

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

2010-0039

4

RESPONSE  
TYPE ☐ FINAL ☒ PARTIAL

DATE

FEB 25 2010

REQUESTER

Maria Webb

**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  
**G, H** 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  
**G, H** 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.

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Donna L. Sealing

<b>NRC FORM 464 Part II</b> <small>(2-2008)</small>	<b>U.S. NUCLEAR REGULATORY COMMISSION</b>	<b>FOIA/PA</b>	<b>DATE</b>
<b>RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) / PRIVACY ACT (PA) REQUEST</b>		<b>2010-0039</b>	<b>FEB 25 2010</b>

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

**APPENDICES**

**H**

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
Charles L. Miller	Director, Office of Federal and State Materials and Environmental Management Programs	Appendix H, Items 1-21, 32	✓		
Samuel J. Collins	Regional Administrator, Region 1	Appendix H, Items 22-29, 33	✓		
John F. Cordes	Acting Associate General Counsel for Hearings, Enforcement and Administration	Appendix H, Items 30-31		✓	

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

<b><u>NO.</u></b>	<b><u>DATE</u></b>	<b><u>DESCRIPTION/(PAGE COUNT)</u></b>
1.	09/01/06	Email from A. McCraw, FSME, to D. White, FSME, cc: D.Sollenberger, SUBJECT: 9/18 Meeting with New Jersey (NJ) with attachment (31 pages)
2.	09/13/06	Email from A. McCraw, FSME, to K. Kalman, FSME, et al., cc: D. Sollenberger, SUBJECT: NJ/Shieldalloy Letter (1 page)
3.	09/13/06	Email from K. Kalman, FSME, to D. Sollenberger, FSME, SUBJECT: Shieldalloy Review Schedule with attachment (2 pages)
4.	09/13/06	Email from K. Kalman, FSME, to D. Sollenberger, FSME, SUBJECT: Shieldalloy Metallurgical Corporation (SMC) Info with attachment (3 pages)
5.	01/16/07	Email from A. McCraw, FSME, to D. Sollenberger, FSME, et al., SUBJECT: NJ Intent to Become an Agreement State (3 pages)
6.	08/20/07	Email from A. McCraw, FSME, to J.B. Carrico, FSME, et al, cc: D. Sollenberger, SUBJECT: New Jersey Agreement Application (1 page)
7.	10/02/07	Email from J. Tobin, FSME, to J. B. Carrico, FSME, et al., cc: D. Sollenberger, SUBJECT: NJ Kick-off Meeting Reminder with attachment (2 pages)
8.	10/03/07	Email from J. Tobin, FSME, to D. Sollenberger, et al., SUBJECT: New Jersey Update (1 page)
9.	10/17/07	Email from J. Jankovich, FSME, to D. Sollenberger, et al, FSME, SUBJECT: NJ Naturally-occurring and accelerator-produced radioactive material (NARM) sealed source and device (SSD) registry (1 pages)
10.	10/19/07	Email from J. Tobin, FSME, to D. Sollenberger, FSME, et al., SUBJECT: NJ Program 11e.(2) materials (1 page)
11.	10/19/07	Email from J. Tobin, FSME, to P. Gardner, State of New Jersey, cc: D. Sollenberger, SUBJECT: Call with NRC (1 page)
12.	10/19/07	Email from J. Tobin, FSME, to D. Sollenberger, FSME, SUBJECT: NJ Letter with attachment (10 pages)
13.	10/22/07	Email from A. McCraw, FSME, to D. Sollenberger, FSME, SUBJECT: Comments on NJ Agreement State Request with attachment (2 pages)

