



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

2010-0039

1

RESPONSE TYPE FINAL PARTIAL

REQUESTER

Maria Webb

DATE

JAN 29 2010

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, C 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, C 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)

The incoming request is in ADAMS at ML093140450.

Records with a ML Accession Number are publicly available in the NRC's Public Electronic Reading Room at http://www.nrc.gov/reading-rm.html. If you need assistance in obtaining these records, please contact NRC's Public Documents Room (PDR) at 301-415-4737, or 1-800-397-4209, or by E-mail to PDR.Resource@nrc.gov.

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Donna L. Sealing

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

2010-00039

JAN 29 2010

PART II.A -- APPLICABLE EXEMPTIONS

APPENDICES
C

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, Region 1	Appendix C -Items 1-14, 18-23, 26, 29	✓		
Charles L. Miller	Director, Office of Federal and State Materials and Environmental Management Programs	Appendix C -Items 15-17, 24-30	✓		

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 PUBLICLY AVAILABLE**

NO.	DATE	ACCESSION NUMBER OR URL	DESCRIPTION
1		http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1757/	NUREG-1757, "Consolidated Decommissioning Guidance"
2		http://www.nrc.gov/reading-rm/doc-collections/cfr/	Title 10 Code of Federal Regulations - numerous parts such as Part 20, Part 30, etc.
3		http://nrc-stp.ornl.gov/procedures/sa700.pdf AND http://nrc-stp.ornl.gov/procedures/sa700_hb.pdf	Office of Federal and State Materials and Environmental Management Programs (FSME) Procedure Approval, "Processing an Agreement - SA-700," Issue date July 19, 2007.
4		http://www.nrc.gov/reading-rm/doc-collections/management-directives/volumes/vol-5.html	Management Directive 5.8, "Proposed Section 274b Agreements With States;" Revision dated September 9, 2004.
5		http://nrc-stp.ornl.gov/procedures/sa200.pdf	Office of Federal and State Materials and Environmental Management Programs (FSME) Procedure Approval, "Compatibility Categories and Health and Safety Identification for NRC Regulations and Other Program Elements - SA-200;" June 5, 2009.
6		http://nrc-stp.ornl.gov/procedures/sa201.pdf	Office of Federal and State Materials and Environmental Management Programs (FSME) Procedure Approval, "Review of State Regulatory Requirements, SA-201;" July 27, 2007
7		http://www.nrc.gov/reading-rm/doc-collections/management-directives/volumes/vol-5.html	Management Directive 5.9, "Adequacy and Compatibility of Agreement State Programs;" February 27, 1998.
8		http://nrc-stp.ornl.gov/procedures/sa400_fin.pdf	STP Procedure Approval, "Management of Allegations – SA-400;" Issue date January 22, 2001; Review Date January 22, 2004.

References and Documents Used in Review of New Jersey Agreement

9		http://nrc-stp.ornl.gov/procedures/sa300.pdf	STP Procedure Approval, "Reporting Material Events - SA-300;" Issue Date March 8, 2006; Review Date March 8, 2009.
10		http://www.nrc.gov/reading-rm/doc-collections/insp-manual/manual-chapter/	Manual Chapter 1303, "Requesting Emergency Acceptance of Radioactive Material By The U.S. Department Of Energy;" November 29, 2007.
11		http://www.nrc.gov/reading-rm/doc-collections/insp-manual/manual-chapter/mc1330.pdf	Manual Chapter 1330, "Response To Transportation Accidents Involving Radioactive Materials;" October 6, 2004.
12		http://www.nrc.gov/reading-rm/doc-collections/management-directives/volumes/vol-8.html	Management Directive 8.8, "Management of Allegations;" February 4, 1999.
13		http://www.nrc.gov/reading-rm/doc-collections/management-directives/volumes/vol-5.html	Management Directive 5.6, "Integrated Materials Performance Evaluation Program (IMPEP);" February 26, 2004.
14		http://www.gpoaccess.gov/fr/index.html : 62 FR 39058; July 21, 1997	License Termination Rule Statement of Consideration; Radiological Criteria for License Termination, Final Rule;
15		http://www.nrc.gov/reading-rm/doc-collections/commission/secys/2008/secy2008-0154/2008-0154scy.pdf	Virginia Agreement: Proposed SECY: SECY-08-0154, 10/15/2008
16		http://www.nrc.gov/reading-rm/doc-collections/commission/srm/2008/2008-0154srm.pdf	Staff Requirements Memorandum (SRM): SECY-08-0154, 11/5/2008
17		http://www.nrc.gov/reading-rm/doc-collections/commission/secys/2009/secy2009-0022/2009-0022scy.pdf	Virginia Agreement: Final SECY - SECY-09-0022, 2/9/2009
18		http://www.nrc.gov/reading-rm/doc-collections/commission/srm/2009/2009-0022srm.pdf	Virginia Agreement: SRM, SECY-09-0022, 2/27/2009

