



RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) / PRIVACY ACT (PA) REQUEST

2002-0324

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RESPONSE TYPE FINAL PARTIAL

REQUESTER

Matthew Rice

DATE

SEP 16 2002

PART I. - INFORMATION RELEASED

- No additional agency records subject to the request have been located
- Requested records are available through another public distribution program See Comments section
- APPENDICES B 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 A 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, 2120 L Street, NW, Washington, DC.
- APPENDICES A 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 threshold not met.
- You will receive a refund for the amount listed.
- Fees waived

* See comments for details

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 pursuant to the exemptions described in and for the reasons stated in Part II.
- This determination may be appealed within 30 days by writing to the FOIA/PA Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Clearly state on the envelope and in the letter that it is a "FOIA/PA Appeal."

PART I.C COMMENTS (Use attached Comments continuation page if required)

The record identified as Appendix A-6 contains copyrighted material and is, therefore, not being provided to you. A copy of the copyrighted document can be viewed at the NRC's Public Document Room located at 11555 Rockville Pike, Rockville, MD 20852. On 4/4/02 the article was available at the following web location <http://www.nytimes.com/2002/0404/nyregion/04DUMP.html>.

The records identified on Appendix B are already publicly available. Records with a ML Accession Number are publicly available in the NRC's Public Electronic Reading Room at <http://www.nrc.gov/NRC/ADAMS/index.html>. If you need assistance in obtaining these records, please contact the NRC's Public Document Room (PDR) at 1-800-397-4209, or by e-mail to pdr@nrc.gov.

(continued)

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Carol Ann Reed *Carol Ann Reed*

2002-0324

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**RESPONSE TO FREEDOM OF INFORMATION
ACT (FOIA) / PRIVACY ACT (PA) REQUEST (Continued)**

DATE

SEP 16 2002

PART I.C COMMENTS (Continued)

Staff has indicated that, if you have not already done so, you may wish to make a request to review Sylvania files at the New York State Department of Environmental Conservation. The contact to make such a request follows:

Ruth L. Earl, Records Access Officer
New York State Department of Environmental Conservation
Office of Media Relations, 14th Floor
625 Broadway
Albany, NY 12233-1016

In addition, some of NRC's Sylvania Corp. records related to specific license numbers have already been shipped to the National Archives & Records Administration (NARA) and now come under NARA jurisdiction. You will need to contact NARA directly concerning these records. The contact is Steve Tilley, NARA Special Access FOIA, telephone number 301-837-3190. The following job numbers should be referenced: Job #431-01-1278, Box 2 (license no. SNM00082, Docket No. 70-97) and Job #431-01-775, Box 32 (license no. SUE-6647, Docket No. 40-6317).

Although not directly related to your request, NRC processed an earlier request, FOIA/PA-2001-0257, for records related to any licensed facility located in Bayside, New York. Records identified on appendices of FOIA/PA-2001-0257 at B-114, B-160, and C-1 reference Hicksville, NY in their description. The records related to this FOIA were made publicly available through the agency's Agencywide Documents Access and Management System (ADAMS). The ADAMS package accession number for FOIA/PA-2001-0257 is ML021080088.

**APPENDIX A
RECORDS BEING RELEASED IN THEIR ENTIRETY
(If copyrighted identify with *)**

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
1.	12-22-95	ORNL Sites - Summary (7 pages)
2.	06-26-98	Letter from D. White to P. Merges (21 pages)
3.	05-01	Fact Sheet (May 2001) (6 pages)
4.	10-01	Fact Sheet (October 2001) (6 pages)
5.	03-02	Fact Sheet (March 2002) (6 pages)
6.	04-04-02 *	* E-mail from T. Jackson to Various Addressees, Re: NYTimes.com Article: Neighbors of Old Nuclear Fuel Plant Sue Over Sicknesses by Elissa Gootman (3 pages)
7.	07-03-98	Final Voluntary Investigation Work Plan (478 pages)
8.	04-20-01	Letter from R.R. Stewart, NYSDEC to M. Roberts, NRC, transmitting 2 investigative reports (1 page)
8a.	12/2000	Investigation Report, December 2000 (616 pages)
8b.	09/2000	Supplemental Investigation Work Plan, September 2000 (192 pages)
9.	09-06-01	Letter from R.R. Stewart, NYSDEC to M. Roberts, NRC, transmitting 2 reports and a work plan (1 page)
9a.	07/09/01	NYSDOH Radiological Survey Report, July 9, 2001 (17 pages)
9b.	07/2001	Monitoring Well Work Plan, July 2001 (197 pages)
9c.	07/2001	Supplemental Voluntary Investigative Report, July 2001 (344 pages)

**APPENDIX B
RECORDS ALREADY PUBLICLY AVAILABLE**

<u>NO.</u>	<u>DATE</u>	<u>ACCESSION NUMBER</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
1.	09-18-96	9609240152	Ltr from Ron Bellamy, NRC, to Robert Stewart, NY State Dept. of Environmental Conservation, re: Meeting between Mark Roberts, NRC, and the former Sylvania Electric Products Co. (2 pages)
2.	11-27-96	9612030054	Insp Rept 70-0097/96-01 on 960820. Radiological exposure rates in excess of NRC criteria for release of unrestricted use. (4 pages)
3.	11-27-96	9612030050	Forwards, for docket 7000097, insp rept 70-0097/96-01 on 960820 of former Sylvania Electric Products, Inc facility (8 pages)
4.	01-28-97	9702060153	Submits results of Survey of Public Area Adjacent to the Sylvania Electric Products, Inc. facility - analysis of soil samples collected (3 pages)
5.	02-12-97	9702200357	Forwards revised results of 961119 survey of public area next to former Sylvania Electronic Products, Inc. (4 pages)
6.	02/10/00	ML003686221	Response to Freedom Of Information Act Privacy Act request (FOIA/PA-2000-0104) for listing of AEC formerly licensed sites (70 pages)
7.	06/14/02	ML021770455	Demand for Indemnity re: former Nuclear Facility in Hicksville, NY (68 pages)