



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

2008-0068

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RESPONSE TYPE  FINAL  PARTIAL

REQUESTER

Torrey Wilkins

DATE

FEB 15 2008

**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 **C** 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,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, 11555 Rockville Pike, Rockville, MD 20852-2738.
- APPENDICES **A,B** 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)**

Since the State of Massachusetts became an Agreement State on March 21, 1997, you may wish to also contact the State directly for records subject to your request.

Mr. Robert Walker, Director  
 Radiation Control Program  
 Department of Public Health  
 Schrafft Center, Suite 1M2A  
 529 Main Street  
 Charlestown, MA 02129  
 Phone: (617) 242-3035, x 2001  
 Fax: (617) 242-3457  
 bob.walker@state.ma.us

The incoming FOIA/PA-2008-0068 request is located in ADAMS at ML073460034.

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Russell A. Nichols

2008-0068

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

DATE

FEB 15 2008

PART I.C COMMENTS (Continued)

The records identified on Appendix C are publicly available in the NRC's Public Electronic Reading Room at <http://www.nrc.gov-reading-rm>. If you need assistance in obtaining these records, please contact the NRC's Public Document Room (PDR at 301-415-4737, or 1-800-397-4209, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov)).

Record A/13 is copyrighted and therefore not enclosed. Should you wish to view this record, please contact the PDR.

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

2008-0068

FEB 15 2008

**PART II.A -- APPLICABLE EXEMPTIONS**

APPENDICES  
**B**

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.
  - Low 2 Internal matters of a relatively trivial nature.
  - High 2 Disclosure would risk circumvention of a legal requirement.
- 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 2.390(d)(1).
  - The information was submitted by a foreign source and received in confidence pursuant to 10 CFR 2.390(d)(2).
  - Disclosure will harm an identifiable private or governmental interest.
- 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 |
| Samuel J. Collins | Regional Administrator, RI | Appendix B     | <input checked="" type="checkbox"/> |      |    |
|                   |                            |                |                                     |      |    |
|                   |                            |                |                                     |      |    |

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

| <u>NO.</u> | <u>DATE</u> | <u>DESCRIPTION/(PAGE COUNT)</u>  |
|------------|-------------|--|
| 1.         | 02/05/1969  | Ltr from W. Martin of USAEC to A. Abreu of Whittaker Corporation, regarding inspection of nuclear materials safeguards control activities (1 page)                     |
| 2.         | 03/19/1969  | USAEC Inspection Findings and Licensee Acknowledgment, License Number SNM-65 (1 page)  |
| 3.         | 04/09/1969  | Memorandum from W. Browne of USAEC to File, regarding Back-Up Notes for Form AEC 591, License No. SNM-65 (13 pages)  |
| 4.         | 04/11/1969  | Ltr from R. Wischow of USAEC to A. Abreu of Whittaker Corporation, regarding safeguards inspection (1 page)  |
| 5.         | 09/18/1969  | Ltr from R. Kirkman of USAEC to P. Ulf Gummesson of Whittaker Corporation, regarding inspection conducted on September 3 and 4, 1969 (2 pages)                         |
| 6.         | 10/20/1969  | Memorandum from R. Kirkman of USAEC to P. Ulf Gummesson of Whittaker Corporation, regarding noncompliance (5 pages)  |
| 7.         | 12/03/1969  | USAEC Inspection Findings and Licensee Acknowledgment, License Number SNM-65 (1 page)  |
| 8.         | 01/06/1970  | Ltr from R. Smith of USAEC to Whittaker Corporation, regarding noncompliance observed during inspection and an AEC-591 form for license SNM-65 and SMB-179 (10 pages)  |
| 9.         | 04/30/1970  | Ltr from M. Abreu of Whittaker Corporation to D. Nussbaumer of USAEC, regarding receipt of special nuclear material license (1 page)                                   |
| 10.        | 05/22/1970  | Ltr from D. Nussbaumer of USAEC to S. Isserow of Whittaker Corporation, regarding amendment to Title 10, Chapter 1, Code of Federal Regulations, Part 71 (1 page)      |
| 11.        | 07/16/1970  | USAEC Inspection Findings and Licensee Acknowledgment, License Number SNM-65 and SMB-179 (2 pages)   |
| 12.        | 08/05/1970  | Ltr from R. Smith of USAEC to H. Crocker of Whittaker Corporation, regarding noncompliance (11 pages)  |
| 13.        | 03/1971     | *APCA Journal, Vol. 21, No 3, <u>Cleaning of Stack Gases Containing High Concentrations of Nitrogen Oxides</u> by Melvin W. First and Frederick J. Viles Jr. (6 pages) |
| 14.        | 05/11/1971  | USAEC Inspection Findings and Licensee Acknowledgment, License Number SNM-65 (1 page)  |

