



RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

REQUESTER

Ms. Jois R. Murphy

PART I. - AGENCY RECORDS RELEASED OR NOT LOCATED (See checked boxes)

No agency records subject to the request have been located.

No additional agency records subject to the request have been located.

Requested records are available through another public distribution program. See Comments section.

Agency records subject to the request that are identified in Appendix(es) _____ are already available for public inspection and copying at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC.

Agency records subject to the request that are identified in Appendix(es) F are being made available for public inspection and copying at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC, in a folder under this FOIA number.

The nonproprietary version of the proposal(s) that you agreed to accept in a telephone conversation with a member of my staff is now being made available for public inspection and copying at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC, in a folder under this FOIA number.

Agency records subject to the request that are identified in Appendix(es) _____ may be inspected and copied at the NRC Local Public Document Room identified in the Comments section.

Enclosed is information on how you may obtain access to and the charges for copying records located at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC.

Agency records subject to the request are enclosed.

Records subject to the request have been referred to another Federal agency(ies) for review and direct response to you.

Fees

You will be billed by the NRC for fees totaling \$ _____

You will receive a refund from the NRC in the amount of \$ 75.33

In view of NRC's response to this request, no further action is being taken on appeal letter dated _____ No. _____

PART II. A - INFORMATION WITHHELD FROM PUBLIC DISCLOSURE

Certain information in the requested records is being withheld from public disclosure pursuant to the exemptions described in and for the reasons stated in Part II, B, C, and D. Any released portions of the documents for which only part of the record is being withheld are being made available for public inspection and copying in the NRC Public Document Room, 2120 L Street, N.W., Washington, DC in a folder under this FOIA number.

COMMENTS

<i>Search - 1/2 hr. professional + 1/2 hr. clerical -</i>	<i>\$ 20.64</i>
<i>Review - 5 hr. professional + 6 hr. clerical -</i>	<i>218.58</i>
<i>Repro - 867 pages -</i>	<i>173.40</i>
	<i>\$ 412.62</i>
<i>Advance Payment</i>	<i>- 487.95</i>
<i>Refund</i>	<i>\$ 75.33</i>

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PDR FOIA
MURPHY92-317 PDR

SIGNATURE, DIRECTOR, DIVISION OF FREEDOM OF INFORMATION AND PUBLICATIONS SERVICES

Ronnie H. Kennedy

CAHILL GORDON & REINDEL

EIGHTY PINE STREET

NEW YORK, N.Y. 10005

FLOYD ABRAMS
ROBERT A. ALESSI
ROGER ANDRUS
MICHAEL A. BECKER
SUSAN BUCKLEY
KEVIN J. BURKE
P. KEVIN CASTEL
JAMES J. CLARK
WALTER C. CLIFF, P.C.
BENJAMIN J. COHEN
JOSEPH P. CONWAY
MARSHALL COX
THOMAS F. CURNIN
W. LESLIE DUFFY
PATRICIA FARREN
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JONATHAN I. MARK

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GLENN J. WALDRIP, JR.
GARY W. WOLF
JOHN R. YOUNG
DANIEL J. ZUSKOFF

DAVID R. HYDE
DENIS McINERNEY, P.C.
IRWIN SCHNEIDERMAN
RALPH O. WINGEN
SENIOR COUNSEL

CCRYDON B. DUNHAM
SAMUEL ESTREICHER
PHILIP A. HEIMOWITZ
MICHAEL S. SACKHEIM
JEFFREY E. SHAPIRO
JOHN J. STANTON, JR.
COUNSEL

FREDDY DRESSEN**
EUROPEAN COUNSEL

WASHINGTON, D.C. OFFICE
1990 K STREET, N.W.
WASHINGTON, D.C. 20006

EUROPEAN OFFICE
19 RUE FRANÇOIS I**
75008 PARIS, FRANCE

TELEX / CABLE
RCA 232184 WUT 127068
CAGO UR COTTOFRANK NYK
FACSIMILE 212-269-5420

*ADMITTED D.C. ONLY
**ADMITTED FRANCE ONLY

TELEPHONE 212-701-3000
WRITER'S DIRECT NUMBER
(212) 701-3998

June 25, 1992

FREEDOM OF INFORMATION
ACT REQUEST

FOIA 92-317
200-116-29-92

Re: Freedom of Information Request
Engelhard Corporation -
Plainville, Massachusetts Facility

Dear Mr. Grimsley:

We hereby request that the Nuclear Regulatory Commission ("NRC") provide the information described below pursuant to the Freedom of Information Act, as amended, 5 U.S.C. § 552 and 10 C.F.R. Part 9, Subpart A, NRC's regulations promulgated thereunder (hereinafter collectively referred to as "FOIA").

