



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

SEP 19 1985

PDR
016

Mr. Michael S. Terpilak
Nucleon Lectern Associates, Inc.
3414 First Avenue, Suite 7
P.O. Box 430
Olney, MD 20832

IN RESPONSE REFER
TO FOIA-84-763

Dear Mr. Terpilak:

This is in further response to your letter dated September 22, 1984, in which you requested, pursuant to the Freedom of Information Act (FOIA), copies of nine categories of documents concerning International Nutronics, Inc.

The four documents listed on enclosed Appendix A (Continued), documents 2, 46, 137, and 146 on the enclosed Appendix B and portions of documents 147 through 156 on Appendix B are being placed in the NRC Public Document Room (PDR), 1717 H Street, NW, Washington, DC, where they will be available for public inspection and copying. You may obtain access to these records by presenting a copy of this letter to the PDR staff or by requesting PDR folder FOIA-84-763 under your name. We have deleted from documents 147 through 156 social security numbers, a home telephone number, and the names of certain individuals. Because disclosure of this information would constitute a clearly unwarranted invasion of personal privacy, it is being withheld from public disclosure 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.

Portions of documents 43, 48, 58-60, and 62-69 are being withheld from public disclosure pursuant to Exemptions (6) and (7)(C) of the FOIA (5 U.S.C. 552(b)(6) and (7)(C)) and 10 CFR 9.5(a)(6) and (7)(iii) of the Commission's regulations because disclosure of this information would constitute a clearly unwarranted invasion of personal privacy. The remaining portions of these documents are being withheld pursuant to Exemption 7(A) as discussed below.

Also, documents 6, 17, 21-37, 104, 133, 139 and 157 are drafts containing information which constitutes advice, opinions, and recommendations of the staff. These drafts are being withheld in their entirety from public disclosure pursuant to Exemption 5 of the FOIA (5 U.S.C. 552(b)(5)) and 10 CFR 9.5(a)(5) of the Commission's regulations because release of this information would tend to inhibit the frank and candid exchange of information in future deliberations and thus would not be in the public interest. These documents, except for document 157, are also being withheld pursuant to Exemption 7(A) as discussed below.

All other documents listed on Appendix B are investigatory records compiled for law enforcement purposes which are being withheld in their entirety from public disclosure pursuant to Exemption (7)(A) of the FOIA (5 U.S.C. 552(b)(7)(A)) and 10 CFR 9.5(a)(7)(i) of the Commission's regulations because disclosure of the information would interfere with an enforcement proceeding. For your information, while conducting the investigation, the NRC became aware of certain information which warranted attention by the Department of Justice (DOJ). These matters have been referred to DOJ for appropriate action.

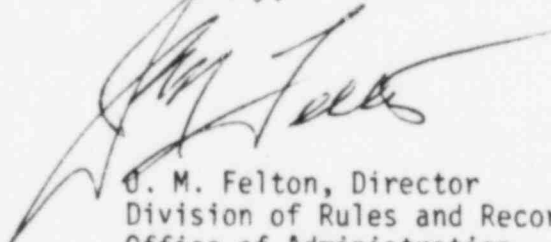
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Pursuant to 10 CFR 9.9 and 9.15 of the Commission's regulations, it has been determined that the information withheld is exempt from production or disclosure, and that its production or disclosure is contrary to the public interest. The persons responsible for the denial of documents 147 through 156 are the undersigned and Mr. Thomas E. Murley, Regional Administrator, Region I. The persons responsible for the denial of document 157 are the undersigned and Mr. James M. Taylor, Director, Office of Inspection and Enforcement. The person responsible for the denial of documents 1, 3 through 45, 47 through 136, 138 through 145, and 158 is Mr. Ben B. Hayes, Director, Office of Investigations.

The denials by Mr. Thomas E. Murley, Mr. James M. Taylor and myself may be appealed to the Executive Director for Operations within 30 days from the receipt of this letter. 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." The denials by Mr. Ben B. Hayes may be appealed within 30 days to the Secretary of the Commission and should be addressed to the Secretary of the Commission.

This completes action on your request.