References and Documents Used in Review of New Jersey Agreement

19	http://nrc-stp.ornl.gov/special/regs/vaagreem ents.pdf	Virginia Agreement: Signed Agreement
20	http://www.gpoaccess.gov/fr/index.html : 73 FR 70384; November 20, 2008	<i>Federal Register</i> Notice of Virginia proposed Agreement
21	http://www.nrc.gov/reading-rm/doc-collections/commission/secys/2007/secy2007-0083/2007-0083scy.pdf	Pennsylvania Agreement: Proposed SECY - SECY-07-0083, 5/17/2007
22	http://www.nrc.gov/reading-rm/doc-collections/commission/secys/2008/secy2008-0008/2008-0008scy.pdf	Pennsylvania Agreement: Final SECY - SECY-008-0008, 1/11/2008
23	http://nrc-stp.ornl.gov/special/regs/paagreem ents.pdf	Pennsylvania Agreement: Signed Agreement
24	http://nrc-stp.ornl.gov/special/criteria.pdf	Statement of Policy: "Criteria for Guidance of States and NRC in Discontinuance of NRC Regulatory Authority and Assumption Thereof by States Through Agreement;" January 23, 1981, 46 FR 7540; 48 FR 33376, July 23, 1983
25	http://nrc-stp.ornl.gov/special/fr_agstates1.txt	Final Policy Statement: "Statement of Principles and Policy for the Agreement State Program; Policy Statement on Adequacy and Compatibility of Agreement State Programs;" September 3, 1997, 62 FR 46517
26	http://www.nrc.gov/reading-rm/doc-collections/commission/secys/1997/secy1997-087/1997-087scy.html	SECY-97-087, "Oklahoma Agreement State Negotiations: State Requests That Major Facilities Undergoing Site Decommissioning Not Be Relinquished To State;" 4/22/1997
27	http://nrc-stp.ornl.gov/asletters/program/sp09033.pdf	FSME-09-033, Proposed Agreement Between the State of New Jersey and the U.S. Nuclear Regulatory Commission, May 29, 2009
28	http://nrc-stp.ornl.gov/asletters/program/sp09091.pdf	FSME-09-091, Agreement Between the U.S. Nuclear Regulatory Commission and the State of New Jersey; October 1, 2009

References and Documents Used in Review of New Jersey Agreement

29		http://nrc-stp.ornl.gov/rulemaking.html#NJ	FSME external website – State information for New Jersey: (a) SRS Data sheet; (b) NRC Review Letters - March 13, 2009; September 17, 2008; March 27, 2008; August 32, 2007
30		http://nrc-stp.ornl.gov/asletters/program/sp98071.pdf	Agreement State letter: (SP-98-071, August 1998, Program, Procedure B.7): ALL AGREEMENT STATES; MINNESOTA, PENNSYLVANIA, OHIO, OKLAHOMA; TRANSMITTAL OF STATE AGREEMENTS PROGRAM INFORMATION (SP-98-071); “Enclosed is the latest revision to the Office of State Programs (OSP) Internal Procedure B.7 Rule Charts. The revision incorporates in final the changes proposed in the September 15, 1997 All Agreement States Letter (SP-97-067).
31		http://nrc-stp.ornl.gov/asletters/program/sp97067.pdf	(SP-97-067, September 1997; Program, NRC Rules): ALL AGREEMENT STATES; OHIO, OKLAHOMA, PENNSYLVANIA; TRANSMITTAL OF STATE AGREEMENTS PROGRAM INFORMATION (SP-97-067); FINAL POLICY STATEMENTS; IMPLEMENTING PROCEDURES; SUMMARY OF INCREASED COMPATIBILITY REQUIREMENTS; AND REQUEST FOR COMMENTS ON PROPOSED COMPATIBILITY CATEGORIES FOR NRC RULES
32		http://www.nrc.gov/reading-rm/doc-collections/insp-manual/manual-chapter/	MC 2800, “Materials Inspection Program”
33		http://www.nrc.gov/reading-rm/doc-collections/insp-manual/inspection-procedure/index.html	Numerous Inspection Procedures associated with MC 2800, mostly in the 86XXX and 87XXX series
34+		See attached table – list of ADAMs ML numbers	Various documents related to the New Jersey Agreement – application, letters, <i>Federal Register</i> notices, etc.

