NRC FORM 464 Part I U.S. NUCLEAR REGULATORY COMMISSION RESPONSE NUMBER (6-1998) 2010-0290 2 RESPONSE TO FREEDOM OF **INFORMATION ACT (FOIA) / PRIVACY** RESPONSE **FINAL** ▼ PARTIAL **ACT (PA) REQUEST** TYPE REQUESTER DATE OCT 2 0 2010 David Lochbaum 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 V Agency records subject to the request that are identified in the listed appendices are already available for \mathbf{C} public inspection and copying at the NRC Public Document Room. APPENDICES 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 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 FOIA/PA-2010-02909 request is located in ADAMS at ML102170162. N ACT AND PRIVACY ACT OFFICER

NRC FORM 464 Part II

U.S. NUCLEAR REGULATORY COMMISSION FOIA/PA

DATE

0 2010

RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) / PRIVACY ACT (PA) REQUEST	2010-0290	OCT 2
PART II A APPLICABL	F EXEMPTIONS	

Inere also are no reasonably segregable tactual portions because the release of the facts would permit an indirect inquiry into the predecisional process of the agency. Attorney-client privilege. (Coordinatis 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 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.		CI (FOIA) / PR	IVACY ACT (PA) REQUEST				
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.	APPEN	Trecolus su	bject to the request that are described in the enclose	ed Appendices are being with	hheld in their entirety or S.C. 552(b)).	in part un	der the
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 (A2 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 223b, subsection (m)(1), prohibits the disclosure of contractor proposals in the possession and control of an executive of the property section 525 of Tale 5. U.S.C. (the FOLA), except when incorporated into the contract between the agency an example of the property of the property section 525 of Tale 5. U.S.C. (the FOLA), except when incorporated into the contract between the agency an example of the submitter of the property section 525 of Tale 5. U.S.C. (the FOLA), except when incorporated into the contract between the agency and the submitter of the property section 52 of Tale 5. U.S.C. (the FOLA), except when incorporated into the contract between the agency and the submitter of the property section 52 of Tale 5. U.S.C. (the FOLA), except when incorporated into the contract between the agency and the submitter of the property section 52 of Tale 5. U.S.C. (the FOLA), except when incorporated into the action of the submitter of the information is considered to be properties by because it concerns a licensee's or applicant's physical protection or material control and action of the information is considered to be properted by a foreign source and received in confidence pursuant to 10 CFR 2.390(d)(2). Disclosure will harm an identificable private or governmental interest. Exemption 5: The withheld information consists of interagency or intragency records that are not available through discovery during ligigation Applicable privatego. Clarical privatego in the folia of the privatego of the agency		Exemption 1: The withh	neld information is properly classified pursuant to Exe	ecutive Order 12958.			ļ
High 2 Disclosure would risk circumvention of a legal requirement. Exemption 3: The withheld information is specifically exempted from public disclosure by statute indicated. Section 141-145 of the Atomic Energy Act, which prohibits the disclosure of Restricted Data or Formerly Restricted Data (42 U.S.C. 2167). 41 U.S.C. Section 132 of the Atomic Energy Act, which prohibits the disclosure of Contractor proposals in the possession and control of an executive agency to any person under section 552 of Tatle 5, U.S.C. (the FOIA), except when incorporated into the contract between the agency an 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) indicate the information is considered to be confidential business (proprietary information. 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 nucleus in 10 for PR 2300(s)(1). 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 nucleus in 10 for PR 2300(s)(1). The information is considered to be proprietary because it concerns a licensee's or applicant's physical protection or material control and accounting program referred by a foreign source and received in confidence pursuant to 10 CFR 2.390(d)(2). Disclosure will harm an identificial private or governmental interest. Exemption 5: The withheld information consists of interagency or infrasgency records that are not available through discovery during ittigation. Altorney work-product privilege. Or 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 ine		Exemption 2: The with	neld information relates solely to the internal personn	nel rules and procedures of N	NRC.	•	ļ
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. 2167). At U.S.C., Section 1253, Section 1254 of the Atomic Energy Act, which prohibits the disclosure of Unclassified Safeguards Information (42 U.S.C. 2167). 41 U.S.C., Section 2530, Section 5250 if Tible 5. U.S.C. (the FOIA), except when incorporated into the contract between the agency and the submitted of the proposal. In the submitted of the proposal. In the Information is considered to be confidential business (proprietary) information. The information is considered to be confidential business (proprietary) information. The information is considered to be proprietary because it concerns a licensees or applicant's physical protection or material control and accounting program for special nuclear material 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 proviseges. Deliberative process: Disclosure of predecisional information would tend to inhibit the open and farix exchange of ideas secential to the disclosure process: Obstocurs of the region. Altomey work-product privilege. (Dentification information would tend to inhibit the open and farix exchange of ideas secential to the disclosure process: Disclosure of predecisional information from the relates of the facts would permit an indirect inquiry into the predecisional privilege. (Dentificational privilege). Altomey work-product privilege. (Dentificational formunications between an attorney and his/feer client) Exemption 6: The withheld information is exempted from public disclosure expended in the predecisional information invasting of personal privacy. (A) Disclosure could reasonably be expected to i		Low 2 Internal m	atters of a relatively trivial nature.				
