

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

2005-0203

1

RESPONSE  
TYPE☐

FINAL

☒

PARTIAL

REQUESTER

Maria D. Webb

DATE

SEP - 8 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 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 C** 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.

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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 ADAMS Accession number for the incoming request is ML051030207.

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Russell A. Nichols

*Gigi Ramonling, Acting*

NRC FORM 464 Part II (6-1998)	U.S. NUCLEAR REGULATORY COMMISSION	FOIA/PA	DATE
<b>RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) / PRIVACY ACT (PA) REQUEST</b>		2005-0203	SEP - 8 2005

### PART II.A -- APPLICABLE EXEMPTIONS

APPENDICES  
**C**

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 253b, 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)

### 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
Jack Strosnider	Director, NMSS	Appendix C	✓		

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 ALREADY AVAILABLE IN THE PDR

<u>NO</u>	<u>DATE</u>	<u>ACCESSION NO.</u>	<u>DESCRIPTION (PAGE COUNT)</u>
1.	02/08/2005	ML050390077	IR 05000213-04-002, Connecticut Yankee Atomic Power Company, East Hampton, Connecticut Site and Notice of Violation. (24 pages)
2.	09/20/2004	ML042650317	IR 05000213-04-001, on 02/07/04 to 06/08/04, Connecticut Yankee Atomic Power Company. (26 page)

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

<u>NO.</u>	<u>DATE</u>	<u>ACCESSION NUMBER</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
1.	09/01/2004	ML042600422	License-Application for Certificate for Compliance / ( 2 )
2.	09/01/2004	ML050270458	Haddam Neck Plant (HNP) Licensing Actions ( 1 )
3.	09/02/2004	ML042540079	HNP Response to Order for Implementation of Additional Security Measures Associated with Access Authorization for the Independent Spent Fuel Storage Installation (ISFSI) / ( 2 )
4.	09/02/2004	ML042540105	Response to Order for Implementation of Additional Security Measures Associated with Access Authorization / ( 2 )
5.	09/09/2004	ML042390481	Biweekly Notice Memoranda / ( 4 )
6.	09/14/2004	ML042710267	License-Application for Dry Cask ISFSI / ( 2 )
7.	09/14/2004	ML042670470	Final Report Confirmatory Survey of the Administration Building at Connecticut Yankee (CY) / ( 1 )
8.	09/15/2004	ML042710355	HNP License Termination Plan (LTP), Revision 2 / ( 2 )
9.	09/16/2004	ML042800489	Decommissioning Plan / ( 119 )
10.	09/20/2004	ML042650317	Inspection Report / ( 26 )
11.	09/22/2004	ML042740414	License-Application for Dry Cask ISFSI / ( 2 )
12.	09/28/2004	ML042790338	Registration of Spent Fuel Dry Cask / ( 2 )
13.	09/28/2004	ML042720525	NRC Preliminary Notification of Event/Occurrence / ( 3 )
14.	09/30/2004	ML042860389	License-Application for Dry Cask ISFSI / ( 2 )
15.	09/30/2004	ML042370402	Notice of Publication in Federal Register of Finding of No Significant Impact / ( 6 )

<u>NO.</u>	<u>DATE</u>	<u>ACCESSION NUMBER</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
16.	10/04/2004	ML042880501	Notice of Receipt of Plant Procedure LTP / ( 3 )
17.	10/05/2004	ML042950412	Environmental Monitoring Report / ( 462 )
18.	10/05/2004	ML042950404	Environmental Monitoring Report / ( 530 )
19.	10/05/2004	ML042950395	Drawing, Environmental Monitoring Report / ( 17 )
20.	10/05/2004	ML042950389	Drawing, Environmental Monitoring Report / ( 25 )
21.	10/05/2004	ML042950376	Drawing, Environmental Monitoring Report / ( 25 )
22.	10/05/2004	ML042950366	Environmental Monitoring Report / ( 117 )
23.	10/07/2004	ML042880397	Registration of Spent Fuel Dry Cask in Use / ( 2 )
24.	10/13/2004	ML042950344	March and June 2004 Sampling Events Semi-Annual Groundwater Monitoring Report / ( 3 )
25.	10/14/2004	ML042820498	Federal Register Notice / ( 3 )
26.	10/14/2004	ML042730167	Exemption from Certain Low-Level Waste Shipment Tracking Requirements / ( 4 )
27.	10/14/2044	ML042730159	Notice of Publication in Federal Register / ( 2 )
28.	10/18/2004	ML043010419	Registration of Spent Fuel Dry Cask / ( 2 )
29.	10/20/2004	ML043010552	Revision 4 to Defueled Physical Security Plan / ( 2 )
30.	10/25/2004	ML043080110	Registration of Spent Fuel Dry Cask in Use / ( 2 )
31.	11/02/2004	ML043150258	Notification of Plant Record Storage on Optical Disks / ( 2 )
32.	11/04/2004	ML043200219	Registration of Spent Fuel Dry Cask in Use / ( 2 )
33.	11/08/2004	ML043340246	10 CFR 20-Day Time Limit Investigation / ( 3 )
34.	11/09/2004	ML043210477	Defueled Physical Security Plan Request for Withdrawal of Security Orders / ( 2 )