15. 06/11/1971 Memorandum from R. Smith of USAEC to File, regarding Backup Notes to Form AEC-591 (9 pages)
16. 01/26/1972 USAEC Field Notes for CO Inspection Report No. 71-02, Whittaker Corporation (2 pages)
17. 02/08/1972 Ltr from J. O'Reilly of USAEC to R. Robie of Whittaker Corporation, regarding inspection conducted on December 14, 1971 (1 page)
18. 02/15/1972 Ltr from H. Crocker of USAEC to G. Roy of Whittaker Corporation, regarding inspection Report NO 70-82/71-02 (4 pages)
19. 02/16/1972 Whittaker Corporation, Report of Intentional Discard and MUF (1 page)
20. 02/28/1972 Organization Chart for Nuclear Metals Division (1 page)
- 07/31/1972 Whittaker Corporation, Nuclear Metals Division, Casting of A1-U for CP-5 (14 pages)
- 05/22/1972 Memorandum from L. Clark Jr, to R. Huber and P. Zagarella, regarding Safe Handling Limits in Fabrication of CP-5 Fuel Elements (4 pages)
- 05/15/1972 Department of Transportation, Hazardous Materials Regulation Board, Special Permit No. 4969, Fifth Revision (Reinstatement), Whittaker Corporation (1 page)
21. 04/19/1972 Memorandum from A. Gilman of Whittaker Corporation to S. Smiley of USAEC, regarding License Condition dated April 1, 1972 (1 page)
22. 03/24/1972 Ltr from S. Smiley of USAEC to A. Abreu of Whittaker Corporation, regarding uniform methods for monitoring effluents release to the environment (18 pages)
23. 08/16/1972 USAEC Field Notes for CO Inspection Report NO. 72-01, Whittaker Corporation (16 pages)
24. 08/28/1972 Ltr from H. Crocker of USAEC to G. Roy of Whittaker Corporation, regarding violations of license conditions (7 pages)
25. 08/28/1972 Ltr from J. O'Reilly of USAEC to P. Ulf Gummesson of Whittaker Corporation, regarding inspection conducted on July 31 through August 1, 1972 (3 pages)
26. 10/11/1972 Ltr from J. O'Reilly of USAEC to P. Ulf Gummesson of Whittaker Corporation, regarding noncompliance (3 pages)
27. 03/20/1973 Handwritten memorandum from R. Smith of USAEC to J. O'Reilly of USAEC regarding Management Meeting Plant with Nuclear Metals, Incorporated on March 21, 1973 (6 pages)
28. 03/20/1973 Handwritten memorandum from R. Smith of USAEC to J. O'Reilly

- of USAEC regarding Management Meeting Plant with Nuclear Metals, Incorporated on March 21, 1973 (6 pages)
29. 03/21/1973 Memorandum from R. Robie of Nuclear Metals to Distribution, regarding AEC Inspection (3/14-3/16) (4 pages)
30. 04/03/1973 Ltr from F. Kruesi of USAEC to Nuclear Metals, Inc., regarding Material Status Report (Form AEC-742) (1 page)
31. 04/20/1973 Ltr from P. Nelson of USAEC to Gen Roy of Nuclear Metals, Incorporated, regarding inspection reports (2 pages)
- 04/19/1973 USAEC RO Inspection Report No. 70-82/73-01 & 40-672/73-01 (9 pages)
32. 04/20/1973 Ltr from P. Nelson of USAEC to Gen Roy of Nuclear Metals, Incorporated, regarding inspection reports (2 pages)
- 04/19/1973 USAEC RO Inspection Report No. 70-82/73-01 & 40-672/73-01 (9 pages)
33. 04/23/1973 Ltr from J. O'Reilly of USAEC to W. Tuffin of Nuclear Metals, Inc., regarding inspection conducted on March 14 thru 16, 1973 (6 pages)
34. 04/23/1973 Ltr from J. O'Reilly of USAEC to W. Tuffin of Nuclear Metals, Inc., regarding inspection conducted on March 14 thru 16, 1973 (6 pages)
35. 04/30/1973 Ltr from J. O'Reilly of USAEC to W. Tuffin of Nuclear Metals, Inc., regarding inspection conducted of April 4-5, 1973 (4 pages)
36. 04/30/1973 Ltr from J. O'Reilly of USAEC to W. Tuffin of Nuclear Metals, Inc., regarding inspection conducted of April 4-5, 1973 (4 pages)
37. 05/01/1973 USAEC RO Inspection Report No. 70-82/73-02, Nuclear Metals, Inc., License SNM-65 (11 pages)
38. 05/01/1973 Ltr from W. Kinney of USAEC to H. Crocker of Nuclear Metals, Inc, regarding inspection of activities involved in the manufacture of CP-5 fuel tubes (3 pages)
- 05/01/1973 USAEC RO Inspection Report No. 70-82/73-02, Nuclear Metals, Inc., License SNM-65 (10 pages)
39. 05/15/1973 Ltr from W. Tuffin of Nuclear Metals, Inc. to J. O'Reilly of USAEC, regarding violation with AEC requirements (11 pages)
40. 06/01/1973 Ltr from J. O'Reilly of USAEC to W. Tuffin of Nuclear Metals, Inc. Regarding letter dated May 23, 1973 (1 page)
- 05/23/1973 Ltr from W. Tuffin of Nuclear Metals, Inc. To J. O'Reilly of USAEC, regarding AEC License No. SNM-65 (3 pages)
- 04/04/1973 Nuclear Metals, Inc. Memorandum from A. Gilman to R. Franks, regarding Receiving and shipping procedures for Enriched Uranium (3 pages)