Sincerely,



J. M. Felton, Director
Division of Rules and Records
Office of Administration

Enclosures: As stated

APPENDIX A

(CONTINUED)

- 330. 09/30/83 NRC Form 307, Allegation Data Form for Case No. 1-83-027.
(1 page)
- 331. 10/12/83 Memo for Chairman Palladino from B. B. Hayes re: Notification
of Opening of OI Investigations. (1 page)
- 332. Various Newspaper Articles Concerning INI. (10 pages)
Dates
- 333. 03/21/84 Letter to Gutierrez from Parker w/enclosures. (83 pages)

APPENDIX BINDEX OF DOCUMENTS
INTERNATIONAL NUTRONICS, INC.
CASE NO. 1-83-027

1. Investigation Status Record, NRC Form 305, for Case No. 1-83-027 -- 2 pages
2. Allegation Data Form, NRC Form 307, for Case No. 1-83-027 -- 1 page
3. Letter to NRC, dated February 4, 1985, listing information from a witness in the case -- 2 pages
4. Region I NRC letter, dated January 29, 1985, regarding a request for a byproduct material license -- 2 pages
5. A concurrence copy of the letter stated in 4. above, and a handwritten note attached -- 2 pages
6. Region I NRC draft of the letter stated in 4. above, with handwritten note -- 5 pages
7. Region I NRC letter, dated October 11, 1984 to Assistant U. S. Attorney answering the request for an INI report -- 1 page
8. Telephone conversation record, dated October 10, 1984 with Assistant U.S. Attorney -- 1 page
9. NRC letter, dated June 29, 1984, briefing the U.S. Attorney on the results of an investigation -- 2 pages
10. Memorandum, dated June 29, 1984, from Director of OI, to Region I, Regional Administrator, noting the enclosure of the Report of Investigation (concurrence copy) -- 1 page
11. Routing and transmittal slip, dated June 29, 1984, from Deputy Director, OI to Director, OI:RI, enclosing Report of Investigation -- 1 page
12. Memorandum, dated June 29, 1984, from Director, OI to Region I Regional Administrator, enclosing Report of Investigation -- 1 page
13. Memorandum, dated October 6, 1983, from Nuclear Material Section B, Region I to Director of OI requesting investigation of INI -- 2 pages
14. NRC letter and Inspection Report -- 12 pages
15. Case Notes - handwritten, scratch notes -- 5 pages
16. Case Notes - handwritten, scratch notes -- 6 pages

APPENDIX B

17. A Facsimile Request, dated January 22, 1985, to Region II from Region I concerning the rough draft of a letter to Precision Material Corporation from Region I with note attached -- 6 pages
18. Excerpt of United States Code -- 2 pages
19. Copy of Inspection Report and cover letter -- 11 pages
20. Copy of INI violations -- 4 pages
21. Rough draft of the above documents -- 4 pages
22. Rough draft of Memorandum from Region I OI Director to Region I Regional Administrator concerning INI -- 5 pages
23. Typed rough copy of Results of Interview prepared by Region II Investigator -- 18 pages
24. Rough draft copy of the above documents -- 14 pages
25. Typed draft Report of Investigation for INI case -- 9 pages
26. A second draft of the above documents -- 20 pages
27. Draft results of Interview with INI Plant Manager on January 17, 1984 -- 2 pages
28. Draft results of Interview with Senior Radiation Specialist, Region I on January 16, 1984 -- 3 pages
29. Draft results of Interview with the Manager of Facilities and Engineering Radiation Technology, Inc. on December 8, 1983 -- 3 pages
30. Draft results of Interview with President of Precision Materials Corporation on December 7, 1983 -- 2 pages
31. Draft results of Interview with President of INI on November 30, 1983 -- 4 pages
32. Draft results of Interview with Vice President of INI on November 29 and 30, 1983 and Telephone Conversation on December 9, 1983 -- 14 pages
33. Draft results of Interview with President of Precision Materials Corporation on November 8, 1983 -- 2 pages
34. Draft results of Interview with INI Plant Manager on October 27, 1983 -- 7 pages
35. Draft results of Interview with INI Irradiator Operator on October 27, 1983 -- 6 pages
36. Draft results of Interview with INI Irradiator Operator on October 27, 1983 -- 5 pages