<u>NO.</u>	<u>DATE</u>	<u>ACCESSION NUMBER</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
35.	11/15/2004	ML043280540	License-Application for Facility Operating License / ( 5 )
36.	11/15/2004	ML043280536	License-Application for Dry Cask ISFSI / ( 2 )
37.	11/16/2004	ML043210537	PNO-I-04-014: CY, Fire Inside Containment Structure at Decommissioning Reactor Site / ( 3 )
38.	11/22/2004	ML043360269	License-Application for Dry Cask ISFSI / ( 2 )
39.	11/22/2004	ML043360265	License-Application for Dry Cask ISFSI / ( 2 )
40.	11/29/2004	ML043550395	Transmittal of Task 2, Supplemental Characterization Report / ( 2 )
41.	11/30/2004	ML043550400	Task 2, Supplemental Characterization Report / ( 197 )
42.	11/30/2004	ML043550396	Task 2, Supplemental Characterization Report, Volume I - Text, Tables & Figures / ( 195 )
43.	11/30/2004	ML043550397	Task 2, Supplemental Characterization Report, Volume II, Appendices 1-3, / ( 136 )
44.	11/30/2004	ML043550398	Task 2, Supplemental Characterization Report, Volume II, Appendices 4 & 5, / ( 274 )
45.	11/30/2004	ML043550399	Task 2, Supplemental Characterization Report, Volume III, Appendices 6, pages C01-C1-C150 / ( 274 )
46.	11/30/2004	ML043440018	License-Application for Dry Cask ISFSI / ( 2 )
47.	11/30/2004	ML043420169	Updated Final Safety Analysis Report / ( 23 )
48.	<del>11/30/2004</del>	<del>ML043420080</del>	<del>Issuance of Amendment No. 201 / ( 10 )</del>
	Duplicate of Item #62		
49.	11/30/2004	ML043360280	E-mail from M. Firsick, CY / ( 2 )
50.	12/01/2004	ML043480195	Revision 0, Estimates for Release of Radionuclides from Potentially Contaminated Concrete / ( 160 )
51.	12/01/2004	ML043480179	Graphics, Including Charts and Tables / ( 56 )

<u>NO.</u>	<u>DATE</u>	<u>ACCESSION NUMBER</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
52.	12/02/2004	ML043500328	License 30-Day Written Event Report / ( 5 )
53.	12/08/2004	ML043620277	License- Application for (Amend/Renewal/New) / ( 16 )
54.	12/15/2004	ML043570493	License-Application for Dry Cask ISFSI / ( 2 )
55.	12/17/2004	ML050130195	Safety Evaluation, Technical Specification / ( 15 )
56.	12/17/2005	ML043570496	Acknowledgment of Request for License Amendment to Revise the License Termination Plan / ( 2 )
57.	12/17/2004	<del>ML043570446</del> ML043570446	Supplemental Information Request for Approval of Proposed Procedures / ( 3 )
58.	12/17/2004	ML043420031	License-Operating Amendment / ( 13 )
59.	12/17/2004	ML043370274	Biweekly Notice Memoranda / ( 3 )
60.	12/20/2004	ML043440091	Tech Spec Pages for Amendment No. 201 / ( 11 )
61.	12/20/2004	ML043440008	Safety Evaluation for Amendment No. 201 / ( 8 )
62.	12/20/2004	ML043430029	License-Operating Amendment ( 7 )
63.	12/27/2004	ML043420143	Biweekly Notice Memoranda / ( 3 )
64.	01/04/2005	ML050140297	Technical Report / ( 39 )
65.	01/04/2005	ML050110120	Registration of Spent Fuel Dry Cask / ( 2 )
66.	01/05/2005	ML050660483	Nine identical letters to ISFSI Licensees - Form 4 / (33)
67.	01/11/2005	ML050210084	Annual Report, Environmental Monitoring Report / ( 1 )
68.	01/24/2005	ML050250401	Acknowledgment of Request Alternate Disposal of HNP Decommissioning Waste in Accordance with 10 CFR / ( 2 )
69.	01/25/2005	ML050330436	Response to Order for Implementation of Additional Security Measures ( 2 )