14. 10/22/07 Email from J. Tobin, FSME, to D. Sollenberger, FSME, SUBJECT: Draft NJ Letter with attachment (12 pages)
15. 10/24/07 Email from J. B. Carrico, FSME, to D. Sollenberger, FSME, et al., SUBJECT: NJ Review with attachment (7 pages)
16. 11/26/07 Email from D. White, FSME, to D. Sollenberger, FSME, et al., SUBJECT: Public Meeting on NJ Agreement Application (1 page)
17. 01/16/08 Email from J. Tobin, FSME, to J. Goodman, State of New Jersey, cc: D. Sollenberger, SUBJECT: Baldauf letter with attachment (attachment is 1/11/2008 letter from C. Miller, FSME, to P. Baldauf, NJ, ML073331064) (1 page)
18. 03/20/08 Email from D. Sollenberger, FSME, to J. Goodman, State of New Jersey, SUBJECT: Security and Fingerprinting Requirements (1 page)
19. 08/07/08 Email from K. Schneider, FSME, to P. Baldauf, State of New Jersey, cc: D. Sollenberger, SUBJECT: Receipt of NJ Response to NRC's August 9, 2006 letter on NJ's "Radiation Protection Act" (1 page)
20. 09/16/08 Email from M. Moriarty, FSME, to D. Sollenberger, FSME, SUBJECT: Number of NRC Licenses in Potential Agreement States (1 page)
21. 09/22/08 Email from A. McCraw, FSME, to D. Janda, RI, SUBJECT: Agreement State Presentations with attachments (74 pages)
22. 09/22/08 Email from D. Sollenberger, FSME, to D. Janda, RI, SUBJECT: Q&A for Public Meeting with attachments (8 pages)
23. 10/17/08 Email from D. Sollenberger, FSME, to G. Deegan, FSME, SUBJECT: Daily on New Jersey Agreement Application (1 page)
24. 10/22/08 Email from T. Taylor, FSME, to C. Davis, FSME, et al., cc: D. Sollenberger, SUBJECT: Weekly Item Of Interest – NJ Application with attachment (2 pages)
25. 10/24/08 Email from T. Taylor, FSME, to J. Olmstead, OGC, et al., cc: D. Sollenberger, SUBJECT: Receipt of New Jersey Agreement Application (1 page)
26. 12/02/08 Email from D. White, FSME, to D. Sollenberger, FSME, et al., SUBJECT: Sheildalloy/NJDEP Meeting (1 page)
27. 12/05/08 Email from T. Taylor, FSME, to J. B. Carrico, FSME, et al., cc: D. Sollenberger, SUBJECT: Status of NJ Agreement Application review (1 page)
28. 12/18/08 Email from D. Sollenberger, FSME, to D. Janda, RI, Schedule for NJ Agreement w/ attachment (2 pages)
29. 12/22/08 Email from M. Orendi, FSME, to J. Goodman, State of New Jersey, cc: D. Sollenberger, SUBJECT: RC-08-1 (1 page)

30. 01/26/09 Email from D. Sollenberger, FSME, to J. B. Carrico, FSME, SUBJECT: NJ Review Comments (1 page)
31. 02/11/09 Email from T. Taylor, FSME, to Donna Janda, RI, et al, cc: D. Sollenberger, SUBJECT: Question regarding the team review of NJ application (1 page)
32. 02/11/09 Email from T. Taylor, FSME, to B. Watson, FSME, et al., cc: D. Sollenberger, SUBJECT: Administrative Summary Sheet with attachment (2 pages)
33. 02/18/09 Email from T. Taylor, FSME, to B. Watson, FSME, et al., cc: D. Sollenberger, SUBJECT: Staff Assessment for the NJ Agreement Application with attachments (20 pages)
34. 02/24/09 Email from T. Taylor, FSME, to B. Watson, FSME, et al., cc: D. Sollenberger, SUBJECT: ML Numbers for the NJ Agreement Application with attachment (2 pages)
35. 02/24/09 Email from M. Orendi, FSME, to D. Sollenberger, FSME, et al., SUBJECT: Staff Assessment with attachment (9 pages)
36. 02/27/09 Email from D. Sollenberger, FSME, to D. McIntyre, PA, SUBJECT: Draft Press Release for NJ Draft Agreement (3 pages)
37. 02/27/09 Email from T. Taylor, FSME, to G. Purdy, NSIR, cc: D. Sollenberger, SUBJECT: Question for You (1 page)
38. 02/27/ 09 Email from T. Taylor, FSME, to P. Gardner, State of New Jersey, et al., cc: D. Sollenberger, SUBJECT: Summary of Comments with attachment (4 pages)
39. 03/03/09 Email from T. Taylor, FSME, to P. Gardner, State of New Jersey, et al., cc: D. Sollenberger, SUBJECT: Last of Comments from Section 4.3 Reviewer with attachment (7 pages)
40. 03/04/09 Email from T. Taylor, FSME, to J. Goodman, State of New Jersey, et al., cc: D. Sollenberger, SUBJECT: Question re: Inspection Procedures and Other New Information NRC Generates (1 page)
41. 03/04/09 Email from T. Taylor, FSME, to G. Purdy, NSIR, cc: D. Sollenberger, SUBJECT: Question 19 on Staff Assessment (1 page)
42. 03/08/09 Email from T. Taylor, FSME, to B. Watson, FSME, et al., cc: D. Sollenberger, SUBJECT: Upcoming Review of SECY for NJ Agreement (1 page)
43. 03/09/09 Email from D. Sollenberger, FSME, to B. Watson, FSME, SUBJECT: Review of NJ-BER Procedure 3.03 License Termination (1 page)
44. 03/11/09 Email from T. Taylor, FSME, to J.B. Carrico, FSME, cc: D. Sollenberger, SUBJECT: Definition of Person (1 page)