41. 06/20/1973 Ltr from W. Tuffin of Nuclear Metals, Inc. To J. O'Reilly of USAEC, regarding Letter of April 23, 1973 (2 pages)
42. 07/23/1973 Ltr from W. Tuffin of Nuclear Metals, Inc. To J. O'Reilly of USAEC, regarding letter sent on June 20, 1973 (1 page)
- 06/20/1973 Ltr from W. Tuffin of Nuclear Metals, Inc. To J. O'Reilly of USAEC, regarding Letter of April 23, 1973 (2 pages)
43. 08/03/1973 Ltr from J. O'Reilly of USAEC to W. Tuffin of Nuclear Metals, Inc., regarding Letters dated May 15, 1973 and June 20, 1973 (2 pages)
44. 04/19/1973 USAEC RO Inspection Report NO. 70-82/73-01 & 40-672/73-01 (10 pages)
45. 04/19/1973 USAEC RO Inspection Report NO. 70-82/73-01 & 40-672/73-01 (10 pages)
46. 10/18/1973 Ltr from W. Kinney of USAEC to H. Crocker of Nuclear Metals, Inc., regarding inspection of activities involved in the manufacture of CP-5 fuel tubes (1 page)
47. 10/18/1973 Ltr from R. Carlson of USAEC to W. Tuffin of Nuclear Metals, Inc., regarding inspection conducted on September 24-25, 1973 (11 pages)
48. 11/29/1973 Ltr from W. Martin of USAEC to W. Tuffin of Nuclear Metals, Inc., regarding letter dated November 20, 1973 (1 page)
- 11/20/1973 Ltr from W. Tuffin of Nuclear Metals, Inc., to R. Carlson of USAEC, regarding corrective actions taken by Nuclear Metals Inc. (2 pages)
49. Undated Ltr from W. Kinney of USAEC to H. Crocker of Nuclear Metals, Inc., regarding final delivery of CP-5 fuel tubes (1 page)
50. 12/12/1973 Ltr from W. Martin of USAEC to W. Tuffin of Nuclear Metals Inc., regarding inspection conducted on November 15-16, 1973 (3 pages)
- 12/07/1973 USAEC RO Inspection Report No. 70-82/73-04, License No SNM-65, Nuclear Metals, Inc. (7 pages)
51. 12/26/1973 Ltr from W. Tuffin of Nuclear Metals, Inc. To W. Martin of USAEC, regarding corrective action relative to findings from inspection on November 15 and 16, 1973 (2 pages)
52. 12/27/1973 Ltr from W. Martin of USAEC to W. Tuffin of Nuclear Metals, Inc., regarding letter dated November 20 and December 11, 1973 (1 pages)
- 12/11/1973 Ltr from W. Tuffin of Nuclear Metals Inc. To W. Martin of USAEC, regarding Exclusion Boundaries - Fissile Material Storage (2 pages)