Sections 141-145 of the Atomic Energy Act, which prohibits the disclosure of Restricted Data or Formerly Restricted Data (42 U.S.C. 2167). 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 and property or any present 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. The information is considered to be confidential business (proprietary) information. 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 CPR 2.990(d)(2). Disclosure will harm an identifiable private or governmental interest. Exemption 5. The withfield information consists of interagency or intrasgency records that are not available through discovery during litigation for the proposal private process. Where records are withfield in their entirety, the facts are inextricably intertwined with the predecisional information has one or breash seen groups. Solutions of predecisional information would tend to inhibit the open and frank exchange of deas essential to the deliberative process. Where records are withheld in their entirety, the facts are inextricably intertwined with the predecisional information has our or interagency or intrasgency records that are not available through discovery during litigation. Altomayor during process of the agency. Altomayor during proc	İ	High 2 Disclosure	e would risk circumvention of a legal requirement.			•	
2161-2165.		Exemption 3: The withh	neld information is specifically exempted from public	disclosure by statute indicate	ed.		
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 approach on your person under section 552 of 1146 s.) U.S.C. (the FOIA), except when incorporated into the contract between the agency and the submitter of the proposal. 22 Exemption 4: The withdeld information is a trade secret or commercial or financial information that is being withheld for the reason(s) indicate an intermediation is considered to be confidential business (proprietary) information. 33 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 pruvant to 10 CFR 2.390(d)(2). 34 The information was submitted by a foreign source and received in confidence pursuant to 10 CFR 2.390(d)(2). 35 Dislosure will harm an identifiable private or governmental interest. 36 Exemption 5: The withheld information consists of interagency or intraagency records that are not available through discovery during litigation for the deliberative process. Where records are withheld in their entirety, the facts are invadicably intertwined with the predecisional process of the agency ble factual portions because the release of the adequate and 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 invadicably intertwined with the predecisional process of the agency ble factual portions because the release of the facts would permit an indirect inquiry into the deliberative process. Where records are withheld information is exempted from public disclosure because its disclosure would result in a clearly unwarranted invasion of personal privacy. 35 Disclosure would constitute an unwarranted invasion of personal privac			of the Atomic Energy Act, which prohibits the disclo	sure of Restricted Data or Fo	ormerly Restricted Data	(42 U.S.C) .
agency to any person under section 552 of Title 5, U.S.C. (the FOIA), except when incorporated into the contract between the agency an 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) indicate 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 as 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 assential to the disciplance of the process. Where records are withheld in their entirely, the facts are inerciately intertwine 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. (Condimental 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 purposes and is being withheld for the reason(s) indicated. (A) Disclosure could reasonably be expected to interfere with an enforcement			e Atomic Energy Act, which prohibits the disclosure c	of Unclassified Safeguards Ir	nformation (42 U.S.C. 2	:167).	
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 PER 2.390(d/). It is information was submitted by a foreign source and received in confidence pursuant to 10 CFR 2.390(d/). 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-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 requirements from investigators). (C) Disclosure would constitute an unwarranted invasion of personal privacy. (E) Disclosure would constitute an unwarranted invasion of personal privacy. (E) Disclosure would constitute an unwarranted invasion of personal privacy. (E) Disclosure would constitute an unwarranted invasion of personal privacy. (E) Disclosure would constitute an unwarranted		agency to any per	rson under section 552 of Title 5, U.S.C. (the FOIA),				
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 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)(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 Theire also are no reasonably segregable factual protinos because of the facts would permit an indirect inquiry into the predecisional process of the agency. 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 trus could possibly allow recipients to take action to shield potential wrongdoing or a violation of NRC requirements from investigation consists of names of individuals and other information the disclosure of which could reasonably be expected to risk circu	V	Exemption 4: The with	sheld information is a trade secret or commercial or fi	inancial information that is be	eing withheld for the rea	ason(s) inc	ticated.
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)(2). 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 dilebrative 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 provincy. Attorney-client privilege. (Documents prepared by an attorney in contemplation of litigation) 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 risk circumvention of the law. (F) Disclosure could reasonably be expected to endanger the life or physical sa		The information is	s considered to be confidential business (proprietary)) information.			
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 provileges: 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 inextincably intertwined with the predecisional information provided private and process of the agency process o		The information is	s considered to be proprietary because it concerns a am for special nuclear material pursuant to 10 CFR 2	licensee's or applicant's phy 2.390(d)(1).	ysical protection or mate	erial contro	ol and
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 fact 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 is exempted from public disclosure because its disclosure would result in a clearly unwarranted invasion of personal privacy. Exemption 7: The withheld information is exempted from public disclosure 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 reveal tends 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 identifies of confidential sources. (E) Disclosure would reveal techniques and procedures for law enforcement investigations or prosecutions, or guidelines that 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 Commissio		The information v	vas submitted by a foreign source and received in co	infidence pursuant to 10 CFF	R 2.390(d)(2).		