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<b><u>NO.</u></b>	<b><u>DATE</u></b>	<b><u>ACCESSION NUMBER</u></b>	<b><u>DESCRIPTION/(PAGE COUNT)</u></b>
70.	01/25/2005	ML050330434	Response to Order for Implementation of Additional Security Measures / ( 2 )
71.	01/26/2005	ML050380547	Graphics, Including Charts and Tables / ( 5 )
72.	01/31/2005	ML050460129	Drawing Graphics, Including Charts and Tables / ( 24 )
73.	02/02/2005	ML050410235	License-Application for Dry Cask / ( 2 )
74.	02/02/2005	ML050410233	Management Change Update / ( 3 )
75.	02/03/2005	ML050890276	Registration of Spent Fuel Dry Cask / ( 2 )
76.	02/07/2005	ML050590277	Draft Environmental Assessment for Exemption / ( 7 )
77.	02/08/2005	ML050390077	Notice of Violation / ( 24 )
78.	02/09/2005	ML050890274	Registration of Spent Fuel Dry Cask / ( 3 )
79.	02/10/2005	ML050530267	Notice of Receipt of Plant Procedure LTP / ( 17 )
80.	02/11/2005	ML050320492	Biweekly Notice Memoranda / ( 4 )
81.	02/16/2005	ML050550025	Exemption from NRC Requirements / ( 6 )
82.	02/16/2005	ML050550020	HNP - Registration of Spent Fuel Dry Cask in Use / (2)
83.	02/23/2005	ML050610050	Registration of Spent Fuel Dry Cask in Use / (2)
84.	02/24/2005	ML050610287	Characterization Report for the West Section / ( 87 )
85.	03/01/2005	ML050690014	Acknowledgment of Request for Exemptions / ( 2 )
86.	03/01/2005	ML050680216	Graphics, Including Charts and Tables / ( 14 )
87.	03/02/2005	ML050890273	Registration of Spent Fuel Dry Cask / ( 2 )
88.	03/02/2005	ML050890272	Registration of Spent Fuel Dry Cask / ( 2 )



<u>NO.</u>	<u>DATE</u>	<u>ACCESSION NUMBER</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
89.	03/14/2005	ML050840428	Registration of Spent Fuel Dry Cask / ( 2 )
90.	03/15/2005	ML050840414	Registration of Spent Fuel Dry Cask / ( 2 )
91.	03/15/2005	ML050840413	Registration of Spent Fuel Dry Cask / ( 2 )
92.	03/23/2005	ML050870531	Disposal of Radioactive Demolition Debris / ( 4 )
93.	03/23/2005	ML050870525	Disposal of Radioactive Demolition Debris / ( 6 )
94.	03/24/2005	ML051090183	Supplemental Information - Response to Order for Implementation of Additional Security Measures / (2)
95.	03/24/2005	ML050890015	Property Insurance Coverage / ( 1 )
96.	03/28/2005	ML051010291	License-Application for Dry Csk ISFSI / ( 4 )
97.	03/28/2005	ML050910145	Acknowledgment of Request for Acceptance of Phase II / ( 2 )
98.	03/29/2005	ML050960492	Graphics, Including Charts and Tables / ( 8 )
99.	03/30/2005	ML050950239	Renewal Application / ( 2 )
100.	03/30/2005	ML050700043	Termination of Order for Interim Safeguards and Security Compensatory / ( 4 )
101.	03/31/2005	ML050960405	Registration of Spent Fuel Dry Cask in Use at HNP ISFSI / (2)
102.	03/31/2005	ML050960407	Informational Notice of Use of Cask to Store Greater Than Class C Waste at HNP (2)
103.	04/04/2005	ML051010020	Safety Evaluation Report / ( 7 )
104.	04/08/2005	ML050980360	Environmental Assessment, Federal Register Notice / ( 12 )

**APPENDIX C**  
**RECORD BEING WITHHELD IN PART**

<b><u>NO.</u></b>	<b><u>DATE</u></b>	<b><u>DESCRIPTION/(PAGE COUNT)/EXEMPTIONS</u></b>
1.	04/04/05	Letter from Allan Fisher, NRC, to Wayne Norton, CYAPCO, regarding Site Access Letter Employees and Contractors. (4 pages) EX. 6