APPENDIX A

NO. 34

ADAMs ML Numbers for NJ Agreement Application Documents Applicable to FOIA Request

Document	ADAMs ML Number	Notes
Letter dated 1/11/2008 from Charles Miller, FSME; to Paul Baldauf, NJ	ML073331064	
Package for NJ Agreement application	ML090510716	
Vol. 1, Sections 4.1 and 4.2	ML090510713	
Vol. 2, Sections 4.3 and 4.4	ML090510708	
Vol. 3, Sections 4.5 and 4.6	ML090510709	
Vol. 4, Section 4.7	ML090510710	
Legal References to 4.1.1, Vol. 1	ML090510711	
Legal References to 4.1.1, Vol. 2	MI090510712	
Additional Information to support NJ Agreement Application	ML090770116	
Chairman Klein letter to Governor Corzine	Package: ML090430385 Chairman Klein Letter: ML090420437	
Incoming Letter from Governor Corzine	ML090820227	
Federal Agency Notification Letters – Proposed stage	ML090820398	
Federal Register Notice for week 1 publication	ML091400154	
Memo to M. Lesar, ADM, May 20, 2009 – for week 1 publication	ML091400324	

Document	ADAMs ML Number	Notes
Memo to M.Lesar, ADM, week 2 publication	ML091470125	
Federal Register Notice for week 2 publication	ML091460769	
Memo to M.Lesar, ADM week 3 publication	ML091530145	Package ML091530361. Use ML091460769 for FRN
Memo to M.Lesar, ADM week 4 publication	ML091540807	Package ML091540875 Use ML091560553 for FRN
Federal Register Notice for week 4 publication	ML091560553	
Comments		
OAS, 6/4/2009	ML091680374	
Unknown/anonymous, 6/10/2009	ML091680375	
Shieldalloy, 6/11/2009	ML091700392 (package)	ML091700382 (June 11 ltr) and ML091680491
Loretta Williams, 6/9/2009	ML091680387	
Jim Lieberman, 6/10/2009	ML091810997	
Gregory R. Reinhard, MBA, DVM; Merck & co., Inc.; 6/26/2009	ML091900370	
Final Federal Register Package	ML092710387	
Federal Register	ML092710274	
Memo to M.Lesar	ML092710267	
Chairman Letter	ML092450273	
Agreement – signature format	ML092450290	
Agreement State Letter	ML092720262	

APPENDIX B
RECORDS BEING RELEASED IN THEIR ENTIRETY
(If copyrighted identify with *)

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
1.	Undated	USNRC, NRC Regional Inspection for Decommissioning Sites (1 page)
2.	10/19/2007	3:50pm E-mail from D. Janda of USNRC to D. Sollenberger and J. Tobin of USNRC, regarding NJDEP application comments Janda.doc (3 pages)
3.	10/20/2007	6:19pm E-mail from S. Gabriel of USNRC to D. Sollenberger and J. Tobin of USNRC, regarding NJ comments (3 pages)
4.	07/29/2009	2:03pm E-mail from B. Csaszar of DEP of NJ to D. Janda of USNRC, regarding Generic Communications (2 pages)
5.	08/01/2008	9:17am E-mail from J. Goodman of DEP of NJ to D. Sollenberger, D. Janda and M. Orendi of USNRC, regarding Adoption (45 pages)
6.	09/11/2008	4:27pm E-mail from D. Janda of USNRC to D. Sollenberger of USNRC, regarding Shield Alloy Public Meeting (1 page)
7.	09/23/2008	3:17pm E-mail from D. Janda of USNRC to J. Hayes of USNRC, regarding NJ Agreement State Q&A (4 pages)
8.	09/23/2008	4:30pm E-mail from D. Janda of USNRC to J. Hayes of USNRC, regarding NJ Agreement State slide (2 pages)
9.	12/02/2008	2:37pm E-mail from D. Janda of USNRC to various, regarding SMC Meeting (1 page)
10.	12/05/2008	4:56pm E-mail from D. Janda of USNRC to P. Gardner of DEP of NJ, regarding Questions (2 pages)
11.	01/21/2009	9:54am E-mail from D. Janda of USNRC to S. Gabriel of USNRC, regarding NJ Agreement Review (2 pages)
12.	01/21/2009	11:56am E-mail from D. Janda of USNRC to S. Gabriel of USNRC, regarding Comments on New Jersey Agreement Request (2 pages)
13.	01/21/2009	4:45pm E-mail from D. Janda of USNRC to T. Taylor and D. Sollenberger of USNRC, regarding Comments on New Jersey Agreement Request (3 pages)

