NRC FORM 464 Part I U.S. NUCLEAR REGULATORY COMMISSION	FOIA/PA	RESPONSE NUMBER		
(6-1998)	2006-0236	2		
NRC FORM 464 Part I U.S. NUCLEAR REGULATORY COMMISSION U.S. NUCLEAR REGULATORY COMMISSION RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) / PRIVACY ACT (PA) REQUEST				
REQUESTER	DATE			
Eric Jantz	SEP 72	006 ·		
PART I INFORMATION RELEASE	D .			
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 public inspection and copying at the NRC Public Document Ro	listed appendices are alread	ly available for		
Agency records subject to the request that are identified in the public inspection and copying at the NRC Public Document Ro	listed appendices are being bom.	made available for		
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 Agency records subject to the request are enclosed.				
referred to that agency (see comments section) for a disclosure determination	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 thresho	old not met.		
 See comments for details You will receive a refund for the amount listed. Fees waived. 				
PART I.B INFORMATION NOT LOCATED OR WITHHEL	D 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 Washington, DC 20555-0001. Clearly state on the envelope and in the letter t	Officer, U.S. Nuclear Regula hat it is a "FOIA/PA Appeal."	tory Commission,		
PART I.C COMMENTS (Use attached Comments continuation page if required) There are 15 pages of personal records subjec to your request. Since these records are not agency records, they are not being provided to you.				
The incoming FOIA/PA-2006-0236 request is located in ADAMS at ML061840434.				
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SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER				
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(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. (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. (F) Disclosure would reveal techniques and procedures for law enforcement investigations or prosecutions, or guidelines that could reasonably be expected to resonably be expected to reveal is contrary to the law. (F) Disclosure could reasonably be expected to endanger the life or physical safety of an Individual. OTHER (Specify) 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 of SECY IGO Joseph R. Gray Associate General Counse		Exemption 7: The with	held information consists of records compiled for	law enforcement purposes and	d is being withheld for the	e reason(s)
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APPENDIX B RECORDS BEING WITHHELD IN THEIR ENTIRETY

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<u>NO.</u>	DATE	DESCRIPTION/(PAGE COUNT)/EXEMPTIONS
1.	Undated	Draft Memo from F.Miraglia, NRR to H.Thompson, EDO, R.Virgilio, OSP, J.HIckey, NMSS, S.Treby, OGC, A.Hodgdon, OGC and B.Morris, RES on Final NRR Procedure for Environmental Justice Reviews with hand written notes from H.Newsome, OGC. (9 pages) Exemption 5 - Predecisional
2.	03/11/94	Memo from W.Parler, OGC to the Commission on New Executive Order on Environmental Justice. (3 pages) Exemption 5 - Attorney-Client Privilege
3.	04/07/97	Memo from S.Treby, OGC to R.Virgilio, OSP on OGC Comments on CEQ's March 26, 1997 Draft Guidance for Considering Environmental Justice. (3 pages)) Exemption 5 - Attorney-Client Privilege
4.	07/10/98	Note from H.Newsome, OGC to R.Virgilio, OSP on CEQ Environmental Justice Guidance. (2 pages)) Exemption 5 - Attorney-Client Privilege
5.	08/04/98	Draft NRR Procedure for Environmental Justice Review with handwritten notes from H.Newsome, OGC. (6 pages)) Exemption 5 - Predecisional
6.	09/04/98	Note from H.Newsome, OGC to C.Craig, NRR responding to her E-Mail by attaching a 9/28/95 Memo from M.Malsch, OGC to D.Crutchfield, NRR on Consideration of Alternatives in the Preparation of Environmental Assessments pursuant to the NEPA. Accession Number 9605160020. (7 pages)) Exemption 5 - Attorney-Client Privilege
7.	12/03/98	Memo from E.Brach, NMSS to J.Greeves, NMSS, D.Cool, NMSS, and W.Kane, NMSS on Incorporating Procedures for Rulemaking Activities into the Revision to Policy and Procedure Letter 1-50, "Environmental Justice in NEPA

Documents" with handwritten notes by H.Newsome, OGC. (8 pages) Exemption 5 - Predecisional

- 8. 06/22/99 Memo from S.Treby, OGC to R.Virgilio, OSP on Memorandum to Commissioners on Environmental Justice. (2 pages).) Exemption 5 - Attorney-Client Privilege
- 9. 12/19/02 Memo from S.Burns, OGC to the Commissioners on Licensing and Hearing Issues Raised by LES in Advance of its Application (SECY-02-0219) ML023530531 (82 pages) Exemption 5 - Attorney-Client Privilege

10.01/21/03Memo from K. Cyr, OGC to the Commission on Draft
Response to NEI Letter of December 20, 2002 on
Environmental Justice. (3 pages) ML030230121) Exemption
5 - Attorney-Client Privilege