

RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

U.S. NUCLEAR REGULATORY COMMISSION NAC FOIA REQUEST NUMBERIS)

POIA - 93-310

RESPONSE TYPE

PARTIAL

FINAL

JUL - 8 1993

DOCKET NUMBER(S) (If applicable)

REQ	Charles Q. King						
-	PART I.—AGENCY RECORDS RELEASED OR NOT LOCATED (See checked baxes)						
	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) 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 this 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 \$						
	In view of NRC's response to this request, no further action is being taken on appeal letter dated No						
Charges Ottomas	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.						
COM	9404270271 930708 PDR FOIA KING93-310 PDR						
SIGI	NATURE, DIRECTOR OF FREEDOM OF INFORMATION AND PUBLICATIONS SERVICES						

RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

(CONTINUATION)

FOIA -93-310

FOIA NUMBER(S)

JUL - 8 1993

DATE

1077-100	A A STATE OF THE PARTY OF THE P	PART II.8	APPLICABLE EXEMPT	TIONS				
HE	ecord	is subject to the request that are described in the enclosed Appen- tion No.(s) and for the reason(s) given below pursuant to 5 U.S.(ndix(es) are	being withheld in their entirety of	or in part under the			
	1, 1	he withheld information is properly classified pursuant to Executive O	irder. (Exemption 1)					
	2. The withheld information relates solely to the internal personnel rules and procedures of NRC. (Exemption 2)							
	3. The withheld information is specifically exempted from public disclosure by statute indicated. (Exemption 3)							
		Sections 141-145 of the Atomic Energy Act, which prohibits the disclosu	ire of Restricted Data or F	ormerly Restricted Data (42 U.S.C. 2)	161-2165).			
		Section 147 of the Atomic Energy Act, which prohibits the disclosure of	Unclassified Safeguards I	nformation (42 U.S.C. 2167).				
Z	4. The withheld information is a trade secret or commercial or financial information that is being withheld for the reason(s) indicated, (Exemption 4)							
	The information is considered to be confidential business (proprietary) information							
	The information is considered to be proprietary information pursuant to 10 CFR 2 790(d)(1)							
	The information was submitted and received in confidence pursuant to 10 CFR 2 790(d)(2)							
	5. The withheld information consists of interagency or intraagency records that are not available through discovery during litigation. (Exemption 5). Applicable Privilege:							
	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 critical, 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 prepared by an attorney in contemplation of litigation is							
	Afterney client privilege. (Confidential communications between an attorney and his/her client.)							
	6. 1	the withheld information is exempted from public disclosure because its dis-	sclosure would result in a	clearly unwarranted invasion of perso	nal privacy (Examption 6)			
	7.1	7. The withheld information consists of records compiled for law enforcement purposes and is being withheld for the reason(s) indicated. (Exemption 7)						
	Disclosure could reasonably be expected to interfere with an enforcement proceeding because it could reveal the scope, direction, and focus of enforcement efforts, and thus could possibly allow recipients to take action to shield potential wrongdoing or a violation of NRC requirements from investigators. (Exemption 7 (A))							
	Disclosure would constitute an unwarranted invasion of personal privacy. (Exemption 7(CI)							
		The information consists of names of individuals and other information the disclusive of which could reasonably be expected to reveal identities of confidential sources, (Exemption 7 (D))						
	OTHER							
		PART II. (- DENYING