

2008-0174

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

RESPONSE TYPE FINAL PARTIAL

REQUESTER

TIM FARNAM

DATE

APR 24 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 **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, 11555 Rockville Pike, Rockville, MD 20852-2738.
- APPENDICES **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)

Only document numbered A-1 is attached from Appendix A because it is located in our legacy library. Records with an ML accession number are available in the NRC's Public Electronic Reading Room at www.nrc.gov/reading-rm/adams/html. For assistance in obtaining any records, please contact the NRC's Public Document Room (PDR) at 1-800-397-4209 or email at pdr@nrc.gov

The incoming FOIA/PA-2008-0174 is located in ADAMS at ML080950317.

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Russell A. Nichols

APPENDIX A
RECORDS ALREADY PUBLICLY AVAILABLE

<u>NO.</u>	<u>DATE</u>	<u>ACCESSION NUMBER</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
SENATOR CLINTON CORRESPONDENCE			
1.	6/10/1997	9706110054	Petition for Rulemaking PRM-50-63 for change in Federal Policy - Pages: 6. (ATTACHED).
2.	10/15/2001	ML031040518	Letter from Senator Clinton to Chairman Meserve regarding briefing on the security of nuclear power plants in New York State. - Pages: 2.
3.	10/18/2001	ML031040520	Letter from Representatives Lowey, Gilman, Kelly, Senators Clinton, Schumer, and County Executive Spano - Pages: 3.
4.	10/18/2001	ML012960175	LTR-01-0548 - Rep. Nita M. Lowey, Rep. Benjamin A. Gillman, Rep. Sue W. Kelly, Sen. Hillary Rodham Clinton, Sen. Charles H. Schumer and County Executive Andrew Spano Ltr Requesting Classified Briefing on the Security Measures at Indian Point - Pages: 3.
5.	11/20/2001	ML013330200	G20010542/LTR-01-0635 - Senator Jim Jeffords, Senator Harry Reid, Senator Hillary R. Clinton and Senator Jon Corzine Ltr re Questions from the 10/11/01 Briefing on Security of the Nation's Commercial Nuclear Facilities - Pages: 5.
6.	12/17/2001	ML013380256	G20010542/LTR-01-0635 - Senator Jim Jeffords, Senator Harry Reid, Senator Hillary R. Clinton and Senator Jon Corzine Ltr re Questions from the 10/11/01 Briefing on Security of the Nation's Commercial Nuclear Facilities - Pages: 12.
7.	1/15/2002	ML013400246 ML013480097	G20010562 - Ltr ^{From} to Senator Hillary Rodham Clinton re Plutonium-239/Beryllium Sources at Manhattan College - Pages: 3.
8.	1/18/2002	ML031040522	Letter from Commissioner Merrifield to Senator Clinton regarding visit to New York State nuclear power plants - Page: 1.
9.	1/23/2002	ML013400246	Ltr William Travers to Senator Clinton re: Response to the November 19, 2001, letter from Mr. Joshua Albert of your staff - Pages: 3.

10. 4/18/2002 ML021120093 G20020234/LTR-02-0278 - Sen. Hiliary Clinton Ltr re Concerns of the Fox News Report Flying over the Indian Point Nuclear Plant - Pages: 3.
11. 4/26/2002 ML021090593 G20020234 - LTR-02-0278-Sen. Hilliary Rodham Clinton re Concerns of the Fox News Reporters Flying over the Indian Point Nuclear Plant - Pages: 2.
12. 5/15/2002 ML021400529 G20020292/LTR-02-0356 - Senators Hilary Clinton & Nita M. Lowey Ltr re: Possible Terrorist Attack on Nuclear Power Plant on 07/04/2002 - Request Status of Security Measures Taken at Nuclear Power Plants - Pages: 3.
13. 6/28/2002 ML021400568 G20020292/LTR02-0356 - Letters to Senator Hillary Clinton and Rep. Nita Lowey re Possible Terrorist Attack on a Nuclear Power Plant on July 4, 2002 - Request Status of Security Measures at Nuclear Power Plants - Pages: 3..
14. 7/23/2002 ML022040451 CORR-02-0164-Ltr to Congress provides legislation that would strengthen security at NRC-licensed facilities - Pages: 18.
15. 12/10/2002 ML023500155 G20020697/LTR-02-0793 - Sen. Hillary Clinton Ltr re: Expresses Concern Over Adequacy of Guard Force at Nuclear Power Plants in & Near New York - Pages: 3.
16. 12/13/2002 ML023530035 G20020707/LTR-02-0802 - Senator Hillary Rodham Clinton Ltr Re: Request That Security at Indian Point Reactors be Tested so That Any Potential Security Gaps May be Identified & Addressed - Pages: 4.
17. 1/22/2003 ML030280032 G20030034/LTR-03-0035 - Sen. Hiliary Rodham Clinton Ltr re: Request Commission Review Draft Report by Witt Associates Regarding Emergency Preparedness for Areas of New York State Around Indian Point & Millstone Nuclear Power Plants - Pages: 2.
18. 3/28/2003 ML030910400 LTR-03-0187 - Ltr. Sen. Harry Reid re Concerns Developing Legislation to Better Secure Nuclear Facilities Against the Threat of Terrorism.- Pages: 4.
19. 1/29/2003 ML023510201 G20020697/LTR-02-0793 and G20020707/LTR-02-0802 - ltr. Sen. Hillary Rodham Clinton ltr re. Adequacy of Guard Forces at Nuclear Power Plants in and Near New York - Pages: 3.