53. 01/07/1974 Daily Reports - Region I, including Notification, Event and Regional Action (2 pages)
54. Undated Handwritten notes regarding Nuclear Metals Inc, contamination and exposure (1 page)
55. Undated Handwritten notes regarding Nuclear Metals Inc, contamination zones (1 page)
56. 01/07/1974 Ltr from J. O'Reilly of USAEC to W. Tuffin of Nuclear Metals Inc., regarding telephone discussion regarding the December 27 and 28 (2 pages)
57. 01/07/1974 Ltr from J. O'Reilly of USAEC to W. Tuffin of Nuclear Metals Inc., regarding telephone discussion regarding the December 27 and 28 (2 pages)
58. 01/07/1974 Ltr from J. O'Reilly of USAEC to W. Tuffin of Nuclear Metals Inc., regarding telephone discussion regarding the December 27 and 28 (2 pages)
59. Undated Draft document regarding radioactive contamination in the area of the Nuclear Metals, Inc. Plant (2 pages)
60. 01/09/1974 USAEC Press Announcement, regarding low-level radioactivity contamination (1 page)
61. Undated Memorandum to File, regarding Telephone conversation with A. Gillamn, Nuclear Metals (1 page)
62. Undated Isotope Table (1 page)
63. Undated Handwritten notes regarding Nuclear Metals Inc., regarding exposure (10 pages)
64. Undated USAEC, Blue Sheet, Directorate of Regulatory Operations, Notification of an Incident or occurrence, regarding Nuclear Metals Inc., License NO. SMB-179 (2 pages)
65. 02/05/1974 USAEC Directorate of Regulatory Operations, Region RO Inspection Report No. 70-82/73-05 and 40-672/73-02 (18 pages)
66. 02/07/1974 TWX From A. Gilman of Nuclear Metals to R. Page of USAEC< regarding License No. SNM-65 (1 page)
67. 02/14/1974 Daily Report - Region I, regarding Facility Notification, Event and Regional Action (1 page)
68. Undated USAEC Post Inspection Cover Sheet from P. Jerman to P. Knapp, regarding inspection of Nuclear Metals, Inc  
02/15/1974 Ltr from J. O'Reilly of USAEC to W. Tuffin of Nuclear Metals Inc., regarding inspection conducted on December 27-28, 1973 (6 pages)
69. 02/15/1974 Ltr from J. O'Reilly of USAEC to W. Tuffin of Nuclear Metals Inc., regarding inspection conducted on December 27-28, 1973 (25

- pages)
70. 02/16/1974 Western Union Mailgram from USAEC to Nuclear Metals Inc., regarding telephone report of 2/15/74 (1 page)
  71. Undated Notes regarding telephone call regarding complete whole body counts of five employees for whom home surveys were conducted (2 pages)
  72. 05/19/1974 USAEC, Blue Sheet, Directorate of Regulatory Operations, Notification of an Incident or Occurrence, regarding facility: Nuclear Metals Incorporated (2 pages)
  73. Undated Modification to Nuclear Metals, Inc. Plat dtd 2-20-74 TWX Gilman to Crocker (1 page)
  74. 02/20/1974 Western Union Telegram to B. Crocker of USAEC from A. Gilman of Nuclear Metals, regarding NMI Plan to analyze and sub-divide containers of residual material (2 pages)
  75. 02/20/1974 Western Union Telegram to B. Crocker of USAEC from A. Gilman of Nuclear Metals, regarding NMI Plan to analyze and sub-divide containers of residual material (1 page)
  76. 02/20/1974 Daily Report - Region I Status, regarding Facilities, Notification and Events and Regional Action (3 pages)
  77. Undated Ltr from J. O'Reilly of USAEC to A. Gilman of Nuclear Metals Inc., regarding plan of February 19, 1974 to transfer the enriched uranium liquid sludge (1 page)
  78. 02/22/1974 Daily Report - Region I Status, regarding Facilities, Notification and Events and Regional Action (3 pages)
  79. 02/22/1974 Western Union Telegram from G. Matthews of Nuclear Metals Inc. To H. Crocker of USAEC, regarding removal of possible radiation hazard (2 pages)
  80. 03/20/1974 Memorandum from P. Nelson of USAEC to File, regarding Nuclear Metals Inc. Meeting on 02/13/74 (2 pages)
  81. 03/20/1974 Memorandum from P. Nelson of USAEC to File, regarding Nuclear Metals Inc. Meeting on 02/13/74 (2 pages)
  82. 03/27/1974 Ltr from W. Tuffin of Nuclear Metals Inc. To J. O'Reilly of USAEC, regarding response to points raised in ref (3) letter as required by Sec. 2.201 of the AEC's "Rules of Practice", Part 2, Title 10,CFR (11 pages)
  83. 04/02/1974 Memorandum from W. Kinney of USAEC to File, regarding unusual occurrence involving five 5-gallon pails being filled with liquid-type uranium scrap (2 pages)
  84. 04/05/1974 Note to File from J. O'Reilly of USAEC, regarding clarification of procedural aspects of situation (1 page)

