NRC FORM 464 Part I (J) U.S. NUCLEAR REGULATORY COMMISSION	FOIA/PA	RESPONSE NUMBER				
(-2011)	2011-0148/0149	77				
RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) / PRIVACY ACT (PA) REQUEST	RESPONSE FINAL					
REQUESTER Takeshi Yamashina	DATE AUG 0 6 2012,					
PART I INFORMATION RELEASED	 D	· · · · · · · · · · · · · · · · · · ·				
No additional agency records subject to the request have been located.						
Requested records are available through another public distribution program.	See Comments section.					
APPENDICES 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 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 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 * You will be billed by NRC for the amount listed.	None. Minimum fee thresho	ld not met.				
See comments for details You will receive a refund for the amount listed.	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 the reasons stated in Part II.	oursuant to the exemptions d	escribed in and for				
This determination may be appealed within 30 days by writing to the FOIA/PA C Washington, DC 20555-0001. Clearly state on the envelope and in the letter th	Officer, U.S. Nuclear Regulate at it is a "FOIA/PA_Appeal."	ory Commission,				
PART I.C COMMENTS (Use attached Comments continuation page if required)						
The released portions of Group SSSS records relating to your request are being made publicly available in the "NRC Library" at						
http://www.nrc.gov/reading-rm/foia/japan-foia-info/2011/						
As the NRC makes records publicly available, you will be notified in writing.						
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SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER FOR JAPAN - RELATED FOIAS Deborah A. Dennis	$\sim$					
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PART II.A - APPLICABLE EXEMPTIONS     Precords subject to be encoded to the enclosed Appendices are being withheld in their entirely or in part under the      Ecomption N: On the PA and of a PF Adr and Appendices are being withheld in their entirely or in part under the     Ecomption 2: The withheld information is properly classified pursuant to Executive Order 1208.     Exemption 2: The withheld information is specifically exempted from public disclosure by statule indicated.     Section 147 of the Atomic Energy Act, which prohibits the disclosure of berticated Data (A2 U.S.C. 2161-2165).     Section 147 of the Atomic Energy Act, which prohibits the disclosure of berticated Data (A2 U.S.C. 2161-2165).     Section 147 of the Atomic Energy Act, which prohibits the disclosure of an exercised and an other action begin and the submitter of the proposal.     Exemption 147 of the Atomic Energy Act, which prohibits the disclosure of an exercise on and centred of an executive and the submitter of the proposal.     Exemption 147 of the Atomic Energy Act, which prohibits the disclosure of an exercise on an exercise of a proper and the submitter of the proposal.     Exemption 147 of the Atomic Energy Act, which prohibits the disclosure of exercises on and centrel of an executive and the submitter of the proposal.     Exemption 14. The withheld information is a trade secret or commercial or financial Information that is being withheld for the reason(a) indicated.     The information is considered to be confidential business (propriatery) information.     The information is considered to be proprietary because it coroners at cances or applicant's physical protection or material control and     The information is considered to a foreign ecurces and received in confidence pursuant to 10 CFR 2.390(0)(2).     Disclosure with man identification and intermation in the ecurce of the asta an individual society and programmatic information.     The information is exected to commercial or intragency recurs that an individual soc	R			2011-0148/0149	AUG 0 6 2012				
Presentation Pres									
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.   Section 141-145 of the Atomic Energy Act, which prohibits the disclosure of Restricted Data or Formerly Restricted Data (42 U.S.C. 2167).   41 U.S.C. Section 47 of the Atomic Energy Act, which prohibits the disclosure of Unclassified Safeguards information (42 U.S.C. 2167).   41 U.S.C. Section 47 072(b), prohibits the disclosure of Contractor proposals in the possession and control of an executive 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) hormation.   The information is considered to be confidential business (proprietary) hormation.   The information is considered to be confidential business (proprietary) hormation.   The information is considered to be confidential business.   Disclosure with harm at information consists of interagency or intraagency records that are not available through discovery during tilgation. Applicable privileges.   Deliberative process. Disclosure of predecisional information would tend to hinbit the open and frank exchange of discovery during tilgation. There also are no reasonably agergable factual portions because the release of the facts would permit an indirect inquiry into the predecisional formation.   Attorney-client privilege. (Conditential portions because the release of the facts would permit an indirect inquiry into the predecisional formation consists of neoremore privilege. (Londitential burne disclosure because ita disclosure		APPENDICES Records subject to the request that are described in the enclosed Appendices are being withheld in their entirety or in part under the							
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2161-2163).         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 4702(b), prohibits the disclosure of contractor proposals in the possession and control of an executive agency to any person under section 552 of Tile 5, U.S.C. (the FOLA), except when incorporated into the contract between the agency and the submitter of the proposal.         Exemption 4: The withheid information is a trade secret or commercial or financial information that is being withheid for the reason(s) indicated. The information is considered to be proprietary because it concerns a licenset's or applicant's physical protection or material control and accounting program for special nuclear material pursuant to 10 CFR 2.390(d)(2).         Disclosure will harm an identifiable private or governmental interest.         Exemption 5: The withheid information consists of Interagency or intrasgency records that an ot available through discovery during litigation. There also are no sensorbly segregameable factual portions because the release of the facts would permit an indirect inquiry into the predecisional information. There also are noreanably segregameable factual portions because the release of the facts would permit an indirect inquiry into the predecisional proves. Understand the propess and is being withheld for the reason(s) indicated.         Atomey work-product privilege. (Confidential communications between an atomey and his/her client)       Atomey work-product privilege. (Confidential communications between an atomey and his/her client)         Exemption 7: The withhell information consists of records compiled for any enforcement process and is being withheld for the reason(s) indicated. <tr< td=""><td></td><td colspan="7">Exemption 3: The withheld information is specifically exempted from public disclosure by statute indicated.</td></tr<>		Exemption 3: The withheld information is specifically exempted from public disclosure by statute indicated.							
↓ 1 U.S.C., Section 4702(b), 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 FOLA), except when incorporated into the contract between the agency and the submitter of the websheld 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 proprietary because it concerns a licenset'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 is considered to be proprietary because it concerns a licenset's or applicant's physical protection or material control and accounting program for special nuclear material pursuant to 10 CFR 2.390(d)(2).         □       Disclosure will harm an identificable private or governmental interest.         □       Disclosure will harm an identificable private or governmental interest.         □       Disclosure will harm an identificable private or governmental interest.         □       Disclosure will harm an identificable private or governmental interest.         □       Disclosure will harm an identificable private or governmental interest.         □       Disclosure work-product privilege. (Documents prepared by an attorney and his/her client)         □       Attorney work-product privilege. (Documents prepared by an attorney and his/her client)         □       Attorney work-product privilege. (Documents prepared by an attorney and his/her client)									
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☐ deliberative process.       Where records are withheld in their entirely, the facts are inextricably intertwined with the predectional information.         ☐ 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.         ③ (A) Disclosure could reasonably be expected to interfere with an enforcement proceeding (e.g., it would reveal the scope, direction, and focus of enforcement 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 endanger the law.         ☐ (F) 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 endanger the life or physical safety of an individual.         ☐ (F) Disclosure could reasonably be expected to endanger the life or physical safety of an individual.         ☐ (F) Disclosure could reasonably be expected to endanger the life or physical safety of an individual.         ☐ (THER (Specify		Exemption 5: The w Applic	able privileges:	ency records that are not available	able through discovery during inigation.				
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 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     there are ponsible 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     Deborah A. Dennis FOIA/PA Officer for Japan-Related FOIAs Appendix SSSS	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								
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