20. 2/12/2003 ML030280005 G20030034/LTR-03-0035 - Sen. Hillary Clinton Ltr re Request The Commission Review The Draft Report By Witt Associates Regarding Emergency Preparedness For The Areas Of New York State Around The Indian Point And Millstone Nuclear Power Plants - Pages: 2.
21. ~~2/26/2003~~ ~~ML020580617~~ ~~G20000103~~ ~~Senator Jeffords (Senator Clinton) to NRC re: Test Hearing Questions from the Environment and Public Works Budget Briefing on February 25, 2002 - Pages: 4.~~
22. 4/29/2003 ML031070142 Letter from Nils Diaz to Senator Harry Reid responding to his letter dated 3/28/03, in which he expressed the desire to work with NRC to develop legislation to enhance security at nuclear facilities - Pages: 3.
23. 5/2/2003 ML031290144 LTR-03-0271 - Sen. Hillary Rodham Clinton Ltr. Re: Express Concern with Federal Emergency Management Administration's (FEMA) Delay in Decision Regarding Effectiveness of Emergency Response Plans for Indian Point Nuclear Power Plant - Pages: 3.
24. 5/2/2003 ML031360119 LTR-03-0307 - Sen. Hilliary Rodham Clinton Ltr re: Express Concern with Federal Emergency Management Administration's (FEMA) Delay in Decision Regarding Effectiveness of Emergency Response Plans for Indian Point Nuclear Power Plant - Pages: 3.
25. 5/21/2003 ML033160113 Handwritten Notes by Chairman Diaz re: Indian Point emergency preparedness in preparation for meeting with Senator Hillary Clinton - Page: 1.
26. 8/7/2003 ML032190686 Letter providing Chairman Diaz's observations of a two-day visit to Indian Point - Pages: 3.
27. 9/9/2003 ML032650992 G20030557/LTR-03-0602 - Sen. Hillary R. Clinton Ltr re Review of the 2.206 Petition Submitted by the Union of Concerned Scientists and Riverkeeper, Inc. - Pages 4.
28. 11/19/2003 ML032940695 G20030557/LTR-03-0602 - The Honorable Hillary Rodman Clinton Ltr. Re the Review of the Petition Filed by the Union of Concerned Scientists and Riverkeeper, Inc. On September 8, 2003 - Pages: 2.