37. Draft results of Interview with INI Radiation Safety Officer on October 26, 1983 -- 5 pages
38. Chronological Record of Inquiry opened October 11, 1983 concerning INI -- 1 page
39. Licensee letter to NRC -- 2 pages
40. NRC Memorandum dated October 27, 1983 concerning the allegations at INI -- 1 page
41. Rough notes of an information source -- 3 pages
42. Facsimile Transmittal to OI Region I from OI Region II, dated January 4, 1984 -- 1 page
43. Rough notes of an information source -- 4 pages
44. Civil Action Affidavit -- 6 pages
45. Copy of Federal Register -- 2 pages
46. Copies of Newspaper Article concerning INI -- 10 pages
47. Copy of Materials License Supplementary Sheet concerning INI -- 12 pages
48. An Allegation Data Form concerning INI -- 4 pages
49. Licensee letter -- 4 pages
50. NRC letter -- 1 page
51. Case Notes -- 16 pages
52. NRC Memorandum dated November 28, 1983 concerning a briefing of an information source -- 1 page
53. Investigation Status Report, Case No. 1-83-027 -- 1 page
54. Rough case notes of an information source -- 9 pages
55. INI letter -- 1 page
56. Examples of Irradiator Facilities (not INI) provided by Health Physicists for information purposes only -- 7 pages
57. Case notes dated January 16, 1984 for Case No. 1-83-027 -- 3 pages
58. Case notes dated November 30, 1983 for Case No. 1-83-027 -- 5 pages
59. Case notes dated October 27, 1983 for Case No. 1-83-027 -- 9 pages

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60. Case notes dated October 27, 1983 for Case No. 1-83-027 -- 10 pages
61. Case notes dated January 17, 1984 for Case No. 1-83-027 -- 1 page
62. Case notes dated October 27, 1983 for Case No. 1-83-027 -- 12 pages
63. Case notes dated October 26, 1983 for Case No. 1-83-027 -- 7 pages
64. Case notes dated November 29, 1983 for Case No. 1-83-027 -- 17 pages
65. Case notes dated November 8, 1983 for Case No. 1-83-027 -- 6 pages
66. Case notes dated December 8, 1983 for Case No. 1-83-027 -- 6 pages
67. Case notes dated October 20, 1983 for Case No. 1-83-027 -- 14 pages
68. Case notes dated November 9, 1983 for Case No. 1-83-027 -- 7 pages
69. Case notes dated October 27, 1983 for Case No. 1-83-027 -- 6 pages
70. Letter and Application for renewal of a license, dated October 30, 1980 -- 90 pages
71. Material License Supplementary Sheet, dated April 25, 1983 -- 15 pages
72. Radiation Shielding Survey -- 14 pages
73. NRC letter -- 1 page
74. INI letter -- 4 pages
75. NRC letter -- 4 pages
76. NRC Region I Form 198-F.1 (July 1982) -- 13 pages
77. NRC memo dated January 12, 1983 and attached notes -- 4 pages
78. INI letter to NRC -- 2 pages
79. Case notes dated December 23, 1982 for Case No. 1-83-027 -- 6 pages
80. NRC Procedures -- 24 pages
81. NRC letter -- 2 pages
82. Copy of Inspection Report -- 11 pages
83. NRC letter -- 2 pages
84. Copy of Irradiator Inspection -- 10 pages
85. NRC letter -- 2 pages

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86. Copy of Inspection -- 10 pages
87. INI letter concerning License No. 29-13848-01 -- 2 pages
88. Revision for Decommissioning Schedule -- 23 pages
89. Radiation shielding survey -- 7 pages
90. INI letter to NRC -- 3 pages
91. Copies of blueprints of INI facility -- 5 pages
92. INI letter in reference to License No. 29-13848-01 -- 7 pages
93. Shielding calculations -- 4 pages
94. NRC letter to INI -- 2 pages
95. INI letter to NRC -- 2 pages
96. Procedure for Source pool cleanup using hydro-vacuum system at INI -- 10 pages
97. INI letter to NRC -- 2 pages
98. NRC letter -- 2 pages
99. NRC letter -- 2 pages
100. Copy of Inspection -- 19 pages
101. NRC letter -- 1 page
102. INI letter to NRC -- 4 pages
103. Memorandum dated March 4, 1977 concerning proposed enforcement letter -- 1 page
104. Proposed NRC letter
105. NRC letter concerning a previous inspection -- 8 pages
106. NRC letter -- 2 pages
107. Proposed NRC enforcement letter, with attachment -- 21 pages
108. RSA Corporation letter to NRC -- 1 page
109. NRC letter to RSA Corporation concerning a meeting scheduled between the two parties -- 3 pages
110. NRC letter confirming a meeting to be held -- 4 pages

