



# RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

2018-0053

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RESPONSE TYPE

INTERIM

FINAL

REQUESTER:

Julian Tarver

DATE:

12/22/2017

**DESCRIPTION OF REQUESTED RECORDS:**

Organization chart, job duties/purpose, and cell number assigned to Anthony McMurtray, Joan Mallon and Sharon Soogrim

### PART I. -- INFORMATION RELEASED

You have the right to seek assistance from the NRC's FOIA Public Liaison. Contact information for the NRC's FOIA Public Liaison is available at <https://www.nrc.gov/reading-rm/foia/contact-foia.html>

- Agency records subject to the request are already available on the Public NRC Website, in Public ADAMS or on microfiche in the NRC Public Document Room.
- 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

### NO FEES

AMOUNT\*

\*See Comments for details

- You will be billed by NRC for the amount listed.
- You will receive a refund for the amount listed.
- Fees waived.

- Minimum fee threshold not met.
- Due to our delayed response, you will not be charged fees.

### PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE

- We did not locate any agency records responsive to your request. *Note:* Agencies may treat three discrete categories of law enforcement and national security records as not subject to the FOIA ("exclusions"). 5 U.S.C. 552(c). This is a standard notification given to all requesters; it should not be taken to mean that any excluded records do, or do not, exist.
  - We have withheld certain information pursuant to the FOIA exemptions described, and for the reasons stated, in Part II.
  - Because this is an interim response to your request, you may not appeal at this time. We will notify you of your right to appeal any of the responses we have issued in response to your request when we issue our final determination.
- You may appeal this final determination within 90 calendar days of the date of this response by sending a letter or e-mail to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or [FOIA.Resource@nrc.gov](mailto:FOIA.Resource@nrc.gov). Please be sure to include on your letter or email that it is a "FOIA Appeal." You have the right to seek dispute resolution services from the NRC's Public Liaison, or the Office of Government Information Services (OGIS). Contact information for OGIS is available at <https://ogis.archives.gov/about-ogis/contact-information.htm>

### PART I.C COMMENTS ( Use attached Comments continuation page if required)

There are no organizational charts available that display the names or position requested. Please note, there is no one listed at our agency by the name of Joan Mallon. In addition, due to the nature of their job responsibilities, the names and duty stations of Federal employees who incumber sensitive occupational categories, including special agents, are exempt from the FOIA under Exemption 6.

The NRC does not release cell phone numbers of its employees, due to personal identifiable information concerns (Exemption 6).

Signature - Freedom of Information Act Officer or Designee

**Stephanie A. Blaney**

Digitally signed by Stephanie A. Blaney  
Date: 2017.12.22 10:58:39 -05'00'



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

Records subject to the request are being withheld in their entirety or in part under the FOIA exemption(s) as indicated below (5 U.S.C. 552(b)).

- Exemption 1: The withheld information is properly classified pursuant to an Executive Order protecting national security information.
- Exemption 2: The withheld information relates solely to the internal personnel rules and practices of NRC.
- Exemption 3: The withheld information is specifically exempted from public disclosure by the 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. 4702(b), which prohibits the disclosure of contractor proposals, 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 confidential commercial or financial information that is being withheld for the reason(s) indicated.
  - 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 another type of confidential business (proprietary) information.
  - The information was submitted by a foreign source and received in confidence pursuant to 10 CFR 2.390(d)(2).
- Exemption 5: The withheld information consists of interagency or intraagency records that are normally privileged in civil litigation.
  - Deliberative process privilege.
  - Attorney work product privilege.
  - Attorney-client privilege.
- Exemption 6: The withheld information from a personnel, medical, or similar file, 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 open enforcement proceeding.
  - (C) Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
  - (D) The information consists of names 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

**PART II.B -- DENYING OFFICIALS**

In accordance with 10 CFR 9.25(g) and 9.25(h) of the U.S. Nuclear Regulatory Commission regulations, the official(s) listed below have made the determination to withhold certain information responsive to your request.

DENYING OFFICIAL	TITLE/OFFICE	RECORDS DENIED	APPELLATE OFFICIAL	
			EDD	SECY
Stephanie Blaney	FOIA Officer/OCIO	Personal identifiable information	<input checked="" type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

Appeals must be made in writing within 90 calendar days of the date of this response by sending a letter or email to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or [FOIA.Resource@nrc.gov](mailto:FOIA.Resource@nrc.gov). Please be sure to include on your letter or email that it is a "FOIA Appeal."