45. 03/11/09 Email from T. Taylor, FSME, to B. Watson, FSME, cc: D. Sollenberger, SUBJECT: NJ-Bureau of Environmental Radiation Procedure 3.03 License termination ( 2 pages)
46. 03/16/09 Email from K. Meyer, FSME, to G. Caton, ORNL, et al., cc: D. Sollenberger, SUBJECT: 3/13/2009 Regulation Review Letter(s) from T. Reis to P. Baldauf (NJ) with attachment (8 pages)
47. 03/17/09 Email from T. Taylor, FSME, to D. Sollenberger, FSME, et al., SUBJECT: Revised schedule NJ March 17 2009.doc with attachment (2 pages)
48. 03/20/09 Email from T. Taylor, FSME, to P. Gardner, State of New Jersey, et al., cc: D. Sollenberger, SUBJECT: ADAMS info for Additional Information (1 page)
49. 03/20/09 Email from T. Taylor, FSME, to D. Janda, RI, et al., cc: D. Sollenberger, SUBJECT: Status of SECY paper on NJ Agreement for review (1 page)
50. 03/24/09 Email from T. Taylor, FSME, to D. Janda, RI, et al., cc: D. Sollenberger, SUBJECT: SECY Package for NJ Proposed Agreement with attachment (3 pages)
51. 03/26/09 Email from T. Taylor, FSME, to G. Purdy, NSIR, et al., cc: D. Sollenberger, SUBJECT: NJ Agreement – your comments with attachments (3 pages)
52. 04/02/09 Email from T. Taylor, FSME, to R. Tadesse, FSME, et al., cc: D. Sollenberger, SUBJECT: Schedule for NJ Agreement with attachment (2 pages)
53. 04/03/09 Email from D. White, FSME, to R. Lewis, FSME, cc: D. Sollenberger, SUBJECT: NJ Agreement Commission Paper (1 page)
54. 04/06/09 Email from T. Taylor, FSME, to D. Sollenberger, FSME, SUBJECT: Update for CRCPD Meeting Background Package with attachment (2 pages)
55. 04/13/09 Email from T. Taylor, FSME, to D. Sollenberger, FSME, SUBJECT: Briefing of Marty on NJ Commissioner Paper (1 page)
56. 04/21/09 Email from T. Taylor, FSME, to D. Sollenberger, FSME, SUBJECT: Periodic updates (1 page)
57. 04/29/09 Email from T. Taylor, FSME, to P. Gardner, State of New Jersey, et al., cc: D. Sollenberger, SUBJECT: Status of SECY Paper (1 page)
58. 05/05/09 Email from T. Taylor, FSME, to D. Sollenberger, FSME, Documents and Info for NJ (1 page)
59. 05/19/09 Email from T. Taylor, FSME, to D. Sollenberger, FSME, et al., SUBJECT: NJ Agreement SRM (1 page)
60. 05/19/09 Email from T. Taylor, FSME, to D. Sollenberger, FSME, et al., SUBJECT: Status of NJ Federal Register Notice (FRN) (1 page)