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111. NRC Notice of Significant Licensee Meeting -- 4 pages
112. NRC Materials Inspection -- 15 pages
113. Atomic Energy Commission (AEC) letter to RSA Corporation -- 1 page
114. RSA letter to NRC -- 1 page
115. AEC letter to RSA Corporation -- 11 pages
116. RSA letter to AEC -- 2 pages
117. AEC letter to RSA -- 1 page
118. RSA letter to AEC concerning a Report of Inspection, License No. 29-13848-01 -- 1 page
119. AEC letter to RSA -- 3 pages
120. Copy of AEC Inspection Field Notes -- 21 pages
121. RSA letter to AEC concerning report of leaking CO-60 source -- 3 pages
122. Copy of inspection findings and licensee acknowledgement -- 1 page
123. AEC letter to RSA concerning License No. 29-13848-01 -- 1 page
124. Copy of inspection findings and licensee acknowledgement -- 11 pages
125. Copy of inspection findings and licensee acknowledgement -- 9 pages
126. RSA letter to AEC concerning License No. 29-13848-01 -- 3 pages
127. AEC letter to RSA concerning Amendment No. 1 to Byproduct Material License No. 29-13848-01 -- 1 page
128. RSA letter to AEC concerning license stipulation 29-13848-01 - 3 pages
129. AEC memorandum concerning RSA pre-licensing visit -- 5 pages
130. RSA letter to AEC -- 6 pages
131. Displaywriter diskette containing Investigation Report No. 1-83-027
132. Investigation Report No. 1-83-027 with Exhibits 1-33 -- 171 pages
133. Report review and draft transmittal letter -- 3 pages
134. Routing Slip to Roger from Hutchison -- 1 page
135. Radiological Measurements at INI -- 21 pages

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136. Distribution of Report (1 page)
137. Memo for the Chairman from B.B. Hayes (1 page)
138. Letter to INI from NRC (9 pages)
139. Draft of letter to INI from NRC (8 pages)
140. NRC document (1 page)
141. 07/05/84 Memo from Christopher to Vorse (1 page)
142. Letter to INO from NRC (6 pages)
143. 06/05/84 Memo from Lieberman to Axelrad (7 pages)
144. Letter to NRC from U.S. Attorney (1 page)
145. Memo to INI file from J. Gutierrez (1 page)
146. 03/21/84 Letter to Gutierrez from Park w/enclosures (83 pages)
147. Various Survey data - Handwritten notes, measurements data and
Dates diagrams (11 pages)
148. 08/05/74 Letter to O'Reilly from O'Sullivan, subject: DRO Bulletin No.
74-7 (2 pages) w/attached memo dated 8/26/74 to Thornburg
from Nelson (1 page)
149. 08/24/82 Memo to File from Thomas, Subject: Inter-Office memos dated
8/17/82 from E.T. O'Sullivan (2 pages)
150. 10/13/83 Letter to Glenn from Welsh, re: License No. 29-13848-01, Whole
Body counting, w/enclosure (14 pages)
151. Undated Handwritten notes, w/enclosures - "Objectives of 10/6/83 and
10/07/83 Inspection to INI" (16 pages)
152. 10/21/83 Update of Waste Shipment - Handwritten notes, measurements
data, & Diagrams (23 pages)
153. 10/25/83 Individual Reports - Whole Body Counting, Radio-Nuclide Analysis
Program (2 pages)
154. 11/04/83 Individual Reports - Whole Body Counting Radio-Nuclide Analysis
Program (4 pages)
155. Undated Emergency Procedure - Radiation Overexposure (1 page)
156. Undated Emergency Procedure- Radiation Overexposure (1 page)
157. Undated Draft Enforcement documents (8 pages)

Re: FOIA-84-763

APPENDIX B

158. 11/30/83 - Handwritten logbook of activities by unidentified
03/13/84 author re: International Nutronics, Inc. (14 pages)