



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

2004-0314

7

RESPONSE TYPE FINAL PARTIAL

REQUESTER

David Lochbaum

DATE

AUG 31 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 **M,N** 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 **M,N** 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 *
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- 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 incoming FOIA/PA-2004-0314 request is located in ADAMS at ML042160475.

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Russell A. Nichols

PART II.A -- APPLICABLE EXEMPTIONS

APPENDICES
N, O

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.
 - 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.
- Exemption 4: 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).
- Exemption 5: The withheld information consists of interagency or intraagency records that are not available through discovery during 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)
- 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.
 - (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)
 Ex. 2 - Disclosure would risk circumvention of a legal requirement.

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).

DENYING OFFICIAL	TITLE/OFFICE	RECORDS DENIED	APPELLATE OFFICIAL		
			EDO	SECY	IG
Guy P. Caputo	Director, Office of Investigations	Appendix O/1, O/2	✓		
Samuel J. Collins	Regional Administrator, RI	Appendix N, O/1, O/2	✓		
Michael R. Johnson	Director, Office of Enforcement	Appendix O/3	✓		

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 M
RECORDS RELEASED IN THEIR ENTIRETY**

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
1.	11/19/01	E-Mail from Schoppy to Screnci, PSEG Nuclear Security in the News (1 page)
2.	1/17/02	E-Mail from Barkley to Vito, Review of PSEG Response to Allegation 2001-0126 at Hope Creek (2 pages)
3.	7/9/02	E-Mail from Johnson to Meyer, RI-2002-A-0034 (1 page)
4.	9/9/02	E-Mail from Vito to Blough, Additional Information Received from RI-2002-a-0116 allegor (Hope Creek bogus sample guy) (2 pages)
5.	9/22/03	E-Mail from Wilson to Johnson, Draft ARB Forms for Salem/Hope Creek and Oyster Creek (1 page)
6.	11/4/03	E-Mail from Teator to Vito, Draft HC NLO violation (1 page)
7.	12/8/03	E-Mail from Markley to Hayden, New Info - 60 Minutes to Interview Allegor (1 page)
8.	01/27/04	E-Mail from Madden to Meyer, Draft Letter to Salem/Hope Creek re: Work Environment (1 page)
9.	6/14/04	E-Mail from Miller to Merschoff, Lochbaum Letter on Salem (1 page)
10.	01/27/04	E-Mail from Bergman to Blough, Nothing more than the message (1 page)
11.	01/29/04	E-Mail from Markley to Meyer, Salem Letter Comm Plan Underway (1 page)
12.	2/18/04	E-Mail from Meyer Markley, Meeting w/workers and cancelled & Lochbaum perspective (1 page)
13.	5/27/04	E-Mail from Vito to Blough, Communication Plan/Notification Sequence re: Receipt of PSEG Assessment (1 page)
14.	6/16/04	E-Mail from Wiggins to Holody, UCS recommendations for Salem/Hope Creek (2 pages)
15.	7/27/04	E-Mail from Harrison to ALL-RI Mid Cycle (4 pages)

16. 5/12/04 E-Mail from Holody to Christine Lipa, RIII called 2:45 6730-829-9619 Pls. Call (1 page)
17. 7/24/02 E-Mail from Minitz to Vito, Phone Call with Allegger for 2002-A-0034 at Salem Unit 2 (2 pages)
18. 11/2/01 E-Mail from Clancy to Screnci, Transcript from CBS Ny Channel 2 on Security at Salem Hope Creek (1 page)
19. 10/23/00 E-Mail from Baker to Vito, Question (1 page)
20. 4/15/04 E-mail from Jarriel to Vito, Draft Letter Comments (1 page)