This request covers information in NRC's central and regional offices and files of individual NRC employees, as well as any information from NRC's predecessor, the Atomic Energy Commission ("AEC"), and its central and regional offices and files of individual AEC employees.

The information sought relates to Engelhard Corporation's manufacturing facility and surrounding property on Route 152, Tauton Street, Plainville, Massachusetts ("the Plainville Facility"). In addition to this address, the address of the

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Plainville Facility has sometimes been referred to as Turnpike Road.

At various times, the Plainville Facility may have been owned, operated and/or managed by one or more of the following entities including Engelhard Industries, Division of Engelhard Minerals and Chemicals Corporation and D.E. Makepeace, Division of Engelhard Industries, Inc., Pine & Dunham Street, Attleboro, Massachusetts. D.E. Makepeace was formerly a division of Union Plate & Wire Co. which was wholly owned by Baker and Co., Inc., Newark, New Jersey. This request for information encompasses all of these entities.

Within ten business days of your receipt of this letter, we request an opportunity to review and/or obtain photocopies of any and all documents, records, inspection reports, correspondence and other information in the possession of, or available to, the NRC or the AEC (hereinafter collectively referred to as "Information"), whether such Information is located in current or archived files, including, without limitation, all Information concerning, referring or relating to, or reflecting:

1. Records relating to the operation or cleanup of the Plainville Facility including, without limitation, any and all Information relating to:

(a) raw and radioactive materials, hazardous or radioactive waste, chemical waste, solid waste or waste water generation, handling, use, treatment, storage, incineration, decontamination, or disposal practices at the Plainville Facility.

(b) permits, approvals, operating licenses or other authorizations applied for by any of the above-referenced entities or issued to the Plainville Facility, or any owner or operator thereof, with respect to the construction, operation or ownership of the Plainville Facility, including but not limited to, License Nos. SNM-185 (Docket 70-139) and SUB-172; and

(c) regulatory activity under any NRC or AEC law or regulation, including, without limitation, administrative, statutory or judicial compliance, enforcement or regulatory proceedings with respect to the Plainville Facility including, but not limited to, notifications of violation or deficiency, directives, complaints, orders,

decrees, or site inspections, assessments, investigations, audits or other environmental evaluations.

2. Chemical or radiation release Information and notifications or other environmental notifications, including but not limited to, radiological survey information to validate decommissioning, provided by or on behalf of the Plainville Facility to any governmental authority.

3. Private causes of action, citizen complaints or inquiries, or congressional or other governmental investigations or inquiries concerning the Plainville Facility and any governmental authority response or action relating thereto.

4. Actions taken in connection with the listing of the Plainville Facility, including, without limitation, any listing or pre-listing inspection, assessment or scoring of the Plainville Facility as a site to be addressed under federal or Massachusetts law, including but not limited to NRC's 1990 "Site Decommissioning Management Plan" and its April 8, 1992 "Action Plan."

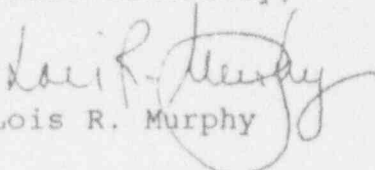
5. Articles, investigative reports, or editorials appearing in any newspaper, journal or other publication and collected by the NRC.

We are prepared to pay promptly all authorized costs incurred by the NRC in connection with this request for public information.

In the event all or any part of this request is denied or claimed to be exempt from disclosure, please identify the part of this request you deny or claim exempt from disclosure, describe those documents that are being withheld, cite the specific exemption that you believe justifies your refusal to provide the requested information, and inform me of the appeal procedures available under FOIA.

Thank you for your cooperation. I will call you during the week of July 6, 1992 to answer any questions you may have in connection with this request, and to determine the estimated cost of photocopying the requested records.

Yours sincerely,


Lois R. Murphy

Mr. Donnie Grimsley
U.S. Nuclear Regulatory Commission
FOIA Office
1717 H Street
Washington, D.C. 20555

Re: FOIA-92-317

APPENDIX F

RECORDS BEING PLACED INTO THE PDR UNDER THE ABOVE REQUEST NUMBER

<u>NUMBER</u>	<u>DATE</u>	<u>DESCRIPTION</u>
1.	11/88	Radiation Survey of Factory Building at Engelhard Corporation, Plainville, Massachusetts 7/14- 15/88 by Environ Corporation (33 pages)