



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

2003-0249

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RESPONSE TYPE  FINAL  PARTIAL

REQUESTER

Scott Street

DATE

JUL 16 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 A** 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 B** 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, B** 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)

On May 21, 2003, in a telephone conversation with Ms. Rammling, of my staff, you agreed to limit the scope of your request to cover a 2-year time frame beginning with March 2001. While staff performed their searches beginning with March 2001 the attached Appendix A identifies all publicly available records beginning with December 1999. Since you are entitled to 100 free pages of duplication, we have enclosed a copy of each record identified in Appendix A and B.

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Carol Ann Reed

**APPENDIX A  
RECORDS ALREADY PUBLICLY AVAILABLE**

<b><u>NO.</u></b>	<b><u>DATE</u></b>	<b><u>ACCESSION NUMBER</u></b>	<b><u>DESCRIPTION/(PAGE COUNT)</u></b>
1.	12/17/99	ML003672887	Letter to Chairman Meserv from Sen. Edwards, Constituent inquiry (4 pages)
2.	12/19/99	ML003672380	Letter from J. Hogan to Sen. John Edwards re: What we are leaving behind after we bomb (7 pages)
3.	03/08/00	ML012560435	Facsimile Transmission to W. Austin from Commissioner Merrifield; 3/8/00 Letter from Commissioner Merrifield to Senator Edwards discussing the Commissioner's trip to the Global Nuclear Fuel facility and the Brunswick nuclear power plant including meetings with plant employees and government and community leaders (2 pages)
4.	03/14/00	ML003692714	E-mail from J. Hogan to Sen. John Edwards re: The effects of Cesium 137 on human beings (5 pages)
5.	05/05/00	ML012560430	Letter from Sen. John Edwards to Chairman Meserve re: Carolina Power & Light proposed expansion of Shearon Harris nuclear waste storage facility in Orange County, North Carolina (1 page)
6.	05/10/00	ML003714872	Limited Appearance Statement submitted by J. Hogan to Sen. John Edwards re: Senate Bill 1287 (4 pages)
7.	05/15/00	ML003719922	Letter from Jim Warren to Sen. John Edwards re: thanking the Senator for his letter to Chairman Meserve calling for a full evidentiary hearing on the Shearon Harris Nuclear Waste Expansion (4 pages)
8.	05/16/00	ML003715418	Letter from Annette Vietti-Cook, NRC to Sen. John Edwards re the Senator's request for an evidentiary hearing (4 pages)

9. 01/05/01 ML012560405 Letter to Chairman Meserve from Sen. J. Edwards re NRC's recent decision to approve Carolina Power & Light's request to expand the Shearon Harris nuclear waste storage capacity (2 pages)
10. 01/10/01 ML031040510 Handwritten letter from Commissioner Merrifield to Sen. J. Edwards re tour of the McGuire Nuclear Power Plant and to arrange a future meeting (1 page)
11. 02/05/01 ML010370350 Letter from Chairman Meserve to Sen. J. Edwards & Congressman David E. Price re recent NRC's staff approval of of Carolina Power & Light's application to expand spent fuel capacity at Sharon Harris (8 pages)
12. 6/22/01 ML011780034 Ltr. from Sen. John Edwards to Chairman Meserve re Request Status of OSRE Program (3 pages)
13. 8/15/01 ML012560387 Ltr. Chairman Meserve to Sen. John Edwards re Concerns About Potential Vulnerability of Nuclear Power Plants to Terrorist Threats (3 pages)  
Attachment 1: 8/7/98 Memo re: Differing Professional View Regarding NRC Abandoning Its Only Counter-Terrorism Program (7 pages)  
Attachment 2: 11/4/98 Memo re: Differing Professional View Concerning Termination of the Operational Safeguards Response Evaluation Program (7 pages)  
Attachment 3: 12/11/98 Memo re: Tasking Memorandum for Staff Followup on Differing Professional Views Regarding the Operational Safeguards Response Evaluation Program (2 pages)

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

<b><u>NO.</u></b>	<b><u>DATE</u></b>	<b><u>DESCRIPTION/(PAGE COUNT)</u></b>
1.	01/10/03	Letter to Sen. John Edwards from D.K. Rathbun, OCA, transmitting several NRC adjudicatory decisions which conclude conclusion that a National Environmental Policy Act (NEPA) analysis need not encompass consideration of the impacts of terrorism (1 page)