APPENDIX N
RECORDS TO BE WITHHELD IN PART

<u>NO</u>	<u>DATE</u>	<u>DESCRIPTION (PAGE COUNT) (EXEMPTION)</u>
1.	08/08/2002	Allegation Review Board Disposition Record, Allegation No. RI-2002-A-0099 (2 pages) (Exemption 7C)
2.	07/25/2002	E-mail from J. Caruso of USNRC to D. Vito of USNRC, regarding follow-up from phone discussion (1 page) (Exemption 7C)
3.	07/25/2002	E-mail from S. Johnson of USNRC to J. Schoppo of USNRC, regarding follow-up from phone discussion (1 page) (Exemption 7C)
4.	07/25/2002	E-mail to J. Schoppo of USNRC regarding follow-up from phone conversation (1 page) (Exemption 7C)
5.	05/03/2004	E-mail from M. Gray of USNRC to D. Holody of USNRC, regarding NJ questions on HC EDG (5 pages) (Exemption 5 and 7C)
6.	05/03/2004	E-mail from M. Gray of USNRC to R1Allegations, regarding Hope Creek Allegation (5 pages) (Exemption 5)
7.	05/25/2004	E-mail from D. Vito of USNRC to various, regarding FYI regarding HC allegation with ack letter due this week (1 page) (Exemption 7C)
8.	10/28/2003	E-mail from G. Meyer of USNRC to S. Barber of USNRC, regarding ARB Issues this week (1 page) (Exemption 7C)
9.	08/10/2004	Open Branch 3 Allegation Status Summary (3 pages) (Exemption 7A)
10.	04/26/2004	E-mail from S. Barber of USNRC to S. Johnson of USNRC, regarding Thursday's Panel meeting (1 page) (Exemption 7A)

11. 05/25/2004 E-mail from S. Barber of USNRC to A. Passarelli of USNRC, regarding Referral Letter Due 5/28/04 (10 pages) (Exemption 7C)
12. 04/22/2004 E-mail from S. Barber of USNRC to S. Johnson of USNRC, regarding Salem/Hope Creek Allegation (1 page) (Exemption 7A)
13. 02/19/2004 E-mail from G. Meyer of USNRC to various, regarding Salem/HC ARB & Call Info (7 pages) (3 pages released) (Exemptions 2 and 5)
14. 04/26/2004 E-mail from S. Barber of USNRC to S. Johnson of USNRC, regarding Thursday's panel meeting (1 page) (Exemption 7A)
15. 04/23/2004 E-mail from G. Meyer of USNRC to various, regarding Call (1 page) (Exemption 7C)
16. 02/27/1998 E-mail to D. Vito of USNRC regarding Salem (1 page) (Exemption 7C)
17. 02/17/1998 E-mail from D. Vito of USNRC, regarding Salem Nuclear Generating Station - reply (1 page) (Exemption 7C)
18. 02/12/1998 E-mail from L. Harrison of USNRC to J. Zwolinski of USNRC, regarding Allegation forwarded (1 page) (Exemption 7C)
19. 12/08/1997 E-mail from J. Zwolinski of USNRC to L. Olshan and P. Milano of USNRC, regarding Salem Nuclear Generating Station (2 pages) (Exemption 7C)
20. 10/22/2000 E-mail to E. Baker of USNRC, regarding Allegations Question (1 page) (Exemption 7C)
21. 12/18/2002 Telephone call log from 12/17/2002 from S. Johnson of USNRC (2 pages) (Exemption 7C)
22. 12/17/2002 E-mail to D. Vito of USNRC, regarding Salem Accident (2 pages) (1 page released)(Exemption 7C)

