

2011-0161

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

RESPONSE TYPE  FINAL  PARTIAL

REQUESTER  
Ronnie Greene

DATE  
**DEC 29 2011**

**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** 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** 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)**

1. The incoming FOIA is located in ADAMS at ML11091A057.

2.

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Donna L. Sealing

APPENDIX A  
RECORDS ALREADY PUBLICLY AVAILABLE

| <u>NO.</u> | <u>DATE</u> | <u>ACCESSION<br/>NUMBER</u> | <u>DESCRIPTION / (PAGE COUNT)</u>  |
|------------|-------------|-----------------------------|--|
| 1          | 03/11/11    | ML110750175                 | Letter from Congressman Darrell Issa, to Chairman Jaczko, re: Release of Vol III of the Safety Evaluation Report & documents pertaining to the Yucca Mountain Project (10 pages).  |
| 2          | 10/13/10    | ML102880534                 | Letter fm Congress (Congressmen Jim Sensenbrenner, Joe Barton, Ralph Hall, and Doc Hastings) to Chairman Gregory B. Jaczko re: concerns on NRC's review of the DOE's license application for the nuclear waste repository at Yucca Mountain (3 pages). |

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

| <b>No.</b> | <b>Date</b> | <b>DESCRIPTION OF DOCUMENT (PAGE COUNT)</b>  |
|------------|-------------|--|
| 1          | 03/31/11    | Letter from Commissioner's Svinicki, Apostolakis, Magwood and Ostendorff, to Congressman Darrell Issa, re: unredacted version of Volume III of the draft Safety Evaluation Report related to the Yucca Mountain license application (2 pages).   |
| 2          | 02/25/11    | Letter from Commissioner Svinicki to Congressman Andy Harris, re: the release of Volume III related to Yucca Mountain (13 pages).  |
| 3          | 02/25/11    | Letter from Commissioner Svinicki to Congressman Paul Broun, M.D., re: the release of Volume III related to Yucca Mountain (13 pages).   |
| 4          | 02/25/11    | Letter from Commissioner Svinicki to Congressman F. James Sensenbrenner, Jr., re: the release of Volume III related to Yucca Mountain (13 pages).  |
| 5          | 02/25/11    | Letter from Commissioner Svinicki to Congressman Ralph Hall, re: the release of Volume III related to Yucca Mountain (13 pages).   |
| 6          | 02/10/11    | Letter from Congressman Ralph Hall, F. James Sensenbrenner, Jr., Paul Broun, M.D., and Andy Harris, to Commissioner Svinicki, re: Volume III related to Yucca Mountain (6 pages).  |
| 7          | 11/04/10    | Letter from Commissioner Svinicki to Congressman James M. Inhofe, re: Department of Energy's request to withdraw its license application for development of a deep, geologic repository at Yucca Mountain (1 page).  |
| 8          | 11/01/10    | Letter from Congressman James M. Inhofe, to Commissioner Svinicki, re: the adjudicatory proceeding regarding the Atomic Safety and Licensing Board's ruling that Department of Energy cannot lawfully withdraw the Yucca Mountain license (1 page).  |
| 9          | 11/01/10    | Letter from Commissioner Svinicki to Congressman Jim Sensenbrenner, re: supplement letter to the October 27, 2010 response of Chairman Gregory Jaczko to Congressman Sensenbrenner's letter of October 13, 2010, regarding the NRC's review of the Department of Energy's license application for a deep, geologic repository (2 pages). |

- 10 11/01/10 Letter from Commissioner Svinicki to Congressman Doc Hastings, re: supplement letter to the October 27, 2010 response of Chairman Gregory Jaczko to Congressman Hastings' letter of October 13, 2010, regarding the NRC's review of the Department of Energy's license application for a deep, geologic repository (1 page).
- 11 11/01/10 Letter from Commissioner Svinicki to Congressman Joe Barton, re: supplement letter to the October 27, 2010 response of Chairman Gregory Jaczko to Congressman Barton's letter of October 13, 2010, regarding the NRC's review of the Department of Energy's license application for a deep, geologic repository (1 page).
- 12 11/01/10 Letter from Commissioner Svinicki to Congressman Ralph Hall, re: supplement letter to the October 27, 2010 response of Chairman Gregory Jaczko to Congressman Hall letter of October 13, 2010, regarding the NRC's review of the Department of Energy's license application for a deep, geologic repository (1 page).
- 13 11/01/10 Letter from Commissioner Svinicki to Congressman Doc Hastings re: Volume II of NRC's Yucca Mountain Safety Evaluation Report (4 pages).
- 14 10/21/10 Letter from Congressman Doc Hastings to Commissioner Svinicki re: Volume II of NRC's Yucca Mountain Safety Evaluation Report (1 page).
- 15 11/04/10 Letter from Commissioner William Ostendorff, to Sen. James Inhofe.  
1 page
- 16 10/27/10 Letter from Commissioner Ostendorff to Congressman Doc Hastings  
5 pages
- 17 02/23/11 Letter from Commissioner Ostendorff to Congressman Ralph Hall.  
2 pages