U.S. Nuclear Regulatory Commission  
NMSS Office of Nuclear Material Safety and Safeguards  
All Divisions  
See note below:

I-596

**NOTE:** This position is classified as interdisciplinary and can be classified as: Senior General Engineer, GG-0801-15, Senior Nuclear Engineer, GG-0840-15, Senior Physical Scientist, GG-1301-15, Senior Mechanical Engineer, GG-0830-15, Senior Materials Engineer, GG-0806-15, Senior Environmental Engineer, GG-0819-15, Senior Geologist, GG-1350-15, or Senior Health Physicist, GG-1306-1r, depending upon the qualifications of the individual selected to fill the position.

Approved Organizational Titles: Senior Project Manager, GG-0801-15, Senior Project Manager, GG-0840-15, Senior Project Manager, GG-1301-15, Senior Project Manager, GG-0830-15, Senior Project Manager, GG-0806-15, Senior Project Manager, GG-0819-15, Senior Project Manager, GG-1350-15, or Senior Project Manger, GG-1306-15.

#### Functional Statement

The incumbent plans, coordinates, directs, and leads major acquisition projects for development of regulations, policies, requirements, and guidance for nuclear materials safety, security, and protection of the environment. He/she is responsible for managing acquisition projects for reviews of complex or controversial licensing actions for nuclear materials licensees or Certificate of Compliance (CoC) holders, resolving highly complex, critical, or controversial program policy and licensing issues.

#### Regular Duties

Originates, reviews, modifies, coordinates, formulates, and assesses NMSS positions on policies and emerging issues related to nuclear materials licensees or CoC holders. Identifies need for technical assistance to support review of all applications. Coordinates activities for conduct of important review needs, reviews findings, and formulates NMSS positions concerning them. Identifies need for development of new and revised acquisition policies and to reflect technical assistance need and studies for safety and environmental reviews, new and emerging threats to security of nuclear materials, and concerns of stakeholders.

Identifies work scope, resources, products and schedules for assigned policy development and rulemaking activities to enhance safety and protection of the environment. Coordinates preparation of policies and of rulemaking documents, including regulatory analyses, statements of consideration, environmental assessments, information collection requirements, reviews for consistency with other policies, consistency with research findings and technological developments, legal reviews, and input from other agencies. Manages the resolution and closure of petitions for rulemaking.

Manages, coordinates, and performs safety and environmental reviews of applications for nuclear materials applications and amendments. Determines requirements for additional information, studies, reviews and documentation. Recommends agency action for applications consistent with NRC Safety Evaluation Reports, Environmental Reports, and other documentation.

Initiates and manages contract support for assigned tasks and project activities. Identifies qualifications needed, statements of work, schedules, and deliverable products. Provides guidance and direction to national laboratories and commercial firms performing work under contract, monitors performance, and reviews draft products.

Represents the Office at internal NRC meetings to facilitate resolution of issues, and formulates Office positions concerning them. Schedules, coordinates, chairs and participates in public meetings with representatives of the public, nuclear industry, NRC staff, States and local governments, and other Federal agencies to address technical or policy matters related to the overall program or to specific licensing actions.

#### Occasional Duties

Serves on rating panels; provides direction to support staff; acts for supervisor.

Performs other duties, as assigned or required.

#### Basic Skills

This position requires a baccalaureate or higher degree in a field of engineering, and/or physical science supplemented by several years of progressively responsible professional experience directly related to the area of project management, with specific knowledge of nuclear materials safety and related engineering concepts.

Expert knowledge of the principal features of nuclear facilities that could affect the environment, to assess potential or actual environmental impacts, and to determine appropriate corrective actions or environmental and safety enhancements.

Ability to review products of professionals in various disciplines to develop pertinent comments and questions regarding environmental impacts and facility designs, lead technical discussions, formulate technical judgments, and write engineering reports and regulatory documents.

Knowledge to provide technical direction to professional specialists of a variety of scientific disciplines in the preparation of policies, rulemaking documents, safety evaluations, environmental statements, regulatory (cost-benefit) analyses, and backfit analyses.

Administrative and management skills to coordinate and integrate project and program activities of numerous staff members working in different technical disciplines.

Comprehensive knowledge of applicable laws and regulations, and of NRC and Office policies, processes, procedures, guidance, and safety and environmental philosophy regarding nuclear materials licensee and CoC holder facility siting, design, construction, testing and operation, as applicable to assigned projects.

General knowledge of research and development work related to materials licensee and CoC holder activities and environmental impacts to apply to assigned projects.

Skill in communicating complex technical information to management, staff associates, counterparts in other organizations, contractors, industry representatives, and the public.

Ability to present expert testimony as a witness at public hearings.

Ability to utilize automated databases to review and obtain program information.