23. 08/10/1999 E-mail from G. Meyer of USNRC to D. Vito of USNRC, regarding package not received (1 page) (Exemption 7C)
24. 04/20/1999 E-mail from T. Walker of USNRC to K. Modes of USNRC, regarding RI-98-A-0102 Salem (1 page) (Exemption 7C)
25. 04/20/1999 Allegation Disposition Record, regarding Allegation No. RI-98-A-0102 (5 pages) (Exemption 7C)
26. 02/19/2002 E-mail from D. Vito of USNRC, regarding Hope Creek Update (1 page) (Exemption 7C)
27. 02/11/2002 E-mail from J. Schoppy of USNRC to various, regarding RO License @ Hope Creek (2 pages) (Exemption 7C)
28. 02/10/2002 E-mail to D. Vito of USNRC, regarding Unsubstantiated Insubordination Charge(1 page) (Exemption 7C)
29. 02/09/2002 E-mail to Allegation@NRC.gov, regarding Unsubstantiated Insubordination Charge (1 page) (Exemption 7C)
30. 02/09/2002 E-mail from Allegation, regarding Unsubstantiated Insubordination Charge (1 page) (Exemption 7C)
31. 12/14/2001 E-mail with handwritten notes from S. Johnson of USNRC to R. Barkley and W. Cook of USNRC, regarding Referral Letter for RI-2001-A-0133 (1 page) (Exemption 7C)
32. 1/15/03 E-mail from Vito to Barber, SSW for HC SSDI (1 page) (Exemption 7C)
33. 2/3/03 E-Mail from Ferdas to Johnson, Allegation Received (1 page) (Exemption 7C)
34. 05/31/2002 E-mail from J. Furia of USNRC to J. White of USNRC, regarding Alleger Personal Information for Joe's Record Review (1 page) (Exemption 7C)
35. 06/10/2002 E-mail from D. Holody of USNRC to D. Vito of USNRC, regarding Meeting w/PSEG re: RI-2002-A-0064(1 page) (Exemption 7C)

36. 06/10/2002 E-mail from G. Smith of USNRC to D. Vito of USNRC, regarding Meeting w/PSEG re: RI-2002-A-0064 (1 page) (Exemption 7C)
37. 06/07/2002 E-mail from S. Johnson of USNRC to D. Vito, G. Smith and J. White of USNRC, regarding RI-2002-A-0064 - Meeting w. Salem (1 page) (Exemption 7C)
38. 06/07/2002 E-mail from R. Barkley of USNRC to D. Vito of USNRC, regarding Meeting w. PSEG Re: RI-2002-A-0064 (1 page) (Exemption 7C)
39. 06/05/2002 E-mail from D. Vito of USNRC to G. Smith and J. White of USNRC, regarding Meeting w/PSEG re: RI-2002-A-0064 (1 page) (Exemption 7C)
40. 11/27/2002 Allegation Review Board Disposition Record, regarding Allegation No. RI-2002-A-0144 (2 pages) (Exemption 2)
41. 04/23/2003 E-mail from G. Smith of USNRC to D. Vito and S. Johnson of USNRC, regarding Allegation RI-2002-A-0132 Concerns 1 and 4 (1 page) (Exemption 2)
42. 04/08/2003 E-mail from J. White of USNRC to D. Vito and G. Smith of USNRC, regarding closure letter (1 page) (Exemption 7C)
43. 01/09/2003 E-mail from W. Lanning of USNRC to various, regarding Need Help - question (possible allegation)(1 page) (Exemptions 2 and 7C)
44. 01/10/2003 E-mail from D. Vito of USNRC to W. Lanning of USNRC, regarding Need Help - question (possible allegation) (1 page) (Exemption 2 and 7C)
45. 01/13/2003 E-mail from D. Vito of USNRC to G. Smith, J. White and W. Lanning of USNRC, regarding Need Help - question (possible) allegation)(1 page) (Exemption 7C)
46. 01/28/2003 E-mail from W. Lanning of USNRC to D. Vito of USNRC, regarding Answer on Markey letter re: escorting New Fuel Shipments (1 page) (Exemption 7C)

