NRC FORM 464 Part I U.S. NUCLEAR REGULATORY COMMISSION	ON FOIA/PA	RESPONSE NUMBER			
RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) / PRIVACY ACT (PA) REQUEST	2003-0080	1 1			
RESPONSE TO FREEDOM OF		<u> </u>			
INFORMATION ACT (FOIA) / PRIVACY	RESPONSE				
ACT (PA) REQUEST	TYPE TINAL	PARTIAL			

REQUESTER	DATE .				
Eric Gratson	JAN 2	4 2003			
PART I INFORMATION RELEAS	SED				
No additional agency records subject to the request have been located.					
Requested records are available through another public distribution program	n. See Comments section.				
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.					
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.					
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					
You will be billed by NRC for the amount listed.	None. Minimum fee thresho	ld not met			
\$ 183.36 You will receive a refund for the amount listed.	Fees waived				
for details PART I.B INFORMATION NOT LOCATED OR WITHHE	LD FROM DISCLOSURE				
	ED I KOM DIOGEOGOKE				
No agency records subject to the request have been located.	to nursuant to the everntions d	accribed in and for			
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,					
This determination may be appealed within 30 days by writing to the FOIA/P Washington, DC 20555-0001. Clearly state on the envelope and in the lette	r that it is a "FOIA/PA" Appeal."	ory commission,			
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 Cause From Malf					
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NRC FORM 464 Part II U.S. NUCLEAR REGULATORY COMMISSION DATE FOIA/PA (6-1998) ESPONSE TO FREEDOM OF INFORMATION 2003-0080 ACT (FOIA) / PRIVACY ACT (PA) REQUEST JAN 24 2003 PART II.A -- APPLICABLE EXEMPTIONS APPENDICES Records subject to the request that are described in the enclosed Appendices are being withheld in their entirety or in part under В 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 Sections 141-145 of the Atomic Energy Act, which prohibits the disclosure of Restricted Data or Formerly Restricted Data (42 U S C. 2161-2165) 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 253(b), subsection (m)(1), 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 FOIA), except when incorporated into the contract between the agency and the submitter of the proposal. 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) information The information is considered to be proprietary because it concerns a licensee's or applicant's physical protection or material control and accounting program for special nuclear material pursuant to 10 CFR 2.790(d)(1) The information was submitted by a foreign source and received in confidence pursuant to 10 CFR 2 790(d)(2) The withheld information consists of interagency or intraagency records that are not available through discovery during Exemption 5 litigation Applicable privileges: Deliberative process. Disclosure of predecisional information would tend to inhibit the open and frank exchange of ideas essential to the 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 predecisional process of the agency. 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) The withheld information is exempted from public disclosure because its disclosure would result in a clearly V 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) (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 wrongdoing or a violation of NRC requirements from investigators). (C) Disclosure would 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 prosecutions, 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 interest. The person responsible 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) APPELLATE OFFICIAL **DENYING OFFICIAL** RECORDS DENIED TITLE/OFFICE EDO | SECY IG Regional Administrator, RI Appendix B Hubert J. Miller 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."

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APPENDIX A RECORDS BEING RELEASED IN THEIR ENTIRETY

<u>NO.</u>	DATE	DESCRIPTION/(PAGE COUNT)
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)

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APPENDIX B RECORDS WITHHELD IN PART

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