

2003-0080

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

RESPONSE TYPE FINAL PARTIAL

REQUESTER

Eric Gratson

DATE

JAN 24 2003

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 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, 2120 L Street, NW, Washington, DC.
- 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 *
\$ 183.36

* See comments for details

- 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

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)

In a telephone conversation with Ms. Mary Jean Pool of my staff on December 9, 2002, you informed Ms. Pool that you were interested only in licenses at 925 E. Jersey Street, Elizabeth, New Jersey.

The actual fees for processing your request are:

1 hr. professional search @ \$42.94 per hr. = \$42.94
 3 hrs. professional review @ \$42.94 per hr. = \$128.82
 Duplication of 58 pages @ \$0.20 per page = \$11.60
 Total = \$183.36

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Carol Ann Reed

(6-1998)

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PART II.A -- APPLICABLE EXEMPTIONS

APPENDICES B

Records subject to the request that are described in the enclosed Appendices are being withheld in their entirety or in part under the Exemption No.(s) of the PA and/or the FOIA as indicated below (5 U S C. 552a and/or 5 U S C 552(b))

- Exemption 1 The withheld information is properly classified pursuant to Executive Order 12958
Exemption 2 The withheld information relates solely to the internal personnel rules and procedures of NRC
Exemption 3 The withheld information is specifically exempted from public disclosure by statute indicated
Exemption 4 The withheld information is a trade secret or commercial or financial information that is being withheld for the reason(s) indicated
Exemption 5 The withheld information consists of interagency or intraagency records that are not available through discovery during litigation Applicable privileges:
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

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 interest.

Table with columns: DENYING OFFICIAL, TITLE/OFFICE, RECORDS DENIED, APPELLATE OFFICIAL (EDO, SECY, IG). Row 1: Hubert J. Miller, Regional Administrator, RI, Appendix B, EDO checked.

Appeal must be made in writing within 30 days of receipt of this response. Appeals should be mailed to the FOIA/Privacy Act Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, for action by the appropriate appellate official(s). You should clearly state on the envelope and letter that it is a "FOIA/PA Appeal."

**APPENDIX A
RECORDS BEING RELEASED IN THEIR ENTIRETY**

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
1.	3/26/87	Materials License, 29-27985-01 (2 pages)
2.	12/9/91	Materials License Supplementary Sheet, 29-27985-01 (1 page)
3.	7/26/02	Materials License (4 pages)
4.	1/7/77	Letter to Elizabeth General Hospital from J O'Reilly (5 pages)
5.	3/16/77	Letter to Elizabeth General Hospital from P Nelson, Subject: Inspection No. 76-01 and License No. 29-01600-02 with enclosures (6 pages)
6.	3/4/81	Letter to Elizabeth General Hospital from J Kinneman, Subject: Inspection 30-2437/80-01 with enclosures (12 pages)
7.	8/9/84	Letter to Elizabeth General Hospital from T Martin, Subject: Inspection No. 030-2437/84-01 with enclosure (3 pages)
8.	9/15/87	Letter to Elizabeth General Hospital from J Kinneman, Subject: Inspection No. 030-02437/87-001with enclosures (6 pages)
9.	3/21/91	Letter to Elizabeth General Medical Center from M Shanbaky, Subject: Inspection No. 030-02437/90-001 with enclosures (15 pages)

**APPENDIX B
RECORDS WITHHELD IN PART**

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)/EXEMPTIONS</u>
1.	5/9/63	To E Price from R Cleveland, Subject: Transmittal of License Compliance Inspection Report - 10 CFR 30 (4 pages)