47. 02/12/2003 E-mail from D. Vito of USNRC to J. White and W. Lanning of USNRC, regarding Answer on Markey letter re: Escorting New Fuel Shipments (1 page) (Exemption 7C)
48. 02/12/2003 E-mail from J. White of USNRC to D. Vito of USNRC, regarding Answer on Markey letter re: Escorting New Fuel Shipments (1 page) (Exemption 7C)
49. 11/04/2002 E-mail from A. Blough of USNRC to D. Vito of USNRC, regarding Salem/HC Allegation R1-2002-A-0132 (security) and R1-2002-A-0137 (Hilti bolts/H&I) (1 page) (Exemption 7C)
50. 04/11/2003 E-mail from M. Mabee of OSHA to D. Vito of USNRC, regarding info (1 page) (Exemption 7C)
51. 02/07/2003 E-mail from Headquarters Operations Officer 1 to various, regarding Allegation from Hope Creek (1 page) (Exemption 7C)
52. 01/08/2003 Allegation Review Board Disposition Record, Allegation No. RI-2002-A-0161 (2 page) (Exemption 7C)
53. 01/29/2004 Allegation Review Board Disposition Record, Allegation No. RI-2002-A-0160 (SSW) (2 page) (Exemption 7C)
54. 01/22/2003 Allegation Review Board Disposition Record, Allegation No. RI-2002-A-0160 (SSW) (2 pages) (Exemption 7C)
55. 01/08/2003 Allegation Review Board Disposition Record, Allegation No. RI-2002-A-0160 (SSW) (2 pages) (Exemption 7C)
56. 01/05/2000 Allegation Disposition Record, Allegation No. RI-99-A-0114 (1 page) (Exemption 7C)
57. 12/08/1999 E-mail from D. Vito of USNRC to M. Anderson of USNRC, regarding Salem/Hope Creek alleged DUI charges (1 page) (Exemption 7C)
58. 10/14/1999 Allegation Disposition Record, Allegation No. RI-99-A-0114 (2 pages) (Exemption 7C)

59. 10/12/1999 E-mail from R. Barkley of USNRC to D. Vito of USNRC, regarding PSE&G Case (1 page) (Exemption 7C)
60. 10/12/1999 E-mail from D. Vito of USNRC to G. Meyer, G. Smith and R. Barkley of USNRC, regarding PSE&G Case (1 page) (Exemption 7C)
61. 10/04/1999 E-mail from D. Vito of USNRC to A. Blough, G. Meyer and R. Barkley of USNRC, regarding Phone Call from UCS re: closeout letter for RI-99-A-0096 (1 page) (Exemption 7C)
62. 10/14/1999 Allegation Disposition Record, Allegation No. RI-99-A-0096 (2 pages) (Exemption 7C)
63. Undated Allegation Receipt Report regarding Facility: Hope Creek (3 pages) (Exemption 7C)
64. 01/28/2004 E-mail from T. Wingfield of USNRC to S. Barber of USNRC, regarding Alleg. 20020160 (1 page) (Exemption 6)
65. 02/02/2004 E-mail from T. Wingfield of USNRC to G. Meyer of USNRC, regarding Ted at Hope Creek in AM for interview (1 page) (Exemption 7C)
66. 04/29/2004 E-mail from D. Orr of USNRC to R1Allegation, regarding Salem voicemail (1 page) (Exemption 5 and 7C)
67. 04/30/2004 E-mail from D. Orr of USNRC to R1Allegation, regarding Follow-up to Salem voicemail CI (1 page) (Exemption 5 and 7C)
68. 02/06/2004 E-mail from D. Vito of USNRC to various, regarding 3-week e-mail for OI case 1-2003-012 (hope Creek Allegation RI-2002-A-0160) (1 page) (Exemption 7C)
69. 01/23/2004 E-mail from D. Holody of USNRC to H. Miller of USNRC, regarding Draft letter to Salem (1 page) (Exemption 7A)
70. Undated PSEG / Allegation Project Plan (2 pages) (Exemption 5 and 7A)

- 71. 10/02/2003 Salem/Hope Creek Allegation Approach (3 pages) (Exemption 5, 7A, 7C)
- 72. 04/30/2004 E-mail from D. Vito of USNRC to D. Orr of USNRC, regarding Salem voice mail (2 pages) (Exemption 7C)
- 73. 08/10/2004 Open Branch 3 Allegation Status Summary (2 pages) (Exemption 7C)
- 74. 12/13/02 E-Mail from Vito to Schoppy (1 page) (Exemption 7C)
- 75. 03/24/2004 E-mail from A. Blough of USNRC to various, regarding Salem Review Panel - 3/23 at 2:30pm (1 page) (Exemption 2)
- 76. 07/12/2004 E-mail from K. Heater of USNRC to J. Clifford, E Cobey and L. Jarriel of USNRC, regarding Bridge call: Wed 14 July at 4:30pm (1 page) (Exemption 2)
- 77. 03/12/2004 E-mail from G. Meyer of USNRC to various, regarding Meeting briefing on Tuesday at 1:30 (1 page) (Exemption 2)
- 78. 03/23/2004 E-mail from D. Orr of USNRC to G. Meyer and S. Barber of USNRC, regarding Allegation (1 page) (Exemption 7C)
- 79. 01/08/2004 E-mail from D. Orr of USNRC to various, regarding allegation panel (1 page) (Exemption 5)
- 80. 06/02/2004 E-mail from J. Wiggins of USNRC to V. Ford of USNRC, regarding { } & Salem exams (3 pages) (2 page released) (Exemption 5)
- 81. 08/02/2004 E-mail from A. Passarelli of USNRC to V. Ford of USNRC, regarding Minutes (1 page) (Exemption 5)
- 82. 04/02/2004 E-mail from A. Blough of USNRC to G. Meyer, J. Schoppy and M. Ferdas of USNRC, regarding IAT Inquiries (1 page) (Exemption 5)
- 83. 06/22/2004 E-mail from A. Blough of USNRC to D. Holody and E. Cobey of USNRC, regarding Same disease warrants same cure (1 page) (Exemption 5)