61. 05/19/09 Email from T. Taylor, FSME, to D. Sollenberger, FSME, SUBJECT: Marty and Charlie's periodic with attachment (3 pages)
62. 05/27/09 Email from T. Taylor, FSME, to J. Olmstead, OGC, et al., cc: D. Sollenberger, SUBJECT: 1<sup>st</sup> FRN for NJ Agreement (1 page)
63. 06/01/09 Email from C. Davis, FSME, to D. Sollenberger, FSME, SUBJECT: FSME-09-033, Proposed Agreement Between the State of New Jersey and the U.S. Nuclear Regulatory Commission (1 page)
64. 06/04/09 Email from T. Taylor, FSME, to J. DeCicco, FSME, cc: D. Sollenberger, SUBJECT: Marty periodic june 4 2009.doc with attachment (2 pages)
65. 06/10/09 Email from T. Taylor, FSME, to A. Imboden, FSME, cc: D. Sollenberger, SUBJECT: CRA for NJ Agreement.doc with attachment (2 pages)
66. 06/16/09 Email from T. Taylor, FSME, to J. DeCicco, FSME, cc: D. Sollenberger, SUBJECT: Periodic for Marty june16 2009.doc with attachment (3 pages)
67. 06/17/09 Email from T. Taylor, FSME, to D. Sollenberger, FSME, et al., SUBJECT: the 4<sup>th</sup> and final FRN (1 page)
68. 06/17/09 Email from T. Taylor, FSME, to A. Rivera, FSME, cc: D. Sollenberger, SUBJECT: Outline for Alison transition to John, NJ Agreement final SECY.doc with attachment (2 pages)
69. 06/19/09 Email from T. Taylor, FSME, to D. Sollenberger, FSME, et al., SUBJECT: NRC NJ Regulation Cross Reference.doc with attachment (2 pages)
70. 06/26/09 Email from T. Taylor, FSME, to J. Olmstead, OGC, et al., cc: D. Sollenberger, SUBJECT: Questions for JHayes.doc (3 pages)
71. 06/26/09 Email from T. Taylor, FSME, to P. Gardner, State of New Jersey, et al., cc: D. Sollenberger, SUBJECT: Three more comments on Agreement (MLs for attachments provided in document) (1 page)
72. 06/29/09 Email from T. Taylor, FSME, to D. Sollenberger, FSME, SUBJECT: Comment from J. Lieberman (1 page)
73. 06/29/09 Email from D. Sollenberger, FSME, to T. Taylor, FSME, SUBJECT: Electronic Version of My SMC Comment Response with attachment (3 pages)
74. 07/01/09 Email from D. Sollenberger, FSME, to T. Taylor, FSME, SUBJECT: Response to J. Lieberman Comment on NJ with attachment (2 pages)
75. 07/01/09 Email from T. Taylor, FSME, to D. Sollenberger, FSME, SUBJECT: Response to Jim L. comment on NJ (1 page)
76. 07/05/09 Email from T. Taylor, FSME, to D. Sollenberger, FSME, et al., SUBJECT: enclosure public comment analysis NJ agreement.doc (2 pages)

77. 07/07/09 Email from T. Taylor, FSME, to D. Sollenberger, FSME, SUBJECT: Periodic Update with attachment (4 pages)
78. 07/09/09 Email from T. Taylor, FSME, to G. Deegan, FSME, cc: D. Sollenberger, SUBJECT: Marty July 9 2009 Klein periodic.doc with attachment (2 pages)
79. 07/10/09 Email from T. Taylor, FSME, to D. Sollenberger, FSME, SUBJECT: NJ package (1 page)
80. 07/27/09 Email from T. Taylor, FSME, to J. DeCicco, FSME, cc: D. Sollenberger, SUBJECT: Marty periodic Update july 27.doc with attachment (2 pages)
81. 07/27/09 Email from T. Taylor, FSME, to J. DeCicco, FSME, cc: D. Sollenberger, SUBJECT: Charlie periodic Update july 27.doc with attachment (2 pages)
82. 07/28/09 Email from T. Taylor, FSME, to D. Janda, RI, et al, cc: D. Sollenberger, FSME, SUBJECT: enclosure final staff assessment July 9 2009 (21 pages)
83. 08/03/09 Email from T. Taylor, FSME, to D. Sollenberger, FSME, SUBJECT: Revision 1 alternative language for comment C Aug 3 with attachment (3 pages)
84. 08/25/09 Email from T. Taylor, FSME, to D. Sollenberger, FSME, et al., SUBJECT: Status of NJ Agreement application (1 page)
85. 09/22/09 Email from T. Taylor, FSME, to J. DeCicco, FSME, cc: D. Sollenberger, SUBJECT: periodic update for Charlie on NJ (3 pages)
86. 09/22/09 Email from T. Taylor, FSME, to J. DeCicco, FSME, cc: D. Sollenberger, SUBJECT: periodic update for Marty on NJ (3 pages)
87. 09/23/09 Email from T. Taylor, FSME, to D. Sollenberger, FSME, et al., SUBJECT: NJ Agreement (1 page)
88. 09/29/09 Email from T. Taylor, FSME, to web site contractor, ORNL, cc: D. Sollenberger, with attachment, SUBJECT: Posting of NJ Agreement on the FSME web site (8 pages)
89. 09/29/09 Email from T. Taylor, FSME, to D. Sollenberger, FSME, et al., SUBJECT: NJ Agreement (1 page)
90. 06/01/09 E-mail from C. Davis, USNRC to M. Orendi, Subject:FSME-09-033, Proposed Agreement between the State of New Jersey and the U.S. Nuclear Regulatory Commission. (1 page)
91. Undated Staff Analysis of Public Comments, Draft Enclosure 2 to SECY-09-0114, rev 3. (13 pages)