85. 04/05/1974 Note to File from J. O'Reilly of USAEC, regarding Nuclear Metals Inc. (1 page)
86. 04/08/1974 Note to File from J. O'Reilly of USAEC, regarding Nuclear Metals Inc. (2 pages)
87. Undated Note to File regarding Nuclear Metal, Inc. Letter dated 3/27/74 in response to RO:l documentation letter dated 2/15/74 (2 pages)
88. 04/11/1974 Ltr from W. Kinner of USAEC to H. Crocker of Nuclear Metals Inc., regarding draft of enforcement letters (19 pages)
89. 04/26/1974 Ltr from J. O'Reilly of USAEC to W. Tuffin of Nuclear Metals Inc., regarding corrective and preventive actions (1 page)
- 03/27/1974 Ltr from W. Tuffin of Nuclear Metals Inc. To J. O'Reilly of USAEC, regarding Region I Inspections of December 27 & 28, 1973 (11 pages)
- 04/16/1974 Ltr from W. Tuffin of Nuclear Metals Inc. To J. O'Reilly of USAEC, regarding I Inspections of December 27 & 28, 1973 (2 pages)
- 04/12/1974 Nuclear Metals Inc. Memorandum from A. Gilman to R. MacKay, regarding Radiation Exposure to the Hands, Use of Protective Gloves by Foundry Personnel (2 pages)
- 04/12/1974 Nuclear Metals Inc. Memorandum from A. Gilman to R. MacKay, regarding Radiation Exposure to the Hands, Use of Protective Gloves by Machine Shop and Fabrication Dept Personnel (1 page)
90. 04/26/1974 Ltr from J. O'Reilly of USAEC to W. Tuffin of Nuclear Metals Inc., regarding corrective and preventive actions (1 page)
- 03/27/1974 Ltr from W. Tuffin of Nuclear Metals Inc. To J. O'Reilly of USAEC, regarding Region I Inspections of December 27 & 28, 1973 (11 pages)
- 04/16/1974 Ltr from W. Tuffin of Nuclear Metals Inc. To J. O'Reilly of USAEC, regarding I Inspections of December 27 & 28, 1973 (2 pages)
- 04/12/1974 Nuclear Metals Inc. Memorandum from A. Gilman to R. MacKay, regarding Radiation Exposure to the Hands, Use of Protective Gloves by Foundry Personnel (2 pages)
- 04/12/1974 Nuclear Metals Inc. Memorandum from A. Gilman to R. MacKay, regarding Radiation Exposure to the Hands, Use of Protective Gloves by Machine Shop and Fabrication Dept Personnel (1 page)
91. 04/29/1974 USAEC memorandum from H. Thornburg to C. Kuhlman, regarding meeting between Nuclear Metals, Inc. And Region I (1 page)
92. 05/24/1974 Ltr from J. O'Reilly of USAEC to W. Tuffin of Nuclear Metals Inc., regarding special inspection conducted on February 20-22, 1974

(6 pages)

- 03/22/1974 USAEC Directorate of Regulatory Operations, RO Inspection Report NO. 70-82/74-01 (11 pages)
93. 08/22/1974 Ltr from P. Nelson of USAEC to W. Tuffin of Nuclear Metals Inc., regarding inspection conducted on May 30 and 31, 1974 (2 pages)
- 08/20/1974 USAEC Directorate of Regulatory Operations, RO Inspection Report No. 40-672/74-01 (10 pages)
94. 03/28/1975 USAEC Memorandum from P. Nelson to H. Thornburg, regarding Whittaker Corporation (1 page)
95. 02/15/1980 USAEC Memorandum from J. Delaney, regarding Nuclear Metals, INC (NMI); Termination of Special Nuclear Material License NO. SNM-65 (1 page)
- 12/03/1979 USAEC Memorandum from H. Crocker to J. Delaney, regarding Region I Action Regarding Termination of Special Nuclear Material License NO. SNM-65 (1 page)
96. 09/29/1980 USNRC Press Release, NRC Staff Cites Nuclear Metals, Inc., for Alleged Violation of Regulations Involving Transportation of Radioactive Materials; Proposed \$2,000 Fine (1 page)
97. 11/21/1980 Preliminary Notification, PNO-V-80-78; regarding Facility Nuclear Engineering Company, Banning of Nuclear Metals, Inc. (1 page)
98. 02/27/1981 USNRC Press Release, NRC Staff Cites Concord, Massachusetts Firm for Alleged Violation of Transportation Requirements: Proposes \$5,000 Fine (1 page)
99. 08/11/1983 USNRC Press Release, NRC Staff Conducts Special Inspections to Look into Overexposure of Hands of Workers at Nuclear Metals, Inc. Of Concord, Massachusetts (2 pages)
100. 09/06/1983 USNRC Press Release, NRC Staff Cites Nuclear Metals Inc. Of Concord, MA for Alleged Violations of Radiation Protection Requirements: Proposed \$9,600 Fine (2 pages)
101. 05/21/1985 USNRC Press Release, Low-Flying Helicopter to Make Background Radiation Survey Around the Nuclear Metals, Inc., Facility in Concord, Massachusetts (1 page)
102. 10/1993 USNRC Site Decommissioning Management Plan, NUREG-1444, regarding Nuclear Metals, Inc. (4 pages)
103. 01/17/1995 ORNL Sites - Summary; License No. C-03429; Docket No. 040-00672; Licensee Nuclear Metals Inc. (2 pages)
104. 11/1995 USNRC Site Decommissioning Management Plan, NUREG-1444, Supplement 1, regarding Nuclear Metals, Inc. (3 pages)
105. 08/13/1996 ORNL Sites - Summary; License No. SNM-00065; Docket No.