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 because the release of the facts would permit an indirect inquiry into the predecisional process of the agency. Attorney work-product privilege. (Cocuments 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 identifies of confidential sources. (E) Disclosure would reveal techniques and procedures for law enforcement investigations or prosecutions, or guidelines that could reasonably be expected to insk 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		Disclosure will ha	ırm an identifiable private or governmental interest.				
Inhere 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-orient privilege. (Coordidential communications between 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 consist 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 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 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 would reveal techniques and procedures for law enforcement investigations or prosecutions, 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 t	·			ncy records that are not avail	lable through discovery	during litig	jation.
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 an denials that may be appealed to the Executive Director for Operations (EDO). DENYING OFFICIAL TITLE/OFFICE RECORDS DENIED APPELLATE OFFICIAL Sandy M. Joosten Executive Assistant, Office of the Secretary of the Appendix D Append	predecisional process of the agency.						
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 an denials that may be appealed to the Executive Director for Operations (EDO). DENYING OFFICIAL TITLE/OFFICE RECORDS DENIED APPELLATE OFFICIAL Executive Assistant, Office of the Secretary of the Appendix D	ĺ	Attorney-client pri	ivilege. (Confidential communications between an af	ttorney and his/her client)			
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 (c.D. 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				because its disclosure would	d result in a clearly unw	arranted	
(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 and denials that may be appealed to the Executive Director for Operations (EDO). DENYING OFFICIAL TITLE/OFFICE RECORDS DENIED APPELLATE OFFICIAL Sandy M. Joosten Executive Assistant, Office of the Secretary of the Appendix D Appeal must be made in writing within 30 days of receipt of this response. Appeals should be mailed to the FOIA/Privacy Act Officer	Exemption 7: The withheld information consists of records compiled for law enforcement purposes and is being withheld for the reason(s)						
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 an denials that may be appealed to the Executive Director for Operations (EDO). DENYING OFFICIAL TITLE/OFFICE RECORDS DENIED APPELLATE OFFICIAL Sandy M. Joosten Executive Assistant, Office of the Secretary of the Commission Appeal must be made in writing within 30 days of receipt of this response. Appeals should be mailed to the FOIA/Privacy Act Officer		(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).					
(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 an denials that may be appealed to the Executive Director for Operations (EDO). DENYING OFFICIAL TITLE/OFFICE RECORDS DENIED APPELLATE OFFICIAL EDO SECY IG EDO SECY IG Appeal must be made in writing within 30 days of receipt of this response. Appeals should be mailed to the FOIA/Privacy Act Officer				ion the disclosure of which c	ould reasonably be exp	ected to re	eveal
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 an denials that may be appealed to the Executive Director for Operations (EDO). DENYING OFFICIAL TITLE/OFFICE RECORDS DENIED APPELLATE OFFICIAL Executive Assistant, Office of the Secretary of the Commission Appendix D Appendix D Appendix D	[(E) Disclosure wou	ild reveal techniques and procedures for law enforcer	ment investigations or prose	cutions, or guidelines th	nat could	` .
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 an denials that may be appealed to the Executive Director for Operations (EDO). DENYING OFFICIAL TITLE/OFFICE RECORDS DENIED APPELLATE OFFICIAL Executive Assistant, Office of the Secretary of the Commission Appendix D Appendix D Appendix D Appendix D		(F) Disclosure coul	·	ysical safety of an individual.			,
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 an denials that may be appealed to the Executive Director for Operations (EDO). DENYING OFFICIAL TITLE/OFFICE RECORDS DENIED APPELLATE OFFICIAL EDO SECY IG Commission Appendix D		OTHER (Specify)					
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 an denials that may be appealed to the Executive Director for Operations (EDO). DENYING OFFICIAL TITLE/OFFICE RECORDS DENIED APPELLATE OFFICIAL EDO SECY IG Commission Appendix D Appendix D Appendix D Appendix D Appendix D Appendix D	Í						
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 an denials that may be appealed to the Executive Director for Operations (EDO). DENYING OFFICIAL TITLE/OFFICE RECORDS DENIED APPELLATE OFFICIAL EDO SECY IG Commission Appendix D Appendix D Appendix D Appendix D Appendix D Appendix D			PART II B DENYING (DEFICIAL S			
DENYING OFFICIAL TITLE/OFFICE RECORDS DENIED APPELLATE OFFICIAL EDO SECY IG Sandy M. Joosten Executive Assistant, Office of the Secretary of the Commission Appendix D Appendix D Appendix D Appendix D	Pursua	ant to 10 CFR 9.25(g)	•		egulations, it has bee	n determ	nined
Sandy M. Joosten Executive Assistant, Office of the Secretary of the Commission Appendix D Appendix D Appendix D Appendix D Appendix D	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).						
Sandy M. Joosten Executive Assistant, Office of the Secretary of the Commission Appendix D Appendix D Appendix D Appendix D	DE	NYING OFFICIAL	TITLE/OFFICE	RECORDS			
Appeal must be made in writing within 30 days of receipt of this response. Appeals should be mailed to the FOIA/Privacy Act Officer	Sandy	M. Joosten		the Appendix D	· · · · · · · · · · · · · · · · · · ·	1-33	
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></u>		Commission				
Appeal must be made in writing within 30 days of receipt of this response. Appeals should be mailed to the FOIA/Privacy Act Officer							
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> </u>		
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."	U.S. N	luclear Regulatory Co.	mmission, Washington, DC 20555-0001, for a	Appeals should be mail action by the appropriate	led to the FOIA/Priva appellate official(s).	icy Act O You sho	fficer, uld