- 84. 06/22/2004 E-mail from D. Holody of USNRC to G. Matakas of USNRC, regarding Green Ticket GT20040385 (1 page) (Exemption 5)
- 85. 10/29/1998 E-mail from T. Walker of USNRC to J. Linville of USNRC, regarding OI Briefing on Salem Firewatch (1 page) (Exemption 2)
- 86. 10/23/2003 E-mail from T. Wingfield of USNRC to various, regarding Salem Comm Team - Conference Call Thurs 10 am (Revised Q&A's) (1 page) (Exemption 2)
- 87. 06/09/2004 E-mail from D. Holody of USNRC to various, regarding 6/14 PreBrief at 9:30am for the 6-16 7pm mtg with PSEG (2 pages) (Exemption 2)
- 88. 04/12/2004 E-mail from D. Collins of USNRC to various, regarding Salem Review Meeting at 10:30 am Today (1 page) (Exemption 2)
- 89. 02/19/2004 E-mail from S. Barber of USNRC to J. Boska and R. Fretz of USNRC, regarding Salem/HC ARB & Call Info (1 page) (Exemption 2)
- 90. 03/31/2004 E-mail from K. Venuto of USNRC to M. Gray and S. Barber of USNRC, regarding O&P Issues (1 page) (Exemption 7C)
- 91. 04/30/2004 E-mail from D. Orr of USNRC to R1Allegation, regarding Follow-up to Salem voicemail CI (1 page) (Exemptions 5, 7C)
- 92. 02/17/2004 E-mail from G. Meyer of USNRC to various, regarding Time frame & authenticity of PSEG root cause report (1 page) (Exemption 7C)
- 93. 04/30/2004 E-mail from D. Orr of USNRC to R1Allegation, regarding CI name and number (1 page) (Exemption 7C)
- 94. 04/30/2004 E-mail from D. Vito of USNRC to D. Orr of USNRC, regarding Salem voicemail (2 page) (Exemptions 5, 7C)

- 95. 05/25/2004 E-mail from D. Vito of USNRC to various, regarding HC allegation with ack letter due this week (1 page) (Exemption 7C)
- 96. 04/27/2004 E-mail from G. Meyer of USNRC to S. Barber and H. Miller of USNRC, regarding Role of { }in following up allegation (2 pages) (Exemption 7C)
- 97. 04/30/2004 E-mail from J. Wiggins of USNRC to M. Gray of USNRC, regarding Salem call (3 pages) (Exemption 7C)
- 98. 8/10/2004 Next ARB: 8/18/04 (back to usual Wed Reactors ARB) (2 pages) (Exemption 7C)

**APPENDIX O
RECORDS WITHHELD IN THEIR ENTIRETY**

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)/EXEMPTIONS</u>
1.	11/4/03	E-Mail from Wilson to Conte, Draft HC NLO violation (1 page) Ex. 5
2.	12/23/98	E-Mail from Letts to Vito, RI-98-A-0102 Salem (OI Case 1-98-023) (1 page) Ex. 5
3.	4/14/04	E-Mail from Luehman to Holody, Draft Letter Comments (1 page) Ex. 5