NRC FORM 464 Part I U.S. NUCLEAR REGULATORY COMMISSION	FOIA/PA	RESPONSE NUMBER						
(4-2011)	2011-0147	18						
RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) / PRIVACY ACT (PA) REQUEST	RESPONSE FINAL	✓ PARTIAL						
REQUESTER James Riccio	DATE AUG 9	1011						
PART I INFORMATION RELEASED								
No additional agency records subject to the request have been located.								
Requested records are available through another public distribution program.	Requested records are available through another public distribution program. See Comments section.							
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.								
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.								
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 thresho	old 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 continu	ation page if required)							
Group S records relating to your request are being made publicly available in the "NRC Library" at http://www.nrc.gov/reading-rm/foia/japan-foia-info.html.								
As the NRC makes records publicly available, you will be notified in writing.								
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SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER Mary Jean Rayles Raylace								
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NRC F	ORM 464 Part II	U.S. NUCLEAR REGULATORY COMMISSION	FOIA/PA	DATE				
R	ESPONSE TO F	FREEDOM OF INFORMATION RIVACY ACT (PA) REQUEST	2011-0147	AUG	9	2011		
APPE S	NDICES Records s	PART II.A APPLICABL subject to the request that are described in the encl n No.(s) of the PA and/or the FOIA as indicated bel	osed Appendices are being with	nheld in their en S.C. 552(b)).	tirety	or in part under the		
		held information is properly classified pursuant to						
	Exemption 2: The with	nheld information relates solely to the internal pers	onnel rules and practices of NR	C.				
	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 th	ne Atomic Energy Act, which prohibits the disclosur	re of Unclassified Safeguards In	formation (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).								
		was submitted by a foreign source and received in	•	(2.390(d)(2).				
	L	arm an identifiable private or governmental interes hheld information consists of interagency or intraag		ahla through die	COVE	v during litigation		
	Applica	ble privileges:		-				
	deliberative proc	cess: Disclosure of predecisional information would less. Where records are withheld in their entirety, to the reasonably segregable factual portions because	the facts are inextricably intertwi	ined with the pre	edecis	sional 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 wrong doing or a violation of NRC							
		rom investigators). Ild 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								
	· · ·	expected to risk circumvention of the law. Ild reasonably be expected to endanger the life or	physical safety of an individual.					
	OTHER (Specify)		· · · · · · · · · · · · · · · · · · ·	<u> </u>				
		PART II.B DENYING	G OFFICIALS					
intere	st. The person respo), 9.25(h), and/or 9.65(b) of the U.S. Nuclear d is exempt from production or disclosure, a nsible for the denial are those officials identif ed to the Executive Director for Operations (ried delow as denving oπicia	gulations, it ha closure is con als and the FC	as be trary DIA/P	en determined to the public 'A Officer for any		
DE	NYING OFFICIAL	TITLE/OFFICE	RECORDS	DENIED	AP	PELLATE OFFICIAL		
Mary	Jean Raphael	FOIA/PA Officer	Group S		V			
Appes	al must be made in wr	iting within 30 days of receipt of this respons	se. Appeals should be maile	ed to the FOIA	/Priv	acv Act Officer		
U.S. N	luclear Regulatory Co	ommission, Washington, DC 20555-0001, for e and letter that it is a "FOIA/PA Appeal."	r action by the appropriate a	ppellate officia	al(s).	You should		