

PDR-016



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

AUG 24 1982

Mr. Peter L. Collins
Research Associate
Research Counsel of Washington
226 Fourth Street, N.E.
Washington, DC 20002

IN RESPONSE REFER
TO FOIA-82-A-12
(FOIA-82-263)

Dear Mr. Collins:

This is in reply to your letter dated July 6, 1982, in which you appealed Mr. J. M. Felton's letter dated June 30, 1982. Your initial Freedom of Information Act request sought copies of the quarterly "Report of Transfer of Devices Distributed Under General License" for the Ohmart Corporation and Texas Nuclear Corporation from 1970. You specifically appealed the lack of a timely response since the NRC was seeking additional information from the two companies concerning the proprietary nature of the reports and the claim that the reports contained proprietary information.

Acting on your appeal, I have carefully reviewed the record, including Ohmart and Texas Nuclear Corporations' responses to our request for additional information, and have determined that the information in the reports, taken as a whole, constitutes confidential commercial or financial information. The reports are being withheld pursuant to exemption (4) of the Freedom of Information Act (5 U.S.C. 552(b)(4)) and 10 CFR 9.5(a)(4) of the Commission's regulations. Your appeal is, therefore, denied.

This is a final agency action. As set forth in the Freedom of Information Act (5 U.S.C. 552(a)(4)(B)), judicial review of this decision is available in a district court of the United States in either the district in which you reside, have your principal place of business, or in the District of Columbia.

Sincerely,

William J. Dircks
Executive Director for Operations

RESEARCH COUNSEL
OF WASHINGTON

THE LEE HOUSE
226 FOURTH STREET, N.E. • WASHINGTON, D.C. 20002
202-544-2700
INTERNATIONAL TELEX: IMDI 248698
CABLE ADDRESS "RECOUNSEL"

June 9, 1982

Mr. Joseph Felton
Freedom of Information Officer
Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Felton:

Under the provisions of the Freedom of Information Act, 5 U.S.C. 522, I am requesting access to copies of the quarterly "Report of Transfer of Devices Distributed Under General License" from 1970 to the present for the following three companies:

Texas Nuclear Division (Ramsey Engineering)
Ronan Engineering Corp.
Ohmart Corp.

I verified in a telephone conversation today that this request should be routed to the Materials Licensing Branch of the NRC.

If there are any fees for searching for, or copying, the records I have requested, please supply the records without informing me if the fees do not exceed \$75.00.

If all or any part of this request is denied, please cite the specific exemption that you think justifies your refusal to release this information and inform me of the appeal procedures available to me under the law.

I would appreciate your handling this request as quickly as possible. Thank you very much for your time and consideration.

Sincerely,

Mr. Peter Collins
Research Associate

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

June 30, 1982

Mr. Peter Collins
Research Counsel of Washington
226 Fourth Street, N.E.
Washington, DC 20002

IN RESPONSE REFER
TO FOIA-82-263

Dear Mr. Collins:

This is in partial response to your letter dated June 9, 1982 in which you requested, pursuant to the Freedom of Information Act, copies of the quarterly "Report of Transfer of Devices Distributed Under General License" from 1970 to the present for the Texas Nuclear Division, Ronan Engineering Corp., and Ohmart Corp.

There is no information available regarding a licensee with the name Ronan Engineering Corporation. If the name is correct, the company may be located in an Agreement State and therefore, be regulated by that State government.

cover letter - worthless

The documents listed on Appendix A are being placed in the NRC Public Document Room (PDR), 1717 H Street, N.W., Washington, D.C. You may obtain access to these documents by presenting a copy of this letter or by requesting folder FOIA-82-263 in your name.

The documents listed on Appendix B contain information which the licensees consider confidential business (proprietary) information. We have asked the originators of this information to review their proprietary claim, and will let you know as soon as possible whether the documents, or any portions thereof, may be disclosed to the public.

During a June 28, 1982 telephone conversation with Mr. Stephen Isaacs of my staff you were informed that the majority of the files regarding the Ohmart Corporation and the Texas Nuclear Division (Ramsey Engineering) have been placed in retired storage. Upon our receipt of these files, they will be reviewed and this office will advise you accordingly.

*- 30 days
in case to reply -*

Sincerely,

J. M. Felton, Director
Division of Rules and Records
Office of Administration

82-263-20087

Enclosures: As stated

Appendix A

Ohmart Corporation - Docket No. 34-00639

- a. 4/7/82 Letter to NRC from A. Livingston.
- b. 1/18/82 Letter to NRC from A. Livingston.
- c. 10/8/81 Letter to NRC from A. Livingston.
- d. 4/16/81 Letter to NRC from F. Dirling.
- e. 2/1/80 Letter to NRC from F. Dirling.
- f. 11/5/79 Letter to NRC from F. Dirling.
- g. 5/30/79 Letter to NRC from F. Dirling.

Appendix B

Ohmart Corporation - Docket No. 34-00639

- a. Production report for January, February and March 1982.
- b. Production report for October, November and December 1981.
- c. Production report for July, August and September 1981.
- d. Production report for January, February and March 1981.
- e. Production report for October, November and December 1979.
- f. Production report for July, August and September 1979.
- g. Production report for January, February and March 1979.

Texas Nuclear Division

- a. Production report for January, February and March 1981.