29. 12/30/2003 ML040070354 G20040003/LTR-04-0002 - Sen. Hillary Rodham Clinton Ltr. Re: Increased Security at Indian Point - Pages: 6.
30. 1/21/2004 ML040150349 G20040003/LTR-04-0002 - Ltr to Senator Hillary R. Clinton re Additional Precautions at Indian Point Nuclear Power Plants as a Result of Heightened National Threat Level to High (Orange) - Pages: 3.
31. 1/22/2004 ML040280512 G20040043/LTR-04-0032 - Sen. Hillary Rodham Clinton Ltr re: Special Inspection Report Regarding Indian Point & Dirty Bomb Prevention Act - Pages: 4.
32. 3/22/2004 ML040350292 G20040043/LTR-04-0032 - Letter to Senator Hillary Rodham Clinton from Nils Diaz re: Concerns on Findings of NRC's 12/22/03 Special Inspection Report regarding Indian Point and the Dirty Bomb Prevention Act - Pages: 3.
33. 3/22/2004 ML040350296 Enclosure 3 to Senator Hillary Rodham Clinton letter dated 03/22/04 from Chairman Diaz, NRC Proposed Legislation on the Control of Nuclear Materials - Pages: 4.
34. 4/2/2004 ML040960253 2003-04 Indian Point Units 2 and 3 Annual Assessment Invitational Letters for Safety Performance - Pages: 29.
35. 4/7/2004 ML041130458 Y020040085 - Resolution - Indian Point 2 & 3 Nuclear Power Plants License - Pages: 8.
36. 5/7/2004 ML041330521 G20040331/LTR-04-030 - Leslie Seff Ltr. Re: Reclassify High-Level Radioactive Waste/Stricter Regulation and Isolation of all Radioactive Wastes/Recapture and Recall Radioactive Materials and Wastes that have been Release - Pages: 4.
37. 7/13/2004 ML042100219 G20040501/LTR-04-0474 - Sen. Hillary R. Clinton Ltr re Emergency Responders in Westchester County, New York - Pages: 4.
38. 9/15/2004 ML042230178 G20040501/LTR-04-0474 Ltr to Sen. Hillary Rodham Clinton re Concern Over Radio Interference, Radio Interoperability, And Emergency Responders - Pages: 2.
39. 9/29/2004 ML042790325 G20040666 - Sen. Hillary Rodham Clinton Ltr re: Request Update in Regard to Several Concerns About the Indian Point Energy Center - Pages: 3.

40. 10/1/2004 ML042740515 G20040666/LTR-04-0611 - Ltr to Senator Hillary Rodham Clinton from Chairman Diaz, re: Request Update in Regard to Several Concerns About the Indian Point Energy Center - Page: 1.
41. 10/8/2004 ML042780593 G20040666/LTR-04-0611 - Senator Hillary Rodham Clinton Ltr. Re Concerns at Indian Point Power Plant - Pages: 2.
42. 10/8/2004 ML042800057 Enclosure - Equipment Issues Related to September 2004 Shutdowns and Power Reductions at Indian Point 2.
43. 3/2/2005 ML063520551 Letter from Commissioner Jeffrey Merrifield to Senator Hillary Clinton, concerns visit to India - Page: 1.
44. 5/26/2005 ML051790356 LTR-05-0298 - Ltr. Senator Hillary Rodham Clinton re: Request Meeting with the Commission to Discuss Nuclear Plant Security - Pages: 3.
45. 5/26/2005 ML051800418 G20050461/LTR-05-0298 - Senator Hillary Rodham Clinton ltr re: Security and Emergency Preparedness at Indian Point - Pages: 4.
46. 8/11/2005 ML051940177 G20050461/LTR-05-0298 - Senator Hillary Rodham Clinton ltr re: Security and Emergency Preparedness at Indian Point - Pages: 2.
47. 10/25/2005 ML053000562 LTR-05-0518 - Letter from Senator Hillary Rodham Clinton re: Issues of concern related to the Indian Point Nuclear Power Plant - Pages: 3.
48. 10/26/2005 ML053000225 LTR-05-0518 - Letter to Senator Hillary Rodham Clinton, concerns recent meeting discussing issues related to the Indian Point Energy Center and recently reported leakage from the spent fuel pool at IP Unit 2 - Pages: 5.
49. 11/13/2005 ML053270074 G20050802/LTR-05-0570 - John McCain Ltr re: Palo Verde Nuclear Generating Station - Recent Shutdown - Pages: 4.
50. 11/14/2005 ML053490010 Paul M. Golan - Ltr. Re: Attached Letter to Mr. Conrad F. Golich, Attachment - Materials Sent to Senator McCain - Pages: 11.
51. 12/2/2005 ML061800266 EDO Principal Correspondence Control, Braidwood Tritium Release 12/6/05 E-mail from Klementowicz to Wetzle, Green Ticket on Tritium Info Release; Question on Tritium Portions Outside the Scope of the Request -Pages: 9.

