



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

DEC 23 2002

Charles J. Fitzpatrick  
Egan & Associates, PLLC  
7918 Jones Branch Drive  
Suite 600  
McLean, VA 22102

IN RESPONSE REFER  
TO FOIA-2003-0075

Dear Mr. Fitzpatrick:

This is in reference to your letter to the U. S. Department of Energy (DOE) dated November 12, 2001, in which you requested, pursuant to the Freedom of Information Act, records pertaining to 10 CFR Part 960, "General Guidelines for the Recommendation of Sites for Nuclear Waste Repositories." Some records located subject to the request were originated by or are of interest to the NRC. The records were referred to the NRC for review and direct response to you.

The NRC staff has completed its review of the records. The records identified on enclosed Appendix A are already publicly available in the NRC Public Document Room (PDR). You may obtain access to the records by visiting the PDR located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, MD 20852, or by telephone on (301) 415-4737. The records identified on enclosed Appendix B are being released in their entirety and are enclosed.

This completes NRC action on your request.

Sincerely,

A handwritten signature in black ink, appearing to read "Carol Ann Reed".

Carol Ann Reed  
FOIA/PA Officer  
Office of the Chief Information  
Officer

Enclosures: As stated

**APPENDIX A  
RECORDS ALREADY AVAILABLE IN THE PDR**

<u>NO.</u>	<u>DATE</u>	<u>ACCESSION NUMBER</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
1.	01/11/84	8401120265	Statement of James M. Davis, Jr. on Behalf of the EEI and Utility Nuclear Waste Management Group. (8 pages)
2.	04/01/83	8306240109	Memo from R. Tang to M. Bell, subject: ACRS Waste Mngmt Subcommittee Comments on the DOE Proposed Guidelines for 10 CFR Part 960. (10 pages)
3.	12/20/83	8401110473	Letter from J. J. Ray, ACRS, to W. Dircks, subject: Comments on DOE General Guidelines for Recommendation of Sites for Nuclear Waste Repositories. (3 pages)
4.	01/07/84	8401100122	Letter from M. Murphy to SECY regarding meeting on NRC concurrence/nonconcurrence in DOE Waste Repository Siting Guidelines. (27 pages)
5.	01/09/84	8401110222	Letter from J. Davenport to SECY regarding meeting on DOE Waste Repository Guidelines. (16 pages)
6.	01/27/84	8401310255	Letter from J. Kearney to the Commission regarding Waste Repository Guidelines. (2 pages)
7.	02/01/84	8402080182	Letter from M. Murphy to SECY regarding Supplemental Brief of State of Nevada. (22 pages)
8.	02/02/84	8402070324	Letter from Carl Sinderbrand to SECY regarding NRC Concurrence in High

- Level Waste Depository Guidelines. (24 pages)
9. 03/09/84 8404090412 Letter from J. Christofferson to Chairman regarding DOE Guidelines. (7 pages)
10. 03/27/84 8404030531 Letter from Guy Wilson, State of Mississippi, to SECY, regarding DOE Guidelines. (2 pages)
11. 04/30/84 8405040013 Letter from w. Ball to SECY regarding DOE Guidelines. (6 pages)
12. 06/19/84 8406250195 Letter from J. Davenport to Chairman regarding proposed 10 CFR Part 960. (10 pages)
13. 04/02/84 8404170451 Supplemental Comments of the State of Nevada. (10 pages)

**APPENDIX B  
RECORDS BEING RELEASED IN ENTIRETY**

<b><u>NO.</u></b>	<b><u>DATE</u></b>	<b><u>DESCRIPTION/(PAGE COUNT)</u></b>
1.	02/11/83	Memo from Michael to Hubert Miller, subject: Review of Proposed DOE Regulation 10 CFR 960, "Proposed General Guidelines for the Recommendation of Sites for Nuclear Waste Repositories. " (86 pages)
2.	02/24/83	Memo from H. Miller to M. Bell, subject: Review of Proposed DOE Regulation 10 CFR 960. (4 pages)
3.	03/15/83	Memo from P. Comella to M. Bell, subject: DOE's Proposed General Guidelines for Recommendation of Sites for Nuclear Waste Repositories. (6 pages)
4.	03/16/83	Memo from C. Pflum to R. Boyle, subject: DOE Public Hearing on Proposed General Guidelines. (18 pages)
5.	04/11/83	Memo from M. Bell to R. Budnitz transmitting viewgraphs from ACRS meeting on DOE siting guidelines. (28 pages)
6.	12/12/83	Commission Order. (5 pages)
7.	12/20/83	Letter from J. J. Ray to W. Dircks regarding comments on guidelines. (5 pages)
8.	3/19/84	Initial Comments of State of Nevada. (3 pages)
9.	03/30/84	Letter from T. Kalitowski to Chairman regarding siting guidelines. (2 pages)
10.	04/02/84	Note from R. Boyle to C. Hanlon, subject: Possible Approaches to NRC Condition #6 on DOE Siting Guidelines. (30 pages)
11.	04/12/84	Memo from M. Bell to R. Browning, subject: Minutes of 4/4 meeting. (8 pages)
12.	06/22/84	Statement on Behalf of the Yakima Indian Nation. (10 pages)