92. 03/31/09 Email from RidsNsirMailCenter, USNRC to T. Taylor, Subject: NJ Agreement Application. (4 pages)
93. 01/16/09 Email from G. Purdy, USNRC to T. Taylor and D. Sollenberger, USNRS, Subject: Comments on NJ Application Section 4.7. (2 pages)
94. 02/25/09 Email from S. Gabriel, USNRC to M. Orendi, USNRC, Subject- RE: Location of NJ Regs in ADAMS? (1 page)
95. 01/28/09 Email from D. Janda, USNRC to D. Sollenberger and T. Taylor, USNRC, Subject- FW: 12232008 – Re 12102008 meeting with SMC on NJ becoming Agreement State. (5 pages)
96. 04/02/09 Email from D. Janda, USNRC to D. White, et al, USNRC, Subject: NJ DEP furloughs. (1 page)
97. 04/03/09 Email from J. Kinneman, USNRC to T. Taylor, USNRC, Subject: SECY Paper for New Jersey Agreement Application. (1 page)
98. 06/08/09 USNRC letter from J. Kinneman, USNRC to ALL NRC LICENSEES AUTHORIZED TO CONDUCT LICENSED ACTIVITIES IN THE STATE OF NEW JERSEY. (4 pages)
99. 04/02/09 Email from J. Rand, USNRC to T. Taylor and D. Sollenberger, USNRC, Subject: SECY Paper for New Jersey Agreement Application. (1 page)
100. 07/29/09 Email from J. Rand, USNRC to T. Taylor, USNRC, Subject: New Jersey Agreement Application. (1 page)

**APPENDIX H  
RECORDS BEING WITHHELD IN PART**

<b><u>NO.</u></b>	<b><u>DATE</u></b>	<b><u>DESCRIPTION/ (PAGE COUNT) / EXEMPTIONS</u></b>
1.	3/13/09	Note to file, NJ Agreement Application, (3 pages) / <b>EX 5</b>
2.	4/24/09	Email to P. Gardner, USNRC, et all from T. Taylor, USNRC, re: information need in letter, (1 page) / <b>EX 5</b>
3.	2/18/09	Email from T. Taylor, USNRC to T. Taylor, B. Watson, D. Janda, G. Purdy, J.B. Carrico, J. Olmstead, S. Gabriel, M. Orendi, USNRC. Subject: NJ staff assessment meeting bridge line info, (3 pages) / <b>EX 2 High</b>
4.	7/20/09	Email from M. Beardsley, USNRC to D. Janda and M. Orendi, USNRC, re/question from NRC licensee, (1 page) / <b>EX 6</b>
5.	7/20/09	Email from M. Beardsley, USNRC to D. Janda and M. Orendi, USNRC, re/question from NRC licensee, (2 pages) / <b>EX 6</b>
6.	2/25/09	Email from T. Taylor, USNRC to B. Watson, D. Janda, G. Purdy, J.B. Carrico, J. Olmstead, M. Orendi, S. Gabriel, USNRC, Subject: Documents and Information for 2/26/09 Meeting, (6 pages) / <b>EX 2 High</b>
7.	Undated	Email printout with written comments to P. Gardner, USNRC from T. Taylor, USNRC re: signature level of letter, w/handwritten notes, (3 pages) / <b>Portions Outside of the Scope, EX 5 and EX 6</b>
8.	Undated	Draft Agenda for 4/9/09 NJ Agreement Briefing, (5 pages) / <b>EX 5</b>
9.	Undated	Draft Agenda for 4/9/09 (updated 4/13/09) NJ Agreement Briefing, (5 pages) / <b>EX 5</b>
10.	Undated	Conference Call Outline, (2 pages) / <b>EX 2 High and EX 5</b>
11.	Undated	Staff Analysis of Public Comments, Draft Enclosure 2 to SECY-09-0114 with track changes, (14 pages), <b>EX 5</b>
12.	Undated	Draft Enclosure 2 to SECY-09-0114 with track changes, rev 1, (13 pages) / <b>EX 5</b>
13.	Undated	Draft Enclosure 2 to SECY-09-0114 with track changes, rev 2, (13 pages) / <b>EX 5</b>
14.	Undated	Draft Enclosure 2 to SECY-09-0114 with track changes, rev 4, (15 pages) / <b>EX 5</b>
15.	Undated	Draft Outline for Naturally-Occurring or Accelerator-Produced Radioactive Material (NARM) Waiver Expiration, (4 pages) / <b>EX 5</b>
16.	Undated	Draft Outline – 8/3/09 discussion on NJ Agreement Public Comments Analysis, (2 pages) / <b>EX 5</b>