52. 3/20/2006 ML060810224 G20060269/LTR-06-0148 Sen. George V. Voinovich Ltr. Re Post Hearing Qs & As from the March 9, 2006 Oversight Hearing - Pages: 15.
53. 3/28/2006 ML060740344 G20060240 - Ltr to Senator Clinton from Chairman Diaz re: Engineering Inspection at Indian Point - Pages: 2
54. 4/3/2006 ML060950127 G20060360/SECY-2006-0054/LTR-06-0173 - Sen. Hillary Rodham Clinton Ltr re: Independent Safety Assessment at Indian Point - Pages: 5.
55. 4/6/2006 ML061140014 LTR-06-0197 - Ltr. Noel Spencer Re: Indian Point Emergency Evacuation Plan - Pages: 3.
56. 5/31/2006 ML061110405 G20060360/SECY-2006-0054/LTR-06-0173 - Sen. Hillary Rodham Clinton Ltr re: Independent Safety Assessment at Indian Point - Pages: 5.
57. 6/22/2006 ML061740020 G20060590/LTR-06-0315 - Senator Hillary Rodham Clinton and Edward Markey Ltr. Re Concerns Commission's May 25, 2006 Action on "Decision Item: SECY-06-0080 National Source Tracking of Sealed Sources" - Pages: 6.
58. 6/22/2006 ML061780052 Letter fm. Sen. Hillary Rodham Clinton and Rep. Edward Markey requesting for an extension of the comment period for PR-20 and 32 regarding National Source Tracking of Sealed Sources. - Pages: 4.
59. 8/1/2006 ML061870515 G20060590/LTR-06-0315 - ltr to Senator Hillary Rodham Clinton and Congressman Edward J. Markey re: Concerns Commission's May 25, 2006 Action on "Decision Item: SECY-06-0080 National Source Tracking of Sealed Sources" - Pages: 12.
60. 9/19/2006 ML062750160 LTR-06-0489 - Donald Flater Ltr. Re Security of Radioactive Sealed Sources - Pages: 5.
61. 5/16/2007 ML071620166 LTR-07-0371 - Ltr fm Congress (Hilliary R. Clinton and Nita M. Lowey) re: request that funds related to Entergy's non-compliance with Commission order be distributed to Indian Point counties tasked with maintaining radiological emergency preparedness - Pages: 2.
62. 5/30/2007 ML071580615 LTR-07-0397 - Ltr. David Lochbaum re: Concerns the 4/25/07 Oversight Hearing...Options for Restoring Public Confidence in the NRC's Oversight of Indian Point - Pages: 8.

63. 6/8/2007 ML071620167 LTR-07-0371 - Ltr to Congress (Hilliary R. Clinton and Nita M. Lowey) from Chairman Klein re: request that funds related to Entergy's non-compliance with Commission order be distributed to counties surrounding - Pages: 3.
64. 9/17/2007 ML072680167 Federal Funding Education Grant Program - Pages: 54.
65. 12/21/2007 ML073600533 G20070895/LTR-07-0829/EDATS: SECY-2007-0579 - Ltr. Sen. Hillary Rodham Clinton re: Failure of Entergy to Install an Adequate New Emergency Siren System; and the Coming Move to Dry Cask Storage of Spent Fuel at Indian Point -Pages: 5.
66. 3/11/2008 ML080940660 Letter from Congresswoman Nita M. Lowey to Judge E. Roy Hawkins dated 3/11/2008 Regarding Hearing to be Held on License Renewal of Indian Point's Nuclear Reactors - Page: 1.
67. 1/25/2008 ML080080088 G20070895/LTR-07-0829/EDATS: SECY-2007-0579 - Ltr. To Senator Hillary Rodham Clinton re: the installation of an improved siren system and dry cask storage of spent fuel at Indian Point - Pages: 2.
68. 2/19/2008 ML080170689 Ltrs to Congress fm Chairman Klein re: Transmittal of the National Academies Report on "Radiation Source Use and Replacement" - Pages: 4.
69. 3/26/2008 ML080930441 Funding for West Valley Demonstration Project - Pages: 3.

