



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

2008-0212

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RESPONSE TYPE FINAL PARTIAL

REQUESTER

Kate S. Keane

DATE

JUN 27 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 **D** 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 **E** 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 **E** 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 *

\$ 30.60

* See comments for details

- 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.

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 incoming FOIA/PA-2008-0212 request is located in ADAMS at ML081230098.

Records listed on Appendix D are already publicly available in the NRC's Public Electronic Reading Room (PDR) at <http://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 E-mail at pdr.resource@nrc.gov. To process your request required the following:

11 hours of professional search time @ \$53.80 per hour = \$591.80
 4 hours of professional review time @ 53.80 per hour = \$215.20
 30 mins of clerical search time @ \$.44 per minute = \$13.20
 Reproduction of 31 pages @ \$.20 per page = \$6.20
 Actual Cost: \$826.40 (less than Advanced Payment of \$857.00) = \$30.60

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Russell A. Nichols *Russell A. Nichols*

**APPENDIX D
RECORDS ALREADY PUBLICLY AVAILABLE**

<u>NO.</u>	<u>DATE</u>	<u>ACCESSION NO.</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
1.	01/15/02	ML020170081	Letter from Richard Meserve, OCM to Howard Dean, Governor informing him of NRC's program to supply potassium iodide to requesting states. (4 pages)
2.	03/18/02	ML020600241	Letter from Richard Meserve, OCM to Mark Warner, Governor, asking for a State Liaison. (1 page)
3.	03/31/03	ML030780382	Letter to Senate, House of Representatives, Federal Departments and Agencies and State Governors etc. from NRC Chairman Meserve Re: Additional Security-Related Actions Taken Over the Past Seven Months (50 pages)
4.	08/29/03	ML032300632	Letter to Senate, House of Representatives, Federal Departments and Agencies and State Governors etc. from NRC Chairman Meserve Re: Significant Actions That Have Been Taken and Those Planned Since September 11 Terrorists Attacks (39 pages)
4.	09/08/04	ML042400525	Letter to Senate, House of Representatives, Federal Departments and Agencies and State Governors etc. from NRC Chairman Diaz Re: Update of Actions NRC has Taken to Continue Enhancing Security of Licensed Nuclear Facilities and Radioactive Materials Since 9/11/01 (40 pages)
6.	01/31/06	ML060230433	Letter to Gov. Tim Kaine from Chairman Diaz re: Responding to former Gov. Warner's Request for Agreement State Status (1 page)
7.	08/18/06	ML062360544	Letter to Honorable Tim Kaine from Chairman Klein Re: Request for Information Regarding Plans for Virginia for the Regulation of Certain Radioactive Materials (2 pages)

APPENDIX E
RECORDS TO BE RELEASED IN THEIR ENTIRETY

<u>NO</u>	<u>DATE</u>	<u>DESCRIPTION (PAGE COUNT)</u>
1.	09/04/02	Letter from M. Warner, Governor to R. Meserve, OCM on Forwarding Safeguards information (2 pages)
2.	09/20/02	Letter from John H. Hager, to Chairman Meserve re: Thank You letter (2 pages)
3.	06/06/02	Letter to Non-Agreement State Governors from Chairman Meserve re: Actions Taken to Enhance Physical Protection Measures (7 pages)
4.	03/26/03	Letter to Honorable Mark Warner, Governor of Virginia from Chairman Meserve re: Request to Appoint a Single Person to Act as a Liaison with NRC for the Purpose of Improving Federal/State Cooperation (2 pages)
5.	05/28/04	Letter to Governors from Chairman Diaz re: Progress on Distribution of Security and other NRC Information to State Contacts, of a Recent Release of NRC Safeguards Information (18 pages)