- 070-00082; Licensee Nuclear Metals Inc. (2 pages)
106. 04/08/2005 E-mail from M Miller to A Kouhestani et al., regarding PADEP contacts (3 pages)
107. 04/08/2005 E-Mail from B Werner to McLaughlin, Environmental Assessment (2 pages)
- Undated Pennsylvania DEP's Bureau of Radiation Protection's Comments on NRC Environmental Assessment (EA) for Whittaker's Request to Amend its License to Allow Blending of Waste to meet Disposal WAC at WCS (2 pages)
108. 04/08/05 E-Mail from B Werner to McLaughlin, PADEP Contacts (3 pages)
109. 05/10/2005 E-mail from S. Jablonski of State of Texas to M McLaughlin of USNRC, regarding Whittaker Environmental Assessment (2 pages)
110. 05/24/2005 E-mail from S. Jablonski of State of Texas to M McLaughlin of USNRC, regarding Whittaker Environmental Assessment (2 pages)
111. 06/03/2005 E-mail from S. Jablonski of State of Texas to M McLaughlin of USNRC, regarding Whittaker Environmental Assessment (3 pages)
- 06/03/2005 Whittaker Corporation, Additional Information Letter dtd 06/03/2005 (Accession No. ML051780360 PUBLIC)
112. 06/17/2005 E-mail from R. Moss of Scientech to E. Lardiere of Whittaker, regarding Whittaker Project Status Mary 2005 (6 pages)
113. 08/08/2005 E-mail from R. Maiers of State of Pennsylvania to M. McLaughlin of USNRC, regarding Environmental Assessment for Renewal of Whittaker Corp License (2 pages)
114. 08/15/2005 E-mail from B. Werner of State of Pennsylvania to M. McLaughlin of USNRC, regarding Whittaker Corp. EA (3 pages)
115. 08/15/2005 E-mail from B. Werner of State of Pennsylvania to M. McLaughlin of USNRC, regarding Whittaker Corp EA (3 pages)
116. 08/24/2005 E-mail from B. Werner fo State of Pennsylvania to M. McLaughlin of USNRC, regarding Whittaker (2 pages)
117. 10/31/2005 E-mail from J. Kottan of USNRC to D. Condra of ORAU, regarding More Samples (2 pages)
118. 01/27/2006 E-mail from B. Werner of State of Pennsylvania to M. McLaughlin of USNRC, regarding Whittaker EA (2 pages)
119. 02/15/2006 E-mail from B. Werner of State of Pennsylvania to M. McLaughlin of USNRC, regarding Whittaker EA (2 pages, with sections outside the scope)
120. 02/16/2006 E-mail from T. McLaughlin of USNRC to M. McLaughlin of

- USNRC, regarding ORISE (2 pages, with sections outside of the scope)
121. 02/16/2006 E-mail from B. Werner of State of Pennsylvania to M. McLaughlin of USNRC, regarding Whittaker EA (4 pages, with sections outside the scope)
122. 02/16/2006 E-mail from K. Taylor of Energy Solutions to M. McLaughlin of USNRC, regarding Whittaker 2006 1<sup>st</sup> Qtr. Inspection (5 pages)
123. 02/21/2006 E-mail from T. McLaughlin of USNRC to S. Kirk of ORAU, regarding Fully signed FRTA for Whittaker just faxed to you (2 pages)
124. 02/17/2006 E-mail from K. Taylor of Energy Solutions to M. McLaughlin of USNRC, regarding Documented referenced to sand at Whittaker site (2 pages)
125. 02/17/2006 E-mail from S. Kirk of ORAU to M. McLaughlin of USNRC, regarding FRTTA 06-005 for Whittaker.wpd (2 pages)
126. 02/24/2006 E-mail from B. Werner of State of Pennsylvania to M. McLaughlin of USNRC, regarding Whittaker Sand Description (3 pages)
127. 05/12/2006 E-mail from K. Taylor of Energy Solutions to M. McLaughlin of USNRC, regarding Whittaker Site Inspection (3 pages)
128. 05/16/2006 E-mail from B. Werner of State of Pennsylvania to M. McLaughlin of USNRC, regarding Whittaker (2 pages)
- 04/19/2006 Ltr from P. Williams of Pennsylvania Department of Environmental Protection to E. Lardiere of Whittaker Corporation, regarding Waiver of Permit Requirements Restoration Revisions (2 pages)
129. 05/22/2006 E-mail from B. Werner of State of Pennsylvania to M. McLaughlin of USNRC, regarding Whittaker Site Inspection (2 pages)
130. 05/26/2006 E-mail from G. Toumey of Energy Solutions to M. McLaughlin of USNRC, regarding Whittaker Site Access Agreement (3 pages)
131. 05/30/2006 E-mail from G. Toumey of Energy Solutions to E. Lardiere of Whittaker, regarding April 2006 Monthly Status Report (3 pages)
- 05/24/2006 Energy Solutions Memorandum from G. Toumey to E. Lardiere, regarding Project Status Report for the month ending April 30, 2006 (3 pages)
132. 06/01/2006 E-mail from K. Taylor of Energy Solutions to M. McLaughlin of USNRC, regarding survey (3 pages)
133. 06/02/2006 E-mail from K. Taylor of Energy Solutions to M. McLaughlin of USNRC, regarding Section 2 FSSP (4 pages)
134. 06/12/2006 E-mail from M. Miller of USNRC to M. McLaughlin of USNRC, regarding Whittaker licensing question (2 pages)
135. 06/13/2006 E-mail from K. Taylor of Energy Solutions to M. McLaughlin of

