



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

2005-0121

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RESPONSE TYPE FINAL PARTIAL

REQUESTER

Russell Carollo

DATE

MAR 15 2005

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 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 records identified on the enclosed Appendices were referred to the NRC by the U.S. Merit Systems Protection Board for our review and direct response to you.

This completes NRC's action on your request.

The incoming FOIA/PA-2005-0121 request is located in ADAMS at ML 050280194.

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Carol Ann Reed

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

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
1.	11/15/96	Letter to Lieberman, NRC from Falast, Dpt of Veterans Affairs, Reply to a Notice of Violation - EA 96-182 (12 pages)
2.	11/15/96	Answer to a Notice of Violation (10 pages)
3.	9/25/97	Letter to Falast from Lieberman, Reduction of Severity Level of Violation, and Withdrawal of Civil Penalty, Issued on 9/18/96 (4 pages)
4.	1/4/96	Letter to Falast from Shanbaky, NRC, Special Inspection No. 030-14526/95-002 (5 pages)
5.	9/18/96	Letter to Falast from Miller, NRC, Notice of Violation and Proposed Imposition of Civil Penalty - \$8,000 (6 pages)
6.	9/3/97	U.S. NRC Inspection Report 030-14526/96-002 (11 pages) Ex. 4
7.	9/11/97	Letter to Falast, Dpt of Veterans Administration Medical Center from A Blough, NRC, Inspection Report No. 030-14526/96-02 (7 pages) Ex. 4