Re: FOIA/PA-2010-0039

14. 01/23/2009 2:00pm E-mail from D. Janda of USNRC to T. Taylor and D. Sollenberger of USNRC, regarding comments on NJDEP Formal Application (2 pages)
15. 02/17/2009 10:22am E-mail from P. Gardner of DEP of NJ, regarding AS Outreach Sessions (2 pages)
16. 03/26/2009 3:49pm E-mail from P. Gardner of DEP of NJ to D. Sollenberger and T. Taylor of USNRC, regarding Final Vacancy Filled (2 pages)
17. 04/01/2009 4:45pm E-mail from D. Janda of USNRC to J. Kinneman of USNRC, regarding review of NJ Agreement SECY paper (1 page)
18. 04/02/2009 9:36am E-mail from D. Janda of USNRC to D. Janda of USNRC, regarding review of NJ Agreement SECY paper (2 pages)
19. 04/02/2009 4:49pm E-mail from M. Dapas of USNRC to J. Kinneman of USNRC, regarding Regional Administrator Action Item No. 09-051, Commission Paper on NJ Agreement (2 pages)
20. 04/03/2009 3:44pm E-mail from D. Janda of USNRC to D. Collins of USNRC, regarding SECY Paper for New Jersey Agreement Application (1 page)
21. 04/24/2009 11:22am E-mail from T. Taylor of UNSRC to D. White and D. Janda of USNRC, regarding Outreach session (7 pages)
22. 05/12/2009 10:13am E-mail from D. Janda of USNRC to J. Kinneman and D. Collins of USNRC, regarding daily for NJDEP outreach meetings (2 pages)
23. 05/20/2009 11:50am E-mail from D. Janda of USNRC to M. Roberts of USNRC, regarding Shieldalloy Metalurgical Corporation (SMC) (1 page)
24. 05/28/2009 3:16pm E-mail from D. Janda of USNRC to S. Gabriel of USNRC, regarding NJ question (2 pages)
25. 06/04/2009 2:28pm E-mail from T. Taylor of USNRC to J. Kottan of USNRC, regarding NJ Proposed Agreement (2 pages)
26. 06/15/2009 10:58am E-mail from P. Gardner of DEP of NJ to D. Janda of USNRC, regarding Letter to NJ Licensees (4 pages)
27. 07/24/2009 4:07pm E-mail from D. Janda of USNRC to T. Taylor and D. Sollenberger of USNRC, regarding Region I comments on NJ Agreement SECY packages (2 pages)