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- USNRC, regarding Removal of soil from Whittaker Section 2 'Pit'  
(2 pages)
136. 06/13/2006 E-mail from K. Taylor of Energy Solutions to M. McLaughlin of  
USNRC, regarding Removal of soil from Whittaker Section 2 'Pit'  
(3 pages)
137. 06/14/2006 E-mail from K. Taylor of Energy Solutions to M. McLaughlin of  
USNRC, regarding Removal of soil from Whittaker Section 2 'Pit'  
(4 pages)
138. 06/15/2005 E-mail from J. Kottan of USNRC to M. Miller of USNRC, regarding  
Whittaker (2 pages)
139. 08/24/05 E-Mail from B Werner to M McLaughlin, Whittaker (2 pages)  
(ML052410084 )
140. 02/11/94 Exhibit 24 - Nuclear Metals Inc. Record of Shipment (8 pages)

**APPENDIX B  
RECORDS BEING WITHHELD IN PART**

| <u>NO.</u> | <u>DATE</u> | <u>DESCRIPTION/(PAGE COUNT)/EXEMPTIONS</u>  |
|------------|-------------|---|
| 1.         | 08/23/1968  | Memorandum from W. Browne of USAEC to file, regarding Whittaker Corporation, Nuclear Metals Division (1 page)   |
|            | 08/26/1968  | USAEC Division of Compliance, Whittaker Corporation, Period of Inspection July 30, 1968 (7 pages) / Exemption 6   |
| 2.         | 07/20/1970  | Ltr from M. Perella of Whittaker Corporation to L. Low of USAEC, regarding License NO. SNM65 (1 page) / Exemption 6                                     |
| 3.         | 04/21/2005  | E-mail from K. Taylor of Scientech to J. Kottan and M. McLaughlin of USNRC, regarding Whittaker Final Status Survey Plan (2 pages) / Exemption 6        |
| 4.         | 04/27/2005  | E-mail from K. Taylor of Scientech to M. McLaughlin of USNRC, regarding Whittaker license amendment (2 pages) / Exemption 6                             |
| 5.         | 05/10/2005  | E-mail from K. Taylor of Scientech to M. McLaughlin of USNRC, regarding Whittaker site (5 pages) / Exemption 6  |
| 6.         | 06/03/2005  | E-mail from B. Dornsife of Whittaker to M. McLaughlin of USNRC, regarding request for EA (2 pages) / Exemption 6  |
| 7.         | 06/06/2005  | E-mail from K. Taylor of Scientech to M. McLaughlin of USNRC, regarding Whittaker License Amendment (2 pages) / Exemption 6                             |
| 8.         | 07/08/2005  | E-mail from R. Moss of Scientech to E. Lardiere of Whittaker, regarding Whittaker Project Status Report June 2005 (3 pages) / Exemption 6               |
|            | 07/09/2005  | Scientech Memo from R. Moss to E. Lardiere, regarding Project Status Report June 2005 (3 pages)   |
| 9.         | 06/14/2005  | E-mail from M. Miller of USNRC to D. Widmayer of USNRC, regarding Whittaker Blending Amendment Request / Follow-up call with TX (2 pages) / Exemption 2 |
| 10.        | 08/08/2005  | E-mail from K. Taylor of Scientech to M. McLaughlin of USNRC, regarding Whittaker financial assurance (2 pages) / Exemption 6                           |
| 11.        | 08/12/2005  | E-mail from R. Moss of Scientech to E. Lardiere of Whittaker, regarding Whittaker Project Status Report July 2005 (3 pages) / Exemption 6               |
|            | 08/15/2005  | Scientech Memo from R. Moss to E. Lardiere, regarding Project Status Report July 2005 (3 pages) / Exemption 6   |
| 12.        | 08/16/2005  | E-mail from K. Taylor of Scientech to M. McLaughlin of USNRC, regarding License renewal (2 pages) / Exemption 6   |