Ability to manage regulatory reviews and corrective activities for nuclear materials licensee and CoC holder activities presenting issues emanating from complex technical or environmental problems, locations in or near high population or environmentally sensitive areas, or presenting other controversial or critical issues.

Ability to monitor and coordinate tasks performed under contract.

Ability to interact effectively with inspection personnel.

### Contacts

Frequent contacts with technical and legal staff members at the working, mid-management, and top management levels of NRC, and with the Advisory Committee on Reactor Safeguards, and with other Government agencies, to manage and coordinate efforts related to assigned projects.

Frequent contacts with applicants and licensees, some at senior levels, to discuss and resolve technical safety and environmental issues emanating from reactor licensing and oversight activities.

Frequent contacts with technical staff members and managers of consulting and contractor firms, to coordinate individual tasks, and to ensure compliance with established schedules.

Frequent contacts with technical staff of EPA, DOE, DOT, Corps of Engineers, and Department of the Interior, to discuss and resolve technical issues of mutual concern arising from reviews, memoranda of understanding, research findings, and new security concerns.

Frequent contacts with officials of State and local governments to provide information about NRC functions and responsibilities and address their concerns, and to coordinate input to environmental evaluations.

Frequent contacts with industry organizations, such as the Nuclear Energy Institute, to discuss and exchange program, policy and regulatory information.

Occasional contacts with top officials of NRC, applicants, licensees, consulting and contractor firms, other Federal agencies, State and local governments, members of the public, industry organizations, and professional organizations to present program information and regulatory requirements, and discuss ways to enhance safety and environmental protection.

### Supervision Received

Branch Chief, GG-15

General Supervision "A"

On technical matters has full authority to act within the framework of functional assignments.

Guides are appropriate parts of Title 10 of the Code of Federal Regulations, the NRC Management Directives System, and NMSS instructions, guides, policies and procedures.

Independent Action

Approves:

Personal, written testimony, developed in concert with OGC, for Atomic Safety and Licensing Board (ASLB) panels. Represents the NRC at before panels for assigned projects.

Standard correspondence to consultants, contractors and licensees requesting additional or clarifying information.

Recommends:

Modifications of schedules for safety and environmental reviews for assigned projects.

Resources needed to meet specific program and review requirements.

Approvals of licenses and CoCs for assigned projects.

Resolutions of technical issues that may impact documented, staff technical positions or policies.

Actions to resolve technical and policy issues and problems that develop during reviews.

New or revised policy positions or guidelines.

Acceptance or rejection of new applications or docketing based on degree of completeness of technical information applicants or licensees present.

Approvals of Environmental Reports and Safety Evaluation Reports and supplements.

Visits to assigned facilities and utility offices by NRC staff and contractors, representatives of other Federal agencies and of State and local governments, and members of the public.

Concurs:

With accuracy of questions and technical positions prepared by the staff for technical organizations prior to transmittals to applications for assigned projects.

With accuracy of sections of Safety Evaluation Reports and Environmental Impact Statements pertaining to assigned project and program activities.

With technical accuracy of written testimony developed by other staff members or contractors.

**Work Accepted Without Review:**

Summaries of internal NRC meetings and external meetings with applicants, licensees, members of the public, potential intervenors, petitioners, and officials of State and local governments.

Conduct of meetings with applicants, licensees, potential intervenors, and members of the public.

Oral statements before Atomic Safety Licensing Boards (ASLB) and other panels.

Determinations of coordination needed to assure efficient technical reviews of assigned projects.

Coordination activities to assure timely, efficient technical reviews of assigned projects.

Resolutions of technical issues not affecting documented, staff technical positions or staff policies.

Integration of input from various technical disciplines into complete Preliminary Draft Environmental Impact Statements or Environmental Assessments.

Assignments of specific responsibilities for responses to comments of other agencies and members of the public concerning Draft Environmental Impact Statements.

Assembly of technically adequate, legally sufficient Final Environmental Statement (performed with assistance of case attorney and technical reviewers).

Assignments of responsibility for preparation of written testimony to appropriate technical branches or national laboratories.

Updates and revisions to program operating reports and status reports.

Arrangements for special technical consultants when required to serve as witnesses at hearings.

**Supervision**

None

**Working Conditions**

Normal office conditions. Occasional field trips, meetings and support for inspections require travel. Rotational assignments to a regional office or licensee or CoC holder site may result in appreciable time on travel status.

Visits to licensee or CoC holder sites may require access to restricted areas and receiving radiation dose within standards established by NRC Management Directives. Visits to licensee or CoC holder sites may require access to restricted areas within radiation dose standards established in accordance with NRC Management Directives.

Effort

Normal