



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

PDR
016

OCT 29 1985

Mozart G. Ratner, Esquire
1900 M Street, NW
Suite 610
Washington, DC 20036

IN RESPONSE REFER
TO FOIA-85-598

Dear Mr. Ratner:

This is the final response to your letter dated August 23, 1985, in which you requested, pursuant to the Freedom of Information Act (FOIA), copies of six specified records.

Portions of the records listed on the enclosed Appendix C are being placed in the Nuclear Regulatory Commission's (NRC) Public Document Room (PDR), 1717 H Street, NW, Washington, DC 20555. You may obtain access to these records by requesting PDR folder FOIA-85-598 under your name.

The denied portions of the records listed on Appendix C contain information which identifies procedures for safeguarding licensed special nuclear material at a licensed facility. This information is considered commercial or financial (proprietary) information pursuant to 10 CFR 2.790(d) and is being withheld from public disclosure pursuant to Exemption (4) of the FOIA (5 U.S.C. 552 (b)(4)) and 10 CFR 9.5(a)(4) of the Commission's regulations.

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 Mr. John G. Davis, Director, Office of Nuclear Material Safety and Safeguards.

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."

This completes action on your request.

Sincerely,

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

Enclosure: As stated

8511070410 851029
PDR FOIA
RATNER85-598 PDR

APPENDIX C
PORTIONS OF RECORDS DENIED - FOIA EXEMPTION (4)

1. 02/21/85 Letter from Stohr, to Lees, subject: Report No. 70-1113/85-01
(2 pages) - Release
 - a. Enclosure 1: Notice of Violation (2 pages) Ex.4
 - b. Enclosure 2: Inspection Report No. 70-1113/85-01
(5 pages) Ex. 4
2. 06/12/85 Letter from Barr to Lees, subject: Report No. 70-113/85-06
(1 page) - Release
 - a. Enclosure 1: Inspection Report No. 70-1113/85-06
(5 pages) Ex. 4
3. 07/12/85 Letter from Barr to Lees, subject: Report No. 70-113/85-08
(1 page) - Release
 - a. Enclosure 1: Inspection Report No. 70-1113/85-08
(9 pages) Ex. 4

LAW OFFICES
MOZART G. RATNER, P. C.
1900 M STREET, N. W.
SUITE 610
WASHINGTON, D. C. 20036

MOZART G. RATNER

AREA CODE 202
223-9472

August 23, 1985

Mr. Joseph Felton
Division of Rules and Records
Office of Administration
Nuclear Regulatory Commission
Washington, D. C. 20555

FREEDOM OF INFORMATION
ACT REQUEST

FOIA-85-598
Rec'd 8-27-85

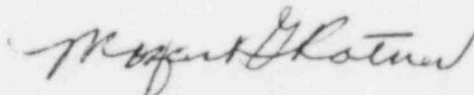
Re; Ratner and Schiller v General Electric
Company (2.206 Proceeding)

Dear Mr. Felton:

In connection with the above-captioned matter, I request that you furnish me, as soon as possible, with a copy of each of the following, which are absent from the PDR file because classified 2.790, or for some other reason.

1. Inspection Report 70-1113/85-07, May 13, 1985
2. Inspection Report 70-1113/85-05, May 14, 1985
3. Inspection Report 70-1113/85-06, June 12, 1985
4. Fundamental Nuclear Control Plan Revisions, June 24, 1985
5. Inspection Report 70-1113/85-01, July 12, 1985
6. Inspection Report 70-1113/85-08, July 12, 1985

Very truly yours,



Mozart G. Ratner

MGR/hej

cc: James Lieberman, Esq.
Ms. Patricia Norry

~~850924 4428~~



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II
101 MARIETTA STREET, N.W.
ATLANTA, GEORGIA 30303

File ✓

FEB 21 1985

General Electric Company
ATTN: Mr. Eugene A. Lees, General Manager
Nuclear Fuel Manufacturing Department
P. O. Box 780
Wilmington, NC 28402

Gentlemen:

SUBJECT: REPORT NO. 70-1113/85-01

On January 14-17, 1985, NRC inspected activities authorized by NRC License No. SNM-1097 for your Wilmington facility. At the conclusion of the inspection, the findings were discussed with those members of your staff identified in the enclosed inspection report.

Areas examined during the inspection are identified in the report. Within these areas, the inspection consisted of selective examinations of procedures and representative records, interviews with personnel, and observation of activities in progress.

The inspection findings indicate that certain activities violated NRC requirements. The violations, references to pertinent requirements, and elements to be included in your response are presented in the enclosed Notice of Violation.

In accordance with 10 CFR 2.790(d) and 10 CFR 73.21, safeguards activities and security measures are exempt from public disclosure; therefore, the enclosures to this letter, with the exception of the report cover page which presents a nonexempt summary, will not be placed in NRC's Public Document Room.

The responses directed by this letter and the enclosures are not subject to the clearance procedures of the Office of Management and Budget issued under the Paperwork Reduction Act of 1980, PL 96-511.

Should you have any questions concerning this letter, please contact us.

Sincerely,

Ja

J. Philip Stohr, Director
Division of Radiation Safety
and Safeguards

Enclosures: (See page 2)

85-7236492-2pp

C-1

MATERIAL TRANSMITTED HEREWITH
CONTAINS NEITHER RECOMMENDATIONS
NOR CONCLUSIONS OF THE NRC

FOIA 85-59

NMSS Review

General Electric Company

2

FEB 21 1985

Enclosures:

1. Notice of Violation
(Exempt from Disclosure)
2. Inspection Report No. 70-1113/85-01
(Exempt from Disclosure)

cc w/encl:

C. M. Vaughan, Manager
Regulatory Compliance