17. Undated Summary of review team comments, working file, (6 pages) / **EX 5**
18. Undated Working schedule for NRC Agreement Application, (4 pages) / **EX 6**
19. Undated Working schedule for NRC Agreement Application, (4 pages) / **EX 6**
20. Undated Potential staff processing schedule for NJ, (2 pages) / **EX 6**
21. Undated Note to file regarding NARM waiver discussion, (2 pages) / **EX 5**
22. 4/29/09 Email to T. Taylor, D. Sollenberger, USNRC, from D. Janda, USNRC, re: Financial Assurance Documents, w/handwritten notes. (2 pages) / **EX 6**
23. 7/7/09 Email printout with written comments to T. Taylor, USNRC from D. Janda, USNRC, re: information for SECY on NJ. (2 pages) / **EX 6**
24. 7/30/09 Email to T. Taylor, USNRC, from D. Janda, USNRC, re: Region I concurrence for NJ SECY package. (2 pages) / **EX 6**
25. 02/25/09 Email from D. Janda, USNRC to M. Orendi, USNRC, Subject – FW: NJ Agreement State – General Licenses. (1 page) / **EX 6**
26. 07/07/09 Email from D. Janda, USNRC to U. Bhachu, USNRC, Subject – FW: FW: New Jersey Licenses – Chapter 2. 4 pages) / **EX 6**
27. 07/24/09 Email from D. Janda, USNRC to T. Taylor and D. Sollenberger, USNRC, Subject: Region I comments on NJ Agreement SECY package. (2 pages) / **EX 6**
28. 07/24/09 Email from D. Janda, USNRC to T. Taylor and D. Sollenberger, USNRC, Subject: Editorial Comments on Draft NJ SECY and Staff Analysis of Public comments, w/Atchs, w/handwritten notes. (27 pages) / **EX 6**
29. 07/24/09 Email from D. Janda, USNRC to T. Taylor and D. Sollenberger, USNRC, Subject: Editorial Comments on Staff Assessment of NJ Program, w/Atchs, w/handwritten notes. (21 pages) / **EX 6**
30. 01/08/09 Email from J. Olmstead, USNRC to D. White, USNRC, Subject- RE: Response to FSME's questions regarding VA SRM. (4 pages) / **EX 5**
31. 04/29/09 Email from J. Olmstead, USNRC to T. Taylor, USNRC, Subject- RE: NARM Waiver stuff, w/handwritten notes. (5 pages) / **EX 5 and 6**
32. 06/10/09 Email from T. Taylor, USNRC to D. Sollenberger, USNRC, Subject – FW: NJ Agreement. (1 page) / **EX 6**
33. 6/30/09 Memo to Steven Reynolds, Arthur Howell, USNRC Region I, from John Kinneman, USNRC Region I, re: Regional licenses involved in the transfer of regulatory authority to the State of NJ. (4 pages) / **EX 2 High**
34. 05/04/09 Email from T. Taylor, FSME to A. Powell, CA, cc: D. Sollenberger, Subject: Congressional Letters for NJ Agreement w/Attachment. (27 pages) / **EX 6**

35. 11/13/09 Email from D. Janda, USNRC to T. Taylor, USNRC and D. sollenberger, USNRC, Subject: NJ Agreement Questions. (1 page) **Portions Outside of the Scope**
36. 06/30/09 Email fro A. Imboden, USNRC to T. Taylor, USNRC, Subject- FWD: CRA Determination. (2 pages total, 1 page released) / **Portions Outside of the Scope**