placed in the NRC Public Document Room (PDR), 1717 H Street, NW, Washington, DC 20555, and will be filed in PDR folder FOIA-85-79 under your name. We are enclosing a notice that provides procedures and charges for obtaining records from the PDR.

We are also enclosing a copy of our April 14, 1983, letter in response to FOIA-83-139 which requested five categories of documents concerning Byproduct Material License 20-00297-53. The documents mentioned in this request, excluding amendment 18, have been placed in the PDR in folder FOIA-83-139 under the name of J. Grice.

Portions of the documents listed on Appendix B are being withheld in part pursuant to Exemption (6) of the FOIA (5 U.S.C. 552(b)(6)) and 10 CFR 9.5(a)(6) of the Commission's regulations because disclosure of the information would constitute a clearly unwarranted invasion of personal privacy.

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PDR FOIA
BURKE85-79 PDR

Ms. Linda Burke

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Pursuant to 10 CFR 9.9 of the NRC'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 Thomas E. Murley, Regional Administrator, Region I.

This denial may be appealed to the NRC'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

APPENDIX A

FOIA REQUEST NUMBER 85-79

<u>Date</u>	<u>Originator</u>	<u>Recipient</u>	<u>Description</u>	<u>No. of Pages</u>
<u>License 20-00297-53 Amendments issued since FOIA 83-581</u>				
1. 04/04/84	NRC	Harvard Univ	Amendment No. 35	2
2. 05/16/84	NRC	Harvard Univ	Amendment No. 36	1
3. 12/10/84	NRC	Harvard Univ	Amendment No. 37	5
<u>Backup for Renewal of License 20-00297-53</u>				
4. 02/23/79	Harvard Univ	NRC	Application for license renewal	78
5. 05/18/83	NRC	NRC	Policy guidance on renewal of Harvard Univ license	2
6. 10/04/83	Harvard Univ	NRC	Information supplied regarding license renewal	3
7. 12/30/83	Harvard Univ	NRC	Application for waste disposal license	2
8. 09/13/84	NRC	NRC	Assessment of proposed waste disposal procedures pursuant to 10 CFR 20.302 Harvard Univ and affiliated institutions	3
9. 10/25/84	NRC	Harvard Univ	Request for additional information referencing license renewal	2
10. 11/27/84	Harvard Univ	NRC	Response to 10/25/84 letter	2
11. 12/10/84	NRC	Harvard Univ	Letter transmitting license renewal	2
<u>Inspection Reports/Notes mentioning Southboro facility</u>				
12. 11/07/68	NRC	Harvard Univ	Inspection Report (AEC-591)	1
13. 11/29/68	NRC	NRC	Inspector evaluation	19
14. undated	NRC	File	Inspector evaluation	1
15. 03/07/73	NRC	File	Inspection report 73-01 notes	16
16. 06/24/74	NRC	Harvard Univ	Inspection conducted 6/11-6/12/74 report and attached notes	6
17. 04/19/78	NRC	Harvard Univ	Inspection Report 78-01	4
18. 12/01/78	NRC	Harvard Univ	Inspection Report 78-02 with notes	13

APPENDIX B

FOIA REQUEST NUMBER 85-79

DOCUMENTS TO BE PARTLY WITHHELD

	<u>Date</u>	<u>Originator</u>	<u>Recipient</u>	<u>Description</u>	<u>No. of Pages</u>
1.	04/06/78	NRC	File	Inspection Report 78-01 notes	9
2.	01/16/85	NRC	NRC	Memo subject: Allegation RI-84-A-0175 with attached Allegation Data Form and allegation receipt	5