**APPENDIX B
RECORDS BEING RELEASED IN THEIR ENTIRETY**

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION (PAGE COUNT)</u>
28.	01/14/2008	1:54pm E-mail from C. Davis of USNRC to various, regarding 01/11/2008 Paul Baldauf Ltr Re: NRC Completeness Review of the New Jersey Application to Become an Agreement State (16 pages)
29.	03/20/2008	1:16pm E-mail from D. Sollenberger to J. Goodman, regarding Security and Fingerprinting Requirements (1 page)
30.	09/12/2008	11:09am E-mail from D. Janda of USNRC to D. Sollenberger of USNRC, regarding Shield Alloy Public Meeting (2 pages)
31.	09/18/2008	10:50am E-mail from J. Hayes of USNRC to various, regarding Q & A 09152008 draft.doc (5 pages)
32.	09/22/2008	9:52am E-mail from D. Sollenberger of USNRC to D. Janda of USNRC, regarding Q & A 09152008 draft.doc (9 pages)
33.	10/17/2008	10:16am E-mail from D. Janda of USNRC to J. Kinneman, E. Cobey and D. Collins of USNRC, regarding Daily on New Jersey Agreement Application (1 page)
34.	10/22/2008	10:25am E-mail from T. Taylor of USNRC to C. Davis and B. Flemming of USNRC, regarding Weekly Item of Interest.doc (3 pages)
35.	10/24/2008	4:47pm E-mail from T. Taylor of USNRC to various, regarding Receipt of New Jersey Agreement application (2 pages)
36.	10/29/2008	1:38pm E-mail from S. Gabriel of USNRC to T. Taylor of USNRC, regarding NJ application (2 pages)
37.	11/17/2008	2:25pm E-mail from S. Gabriel of USNRC to D. Janda of USNRC, regarding Baldauf Letter re NJ Agreement (2 pages)
38.	11/20/2008	10:10am E-mail from D. Janda of USNRC to T. Taylor of USNRC, regarding Shieldalloy (1 page)

39. 12/05/2008 4:48pm E-mail from T. Taylor of UNSRC to various, regarding Status of NJ Agreement Application review (2 pages)
40. 01/09/2009 4:03pm E-mail from D. Janda of USNRC to J. Kinneman, D. Collins and B. Ficks of USNRC, regarding Schedule for NJ Agreement (2 pages)
41. 01/28/2009 2:28pm E-mail from D. Sollenberger of USNRC to D. Janda and T. Taylor of USNRC, regarding 12232008 – Re 12102008 meeting with SMC on NJ becoming Agreement State.pdf (2 pages)
42. 01/28/2009 4:23pm E-mail from J. Kinneman of USNRC to M. Roberts of USNRC, regarding 12232008 – Re 12102008 meeting with SMC on NJ becoming Agreement State.pdf (2 pages)
43. 02/11/2009 2:51pm E-mail from T. Taylor of USNRC to various, regarding adm summary sheet 10 24 2008.doc (3 pages)
44. 02/12/2009 9:55am E-mail from S. Gabriel of USNRC to T. Taylor of USNRC, regarding question regarding the team review on NJ application (2 pages)
45. 02/18/2009 10:57am E-mail from T. Taylor of USNRC to various, regarding Staff assessment for the NJ agreement application (21 pages)
46. 02/24/2009 11:54am E-mail from T. Taylor of USNRC to various regarding ML numbers for the NJ Agreement Application (3 pages)
47. 02/25/2009 10:30am E-mail from T. Taylor of USNRC to D. Janda of USNRC, regarding staff assessment for NJ (2 pages)
48. 02/25/2009 2:42pm E-mail from S. Gabriel of USNRC to T. Taylor and J. Carrico of USNRC, regarding Staff assessment for the NJ agreement application (4 pages)
49. 02/26/2009 4:42pm E-mail from T. Taylor of USNRC to various, regarding schedule (2 pages)
50. 02/25/2009 12:02pm E-mail from S. Gabriel of USNRC to M. Orendi of USNRC, regarding Location of NJ Regs in ADAMS (1 page)
51. 03/08/2009 11:36am E-mail from T. Taylor of USNRC to various, regarding upcoming review of SECY for NJ Agreement (2 pages)

