



FOIA — 96-398

RESPONSE TYPE

FINAL

☒

PARTIAL (3rd)

DATE

JUN 27 1997

DOCKET NUMBER(S) (If applicable)

REQUESTER

Ms. Heidi Strobel

RESPONSE TO FREEDOM OF
INFORMATION ACT (FOIA) REQUEST

PART I.—AGENCY RECORDS RELEASED OR NOT LOCATED (See checked boxes)

☐ No agency records subject to the request have been located.☐ No additional agency records subject to the request have been located.☐ Requested records are available through another public distribution program. See Comments section.☐ Agency records subject to the request that are identified in Appendix(es) _____ are already available for public inspection and copying at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC.☒ Agency records subject to the request that are identified in Appendix(es) D are being made available for public inspection and copying at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC, in a folder under this FOIA number.☐ The nonproprietary version of the proposal(s) that you agreed to accept in a telephone conversation with a member of my staff is now being made available for public inspection and copying at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC, in a folder under this FOIA number.☐ Agency records subject to the request that are identified in Appendix(es) _____ may be inspected and copied at the NRC Local Public Document Room identified in the Comments section.☐ 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, N.W., Washington, DC.☒ Agency records subject to the request are enclosed.☐ Records subject to the request have been referred to another Federal agency(ies) for review and direct response to you.

Fees

☐ You will be billed by the NRC for fees totaling \$ _____.☐ You will receive a refund from the NRC in the amount of \$ _____.☐ In view of NRC's response to this request, no further action is being taken on appeal letter dated _____, No. _____.

PART II. A.—INFORMATION WITHHELD FROM PUBLIC DISCLOSURE

☐ Certain information in the requested records is being withheld from public disclosure pursuant to the exemptions described in and for the reasons stated in Part II, B, C, and D. Any released portions of the documents for which only part of the record is being withheld are being made available for public inspection and copying in the NRC Public Document Room, 2120 L Street, N.W., Washington, DC in a folder under this FOIA number.

COMMENTS

The records identified on enclosed Appendix D are responsive to your request. Copies of these records are enclosed. Additional records are continuing to be reviewed which may be subject to your request. You will be notified once this review is complete.

FOIA.0/1

SIGNATURE, DIRECTOR, DIVISION OF FREEDOM OF INFORMATION AND PUBLICATIONS SERVICES

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PDR FOIA
STROBEL96-398 PDR

APPENDIX D

RECORDS MAINTAINED IN THE PDR UNDER THE ABOVE REQUEST NUMBER

NUMBER	DATE	DESCRIPTION/PAGES
1.	10/01/82	Letter to John Griffin from James Zimmerman, (2 pgs.).
2.	10/12/82	Letter to John Griffin from James Zimmerman, (1 pg.).
3.	7/26/85	Letter to Carl Thorne from Marvin Peterson, (1 pg.).



RESEARCH INFORMATION SERVICES, INC.

JUL 31 REC'D

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July 26, 1996

DOCUMENT
RESEARCH &
RETRIEVAL

Freedom Of Information Act Officer
Headquarters, U.S. Department of Energy
1000 Independence Avenue, S.W.
Washington, DC 20585

RE: Freedom of Information Act (FOIA) Request.

To FOIA Officer,

Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C., section 522, as amended, I hereby request the following information:

- All records pertaining to the Energy Secretary's determination, under 10 CFR Part 810, dated July, 21, 1987, concerning the application of Stone and Webster Engineering Corporation ("SWEC"), including without limitation the SWEC application referred to in the Secretary's determination, all specific authorization documents provided to SV... all records concerning SWEC's capacity to "team" with any other entity pursuant to the authority of that determination and specific authorization, and all meeting notes and correspondence concerning all the foregoing;
- All records dated after January 1, 1982, pertaining to any specific authorization under 10 CFR Part 810 sought by or granted to Westinghouse Electric Corporation (or any affiliate thereof) concerning direct or indirect assistance to the production of special nuclear material in the People's Republic of China (whether through manufacturing of nuclear fuel and/or equipment in China or in a third country (e.g., Japan, Spain, Belgium)), including without limitation all records interpreting the scope of such specific authorization(s), all applications therefor, and all meeting records and correspondence concerning all the foregoing; and
- All other records pertaining to any determination by the Secretary of Energy, dated on or after January 1, 1982, under 10 CFR Part 810 pursuant to which any person was or is authorized to utilize U.S.-origin technology for the manufacture of nuclear power reactors (or their components) or the fabrication of nuclear power reactor fuel, for ultimate use in the People's Republic of China (regardless of whether such manufacture/fabrication would occur in China or a third country and regardless of whether the authorization covered only China or other countries in addition to China), including without limitation all records interpreting the scope of such authorizations, all applications therefor, and all meeting records and correspondence concerning all the foregoing.

If this request is denied, I would like a detailed statement of the reasons for withholding the information in question. See Vaughn v. Rosen 484 F.2d 820 (DC Cir. 1973), cert. denied, 415 US 977 (1974). I also request the name(s) of the person(s) responsible for denying the request.

MAIN OFFICE

717 D STREET NW, SUITE 200 WASHINGTON, DC 20004-2891
202-737-7111 800-542-3320 202-737-3324 FAX

NEW YORK OFFICE	LOS ANGELES OFFICE	DELAWARE OFFICE	SEC OFFICE
800-477-3320	800-766-3320	800-685-3320	800-866-3320
212-349-4646	213-680-1972	302-426-9200	202-347-6666

FOIA/PA REQUEST
SEARCH, REVIEW & REPRODUCTION

Case No:

96-398

Date Rec'd:

10-7-96

Action Off:

Rugh

Related Case:

DOE Referral

and

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Heidi M. Strobel
July 26, 1996
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In accordance with your regulations and with the terms of the FOIA, I agree to pay all reasonable search and copy charges upon presentation of an invoice, along with the requested material. I understand that in accordance with the regulations, a response to this request must be made by your office within ten (10) working days of its receipt.

I appreciate your attention to this matter. If you have any questions or problems, please contact me at (202) 737-7111.

Sincerely,



Heidi M. Strobel
Director, Legal Research

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