RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) / PRIVACY ACT (PA) REQUEST REQUESTER Diane Curran PART I INFORMATION RELEASED 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. PART I INFORMATION RELEASED Appeny 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. PREVIOUSE Appeny 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. Enclosed is information on how you may obtain access to and the charges for copying records located at the NRC Public Document Room. Francisca Subject to the request that contain information originated by or of interest to another Foderal agency have been released 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 MOUNT You will receive a refund for the amount listed. Pear Information in the request are united for the amount listed. Pear Information in the request that expense in process and the charge of the process waived. PART I.B - INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE No agency records subject to the request have been located. Certain information in the requested records is being withheld from disclosure pursuant to the exemptions described in and for the reasons stated in Part II. This determination may be appealed within 30 days by writing to the FOIA/PA Officer, U.S. Nuclear Regulatory Commission, Veshington, Doc 20555-0051. 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) Group RB and the released portions of Group SS records relating to your request are	NRC FORM 464 Part I (J) U.S. NUCLEAR REGULATORY COMMISSION	FOIA/PA	RESPONSE NUMBER					
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NRC FORM 464 Part I (4-2011)	U.S. NUCLEAR REGULATORY	COMMISSION	FOIA/PA	DATE			
RESPONSE	TO FREEDOM OF INFORM) / PRIVACY ACT (PA) REQ		2011-0135	00	OT 2 7 2011		
PART II.A APPLICABLE EXEMPTIONS APPENDICES Records subject to the request that are described in the enclosed Appendices are being withheld in their entirety or in part under the							
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 th	e internal perso	nnel rules and practices of NR	C.			
Exemption 3:	The withheld information is specifically exer	npted from publ	ic disclosure by statute indicate	ed.			
Sections 2161-21	141-145 of the Atomic Energy Act, which p	rohibits the disc	losure of Restricted Data or Fo	rmerly Restricted	I Data (42 U.S.C.		
Section	47 of the Atomic Energy Act, which prohibi	ts the disclosure	e 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 of	or commercial or	r financial information that is be	ing withheld for t	he 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 info	mation was submitted by a foreign source a	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 interage Applicable privileges:	gency or intraag	ency records that are not availa	able through disc	overy during litigation.		
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 prepa	red by an attorn	ey in contemplation of litigation)	,		
Attorney	client privilege. (Confidential communication	ons between an	attorney and his/her client)				
Exemption 6:	The withheld information is exempted from	public disclosu	re because its disclosure would	result in a clear	y unwarranted		
Exemption 7:	invasion of personal privacy. The withheld information consists of record indicated.	ls compiled for I	aw enforcement purposes and	is being withheld	for the reason(s)		
(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 requirements from investigators).							
(C) Disclosure could 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							
that the information interest. The person	9.25(g), 9.25(h), and/or 9.65(b) of the withheld is exempt from production or a responsible for the denial are those cappealed to the Executive Director for	U.S. Nuclear disclosure, ar officials identifi	Regulatory Commission rend that its production or dis	gulations, it ha closure is cont als and the FO	s been determined rary to the public IA/PA Officer for any		
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Mary Jean Raphael	FOIA/PA Officer for Japan-F	Related FOIAs	Appendix SS				
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Appeal must be made	le in writing within 30 days of receipt c	of this respons	e. Appeals should be maile	ed to the FOIA	Privacy Act Officer		
U.S. Nuclear Regula	ntory Commission, Washington, DC 20 envelope and letter that it is a "FOIA/P)555-0001, for	action by the appropriate a	ppellate officia	I(s). You should		