Re: FOIA/PA-2010-0039

- 52. 03/09/2009 9:40am E-mail from T. Taylor of USNRC to various, regarding Response to NRC Comments (2 pages)
- 53. 03/09/2009 3:26pm E-mail from T. Taylor of USNRC to D. Janda of USNRC, regarding Response to NRC Comments (3 pages)
- 54. 03/09/2009 4:27pm E-mail from T. Taylor of USNRC to S. Gabriel of USNRC, regarding Response to NRC Comments (3 pages)
- 55. 03/20/2009 5:27pm E-mail from T. Taylor of USNRC to D. Janda, G. Purdy and J. Olmstead of USNRC, regarding status of SECY paper on NJ agreement for review (2 pages)
- 56. 03/25/2009 3:42pm E-mail from T. Taylor of USNRC to various, regarding ML's for NJ Agreement (4 pages)
- 57. 04/28/2009 1:26pm E-mail from T. Taylor of USNRC to various, regarding SECY paper for NJ agreement (2 pages)
- 58. 04/30/2009 9:28am E-mail from T. Taylor of USNRC to D. Sollenberger and D. Janda of USNRC, regarding NARM waiver expiration info rev 2 april 30 2009.doc (5 pages)
- 59. 04/30/2009 10:09am E-mail from T. Taylor of USNRC to various, regarding docket id for NJ FRN (2 pages)
- 60. 06/16/2009 5:16pm E-mail from D. Janda of USNRC to T. Taylor of USNRC, regarding comments from Shieldalloy (1 page)
- 61. 06/25/2009 10:35am E-mail from D. Janda of USNRC to T. Taylor of USNRC, regarding email with 6/11/09 comment letter from SMC (1 page)
- 62. 07/01/2009 4:03pm E-mail from T. Taylor of USNRC to J. Goodman of DEP of NJ, regarding question regarding signing of the agreement (2 pages)
- 63. 07/07/2009 5:32pm E-mail from T. Taylor of USNRC to J. Olmstead and D. Janda of USNRC, regarding one more comment (2 pages)
- 64. 07/14/2009 3:41pm E-mail from T. Taylor of USNRC to D. Janda of USNRC, regarding ml number (2 pages)
- 65. 07/28/2009 4:56pm E-mail from T. Taylor of USNRC to J. Olmstead and D. Janda of USNRC, regarding SECY and public comment analysis (23 pages)

- 66. 07/29/2009 5:32pm E-mail from D. White of USNRC to T. Taylor and D. Janda of USNRC, regarding enclosure final staff assessment July 9 2009 (23 pages)
- 67. 07/29/2009 5:38pm E-mail from D. White of USNRC to T. Taylor and D. Janda of USNRC, regarding enclosure final staff assessment July 9 2008.doc (3 pages)
- 68. 08/25/2009 3:38pm E-mail from T. Taylor of USNRC to various, regarding Status of NJ Agreement application (2 pages)
- 69. 09/10/2009 3:43pm E-mail from T. Taylor of USNRC to J. Goodman of USNRC, regarding info. On documents re: SMC (2 pages)
- 70. 09/23/2009 4:06pm E-mail from T. Taylor of USNRC to D. Janda of USNRC (2 pages), to D. Janda, re/NJ Agreement. (2 pages)
- 71. 09/29/2009 1:34pm E-mail from T. Taylor of USNRC to various, regarding NJ Agreement (2 pages)
- 72. 11/13/2008 11:19am E-mail from D. Janda of USNRC to S. Gabriel of USNRC, regarding SRM-SECY-08-0154-Proposed Agreement Between the Commonwealth of Virginia and the Commission Pursuant to Section 274 (6 pages)

**APPENDIX C
RECORDS BEING WITHHELD IN PART**

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)/EXEMPTIONS</u>
1.	02/26/2009	4:28pm E-mail from D. Janda of USNRC to T. Taylor of USNRC, regarding Janda section of Draft Staff Assessment (2 pages) / Exemption 6
2.	04/02/2009	9:38am E-mail from D. Janda of USNRC to J. Kinneman of USNRC, regarding contact with NJ re: furloughs (1 page) / Exemption 6
3.	04/03/2009	12:02pm E-mail from D. Janda of USNRC to T. Taylor of USNRC (1 page) / Exemption 6
4.	04/02/2009	12:14pm E-mail from D. Janda of USNRC to J. Kinneman of USNRC, regarding review of NJ Agreement SECY paper (3 pages) / Exemption 6
5.	05/22/2009	8:39am E-mail from D. Janda of USNRC to K. Modes of USNRC, regarding Shield Alloy (2 pages) / Exemption 6
6.	05/27/2009	3:02pm E-mail from D. Janda of USNRC to T. Taylor, D. Sollenberger and D. White of USNRC, regarding language for Region I letter to NJ licensees re: NARM (2 pages) / Exemption 6
7.	05/27/2009	3:16pm E-mail from D. Janda of USNRC to D. White of USNRC, regarding Federal Register Notice (2 pages) / Exemption 6
8.	05/27/2009	4:16pm E-mail from D. Janda of USNRC to T. Taylor and J. Kottan of USNRC, regarding NJ NARM Language (2 pages) / Exemption 6
9.	06/04/2009	3:59pm E-mail from P. Gardner of DEP of NJ to D. Janda of USNRC, regarding Financial Assurance Documents (4 pages) / Exemption 6
10.	07/24/2009	4:11pm E-mail from D. Janda of USNRC to D. White and D. Sollenberger of USNRC, regarding editorial comments on draft NJ SECY and Staff Analysis of Public Comments, w/handwritten notes (27 pages) / Exemption 6
11.	07/24/2009	4:13pm E-mail from D. Janda of USNRC to D. White and D. Sollenberger of USNRC, regarding editorial comments on Staff Assessment of NJ Program, w/handwritten notes (21 pages) / Exemption 6
12.	07/30/2009	1:17pm E-mail from D. Janda of USNRC to T. Taylor of USNRC, regarding Region I concurrent on NY SECY package, (2 pages) / Exemption 6