FOIA-2010-0290

APPENDIX B RECORDS ALREADY PUBLICLY AVAILABLE

NO.	DATE	ACCESSION NUMBER	DESCRIPTION/(PAGE COUNT)
1.	1/11/07	ML070090409	Letter to Gangie, People's Republic of China from Klein (1 page)

APPENDIX C RECORDS BEING RELEASED IN THEIR ENTIRETY

NO.	<u>DATE</u>	DESCRIPTION/(PAGE COUNT)
1.	10/18/06	Remarks of Dr. Peter B. Lyons, Commissioner, NRC at the China- United States Ministerial-Level Joint Commission Meeting on Science and Technological Cooperation, "Nuclear Safety Cooperation and Peaceful Uses of Nuclear Technology" (12 pages)
2.	5/20/10	E-Mail from Terao to Honcharik, Stakeholder Communications – AP1000 RCP (3 pages)
3.	6/17/08	Letter to Ganjie from Klein (1 page)

FOIA-2010-0290

APPENDIX D RECORDS WITHHELD IN PART

NO.	DATE	DESCRIPTION/(PAGE COUNT)/EXEMPTIONS
1.	4/17/08	Correspondence Control Ticket, E-Mail from Wang to CMRLYONS Resource, for International Cooperation (2 pages) Ex. 4
2.	4/30/09	Letter to Ganjie from Klein (1 page) Ex. 4
3.	5/18-6/5-10	Quick Look and Final Trip Report (7 page) Portions Outside Scope