OBAMA CORRESPONDENCE:

- 70.. 03/20/06 ML060810224 Ltr to Chairman N. Diaz from Senators George Voinovich & Thomas R. Carter re: post hearing questions submitted by Senators Voinovich, Jeffords, Isakson, and Obama from 3/9/06 hearing - Pages: 15.
71. 07/10/06 ML081000557 Ltr from Chairman Dale Klein to Senator Obama, re: Proposed legislation 2.2348, - Pages: 1.
72. 07/03/07 ML081000558 Ltr from Chairman Klein to Senator Obama re: "2007 Best Places to Work in the Federal Government." - Pages: 1.
73. 09/17/07 ML081000559 Ltr to Rebecca L. Schmidt, OCA to Senator Barack Obama, - Pages: 1.
74. 02/22/07 ML081000560 Ltr to Rebecca L. Schmidt to Todd Atkinson, Office of Senator

Obama, - Pages 1.

McCAIN CORRESPONDENCE:

75. 03/02/05 ML050870517 Ltr to Dennis K. Rathbun, OCA from Sen. John McCain re constituent's letter on water contamination and how it is treated, - Pages: 4.
76. 11/13/05 ML053270074 Ltr to William Outlaw, OCA from Sen. John McCain re constituent's letter on the Palo Verde Nuclear Generating Station, - Pages: 4.
77. 11/14/05 ML053350261 Ltr to William Outlaw, OCA from Sen. John McCain re constituent's letter on to inventions to solve radioactive waste problems, - Pages: 13.
78. 12/9/05 ML053410472 Ltr to Conrad F. Gollich with cc to Sen. John McCain re potential technical solutions for safe management of high-level radioactive waste (HLW), - Pages: 2.
79. 12/22/05 ML053400410 Ltr to Mr. Dan Frenette with a cc to Sen. John McCain from Luis A. Reyes, EDO re information about the 10/11/05 shutdown of the Palo Verde Nuclear Generating Station, Unit 2 and 3 - Pages: 7.

**APPENDIX B
RECORDS RELEASE IN THEIR ENTIRETY**

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
1.	7/13/2000	G20000533/LTR-00-0687 - Judith Ordan Ltr. Re: Concerns with Indian Point 2 - Pages: 12. ML003769784.
2.	11/19/2001	Senator Clinton to Madden, NRR re: Plutonium-239/Beryllium Sources at Manhattan College - Pages: 9. ML01348 0097.
3.	1/14/2002	LTR-02-0033 - John Beltz Ltr re Cleanup of the West Valley Nuclear Site - Pages: 68. ML020240291.
4.	6/25/2002	"Dirty Bomb Prevention Act" - Pages: 10. ML021860182.
5.	5/3/2003	LTR-03-0307 - Ltr. Joseph F. Picciano fm Senator Clinton re: Express concern with the Federal Emergency Management Administration's (FEMA) delay in its decision regarding the effectiveness of the emergency response plans fo the Indian Point Nuclear Power Station - Pages: 3. ML031360119.
6.	5/7/2004	Ltr Leslie Seff to Senate Armed - Reclassify High-Level Radioactive Waste/Stricter regulation and Isolation of all Radioactive Wastes/recapture and Recall Radioactive materials and Wastes that have been released - Pages: 4. ML041330521.
7.	7/15/2004	A Bill to Amend the Atomic Energy Act of 1954 to Clarify the Treatment of Accelerator-produced and Other Radioactive Material as Byproduct Material - Pages: 5. ML042010317.
8.	11/16/2004	Letters to Indian Point Congressional Staff Regarding 12/16/04 Closed Meeting - Pages: 6. ML043220059.
9.	3/28/2008	Ltr from E. Roy Hawkens, Atomic Safety and Licensing Board Panel, to Senator Hillary Rodham Clinton on adjudicative proceeding on March 10 in White Plains, New York, about Indian Point license renewal application - Pages: 2.
10.	3/5/2007	Ltr from Rebecca Schmidt, Director, Office of Congressional Affairs, to Senator Hillary Rodham Clinton regarding a government-to-government meeting on Indian Point Energy Center - Pages: 1.

11. 2/27/2008

G20080138/LTR-08-0106/EDATS: SECY-2008-0108 - Senators
Bernard Sanders and Hillary Rodham Clinton. Ltr re: NRC/DOE
Workshop on 2/19-21/08 re: Tech. Issues and Res. Topics for Potential
Extended Op. Of Nuc. Topics for Potential Extended Oper. Of NP Plans
- Pages: 6. **ML08060094.**