**APPENDIX C
RECORDS BEING WITHHELD IN PART**

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION (PAGE COUNT) EXEMPTIONS</u>
13.	11/07/2007	5:58pm E-mail from J. Tobin of USNRC to various, regarding Draft New Jersey Letter (15 pages) / Exemption 2 High
14.	02/25/2009	3:49pm E-mail from T. Taylor of USNRC to various, regarding Documents and Information for 2/26/09 meeting (7 pages) / Exemption 2 High
15.	03/09/2009	3:27pm E-mail from D. Janda of USNRC to T. Taylor of USNRC, regarding one more question (2 pages) / Exemption 5
16.	03/13/2009	2:23pm E-mail from T. Taylor of USNRC to various, regarding call with NJ march 12 2009 team comments on supplemental info.doc (5 pages) / Exemption 5
17.	04/27/2009	9:57am E-mail from P. Gardner of DEP of NJ to T. Taylor of USNRC, regarding information need in letter (2 pages) / Exemption 5
18.	04/28/2009	3:22pm E-mail from T. Taylor of USNRC to D. Janda of USNRC, regarding ADAMs ML Numbers for NJ Agreement Application Document.doc (4 pages) / Exemption 6
19.	05/27/2009	4:09pm E-mail from D. Janda of USNRC to T. Taylor of USNRC, regarding language for Region I letter to NJ licensees re: NARM (1 page) / Exemption 6
20.	07/07/2009	4:24pm E-mail from D. Janda of USNRC to T. Taylor of USNRC, regarding information for SECY on NJ (2 pages) / Exemption 6
21.	07/13/2009	10:36am E-mail from D. Janda of USNRC to T. Taylor of USNRC, regarding another question on SECY paper for you (1 page) / Exemption 6
22.	07/16/2009	9:23am E-mail from D. Janda of USNRC to S. Gabriel of USNRC, regarding Note for office concurrence July 15 2009.doc (3 pages) / Exemption 6
23.	07/27/2009	2:13pm E-mail from D. Janda of USNRC to T. Taylor of USNRC, regarding NJ agreement (2 pages) / Exemption 6

24. 07/27/2009 7:31pm E-mail from T. Taylor of USNRC to J. Olmstead and D. Janda of USNRC, regarding enclosure public comment analysis NJ agreement.doc (15 pages) / **Exemptions 5 & 6**
25. 07/27/2009 7:37pm E-mail from T. Taylor of USNRC to D. Janda and J. Olmstead of USNRC, regarding rev 2 July 11 2009 2nd secy paper for final agreement.doc (10 pages) / **Exemption 5**
26. 07/28/2009 3:32pm E-mail from D. Janda of USNRC to T. Taylor of USNRC, regarding SECY paper and staff analysis of public comments (22 pages) / **Exemptions 5 & 6**
27. 07/29/2009 5:14pm E-mail from T. Taylor of USNRC to D. Janda of USNRC, regarding SECY paper and staff analysis of public comments (18 pages) / **Exemption 5**
28. 07/30/2009 9:59am E-mail from T. Taylor of USNRC to D. Janda of USNRC, regarding Aaron's edit review (2 pages) / **Exemption 5**
29. 08/03/2009 7:46am E-mail from D. Janda of USNRC to T. Taylor of USNRC, regarding status of public comment analysis (2 pages) / **Exemptions 5 & 6**
30. 04/03/2009 1:04pm E-mail from T. Taylor of USNRC to D. Janda of USNRC (1 page) / **Exemption 6**