



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

2006-0130

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RESPONSE TYPE FINAL PARTIAL

REQUESTER

Steven Bauer

DATE

MAY 23 2006

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 **D** 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, 11555 Rockville Pike, Rockville, MD 20852-2738.
- APPENDICES **D** 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)

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Russell A. Nichols *Russell A. Nichols*

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PART II.A -- APPLICABLE EXEMPTIONS

APPENDICES D,E

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.
Exemption 4: The withheld information is a trade secret or commercial or financial information that is being withheld for the reason(s) indicated.
Exemption 5: The withheld information consists of interagency or intraagency records that are not available through discovery during litigation.
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.

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.

Table with columns: DENYING OFFICIAL, TITLE/OFFICE, RECORDS DENIED, APPELLATE OFFICIAL (EDO, SECY, IG). Row 1: James L. Caldwell, Regional Administrator, RIII, Appendix D,E, [checked] EDO.

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).

**APPENDIX D
RECORDS BEING WITHHELD IN PART**

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)/EXEMPTIONS</u>
1.	Undated	Map - Well Locations and Sample Graphs (3 pages) Ex.6
2.	Undated	Inadvertent Liquid Release (2 pages) Portions outside the scope of the request and therefore not provided
3.	12/05/2005	Email from Boland to Boger et al Re: Braidwood Green Tickets/AITS (4 pages) Portions outside the scope of the request and therefore not provided
4.	12/07/2005	Email from Boland to Klementowicz Re: Radiological Release Information for Chairman's Staff (4 pages) Portions outside the scope of the request and therefore not provided
5.	12/29/2005	Email from Boland to Jose et al Re: Follow-up Info (2 pages) Ex 5 and Portions outside the scope of the request and therefore not provided.
6.	01/06/2006	Email from Strmec (Exelon) to Orth (NRC) Re: Dresden Tritium report w/attach. Hydro geology and Groundwater Investigation at the Dresden Nuclear Power Station near Morris, IL. (78 pages), and Final Draft Groundwater Tritium Investigation Report dated 10/19/2005 (49 pages) Ex 6.
7.	02/13/2006	Email from Grant to Riemer et al. Re: Tritium Leak (2 pages) Portions outside the scope of the request and therefore not provided
8.	02/13/2006	Email from Riemer to Kozak Re: EDO bullet 2/13 (4 pages) Portions outside the scope of the request and therefore not provided
9.	02/13/2006	Email from Kozak to EDO Group Account, EDO Daily Notes - Region III input for 2/14/06 (3 pages) Portions outside the scope of the request and therefore not provided
10.	02/13/2006	Email from Mitlyng to Boland et al Re: Draft Dresden PN (3 pages) (2 pages released) Ex 5
11.	02/14/2006	Email from Riemer to Ring et al Re: PN Byron/Dresden (4 pages) (2 pages released) Ex 5 and Portions outside the scope of the request and therefore not provided

12. 02/16/2006 Email from Ring to Boland et al Re: REMP wells (2 pages) Ex 6
13. 02/16/2006 Email from Lara to All_R3 Re: Daily Issues Meeting 2/16 (3 pages) (2 pages released) Portions outside the scope of the request and therefore not provided
14. 02/17/2006 Email from Boland to Klementowicz et al Re: Green Ticket Input (5 pages) (4 pages released) Portions outside the scope of the request and therefore not provided
15. 02/18/2006 Email from Boland to Frye Re: Update - Braidwood Tritium Contamination (2 pages) Portions outside the scope of the request and therefore not provided
16. 02/19/2006 Email from Boland to Caldwell Re: Presentation (6 pages) (3 pages released) Portions outside the scope of the request and therefore not provided
17. 02/24/2006 Email from Orth to House Re: EDO Call Bullet - Tritium Update (1 page) Portions outside the scope of the request and therefore not provided
18. 02/24/2006 Email from Boland to Case et al Re: ECO Bullet Tritium (3 pages) Portions outside the scope of the request and therefore not provided
19. 03/03/2006 E-Mail from S Orth, RIII to M Phillips, RIII, Subject: EDO Call Bullet - Tritium Update (1 page) Portions outside the scope of the request and therefore not provided
20. 03/07/2006 Email from Boland to Klementowicz et al re: Revised Talking Points (7 pages) (3 pages released) Portions outside the scope of the request and therefore not provided
21. 03/07/2006 E-Mail from M Ring, RIII to M Phillips, RIII, with attachment, Subject: SAFE bd updates for Quad and Dresden (2 pages) Portions outside the scope of the request and therefore not provided
22. 03/10/2006 Tritium Contamination Update (1 page) Portions outside the scope of the request and therefore not provided
23. Undated Dresden, CST tritium concentrations 10 million pCi/l (1 page) Portions outside the scope of the request and therefore not provided
24. Undated Graph, The licensee samples these two off site wells (1 page) Ex. 6

**APPENDIX E
RECORDS BEING WITHHELD IN THEIR ENTIRETY**

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)/EXEMPTIONS</u>
1	2/23/2006	Draft NRC Tritium Inspection Activities (3 pages) Ex 5