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13. 08/29/2005 E-mail from R. Moss of Scientech to M. McLaughlin of USNRC, regarding Whittaker Site Waste Shipment Schedule (2 pages) / Exemption 6
14. 09/20/2005 E-mail from R. Moss of Scientech to E. Lardiere, regarding Whittaker Project Status Report Aug -05 (3 pages) / Exemption 6
- 09/19/2005 Scientech Memo from R. Moss to E. Lardiere, regarding Project Status Report August 2005 (3 pages)
15. 10/11/2005 E-mail from R. Moss of Scientech to E. Lardiere, regarding Whittaker Project Sept 2005 Status Report (3 pages) / Exemption 6
- 10/11/2005 Envirocare Memo from R. Moss to E. Lardiere, regarding Project Status Report September 2005 (3 pages)
16. 10/25/2005 E-mail from K. Taylor of Scientech to M. McLaughlin of USNRC, regarding Alaron Contact (2 pages) / Exemption 6
17. 11/14/2005 E-mail from K. Taylor of Scientech to M. McLaughlin of USNRC, regarding Whittaker waste manifest activities (2 pages) / Exemption 6
- 07/20/2005 Severn Trent (STL) Analytical Report, Project No, 23535; Whittaker, Transfer, PA (37 pages)
18. 11/17/2005 E-mail from R. Moss of Envirocare to E. Lardiere of Whittaker, regarding Whittaker Project Status Report Oct 2005 (3 pages) / Exemption 6
- 11/16/2005 Envirocare Memo from R. Moss to E. Lardiere, regarding Project Status Report October 2005 (3 pages) / Exemption 6
19. 12/21/2005 E-mail from R. Moss of Envirocare to E. Lardiere of Whittaker, regarding November Project Status Report (3 pages) / Exemption 6
- 11/16/2005 Envirocare Memo from R. Moss to E. Lardiere, regarding Project Status Report November 2005 (2 pages) / Exemption 6
20. 03/24/2006 E-mail from K. Taylor of USNRC to various, regarding Whittaker project mobilization (2 pages) / Exemption 6
21. 04/11/2006 E-mail from K. Taylor of USNRC to M. McLaughlin of USNRC, regarding Whittaker RAI (2 pages) / Exemption 6
22. 05/01/2006 E-mail from K. Taylor of USNRC to M. McLaughlin of USNRC, regarding Update on Whittaker documents (3 pages) / Exemption 6
23. 05/25/2006 E-mail from K. Taylor of Energy Solutions to M. McLaughlin of USNRC, regarding Decommissioning Cost Est (2 pages) / Exemption 6
24. 05/17/2006 E-mail from K. Taylor of Energy Solutions to M. McLaughlin of USNRC, regarding Whittaker D Plan (2 pages) / Exemption 6

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25. 05/31/2006 E-mail from K. Taylor of Energy Solutions to M. McLaughlin of USNRC, regarding LLRW Discovery at Whittaker Site (2 pages) / Exemption 6
26. 06/05/2006 E-mail from K. Taylor of Energy Solutions to M. McLaughlin of USNRC, regarding Financial Assurance and privacy (3 pages) / Exemption 6
27. 06/23/2006 E-mail from K. Taylor of Energy Solutions to M. McLaughlin of USNRC, D. Balog of State of Pennsylvania and G. Rafeew of State of Pennsylvania, regarding Quarterly groundwater sampling at Whittaker (3 pages) / Exemption 6
28. 06/28/2006 E-mail from K. Taylor of Energy Solutions to M. McLaughlin of USNRC, regarding Whittaker update (2 pages) / Exemption 6
29. 06/28/2006 E-mail from G. Roumey of Energy Solutions to M. McLaughlin of USNRC, regarding Whittaker update (3 pages) / Exemption 6

APPENDIX C  
RECORDS ALREADY PUBLICLY AVAILABLE

| <u>NO.</u> | <u>DATE</u> | <u>ACCESSION<br/>NUMBER</u> | <u>DESCRIPTION/(PAGE COUNT)</u>   |
|------------|-------------|-----------------------------|---|
| 1.         | 03/02/2006  | ML060690388                 | E-mail dtd 03/02/2006 from ORISE, subj:<br>ORISE Comments - Whittaker FSSP (2<br>pages)   |
| 2.         | 06/14/2006  | ML061700348                 | Whittaker Corporation, e-mail dated<br>06/14/2006 Re: Environmental Assessment<br>for Amendment to Whittaker License (5<br>pages) |
| 3.         | 06/14/2006  | ML061700447                 | Whittaker Corporation, E-mail dated<br>06/14/2006 Re: Environmental Assessment<br>for Amendment to Whittaker License (2<br>pages) |