NRC FORM 464 Part I
(6-1998)

U.S. NUCLEAR REGULATORY COMMISSION

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

FOIA/PA	RESPONSE NUMBER
2008-0249	1

RESPONSE TYPE ☑ FINAL ☐ PARTIAL

REQUESTER: ROBERT LEYSE

DATE: JUN 18 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 — 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 — 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 — 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 * $

* See comments for details

- ☐ You will be billed by NRC for the amount listed.
- ☐ You will receive a refund for the amount listed.
- ☑ None. Minimum fee threshold not met.
- ☐ Fees waived.

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 NRC's Comprehensive Records Disposition Schedule, approved by NARA, provides that reactor licensing documents are retained by the NRC and not transferred to NARA until 20 years after termination of the license, following decommissioning. The files that must be retained include "individual applicant case files, identified by assigned docket numbers, copies of all documents received or generated in review, evaluation and authorization stages of the licensing process." This would encompass the Safety Evaluation supporting operation of the GE test reactor. Therefore, the NRC is already required to retain the type of records covered by your petition for rulemaking.

The incoming FOIA/PA-2008-0249 is located in ADAMS at ML081580387.

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Russell A. Nichols *Russell A. Nichols*

APPENDIX A
RECORDS BEING RELEASED IN THEIR ENTIRETY

NUMBER	DATE	DESCRIPTION/PAGES
1.	07/1965	Reactor Safety Evaluation Pages 194-224, Volume II APED-5000-A. (30 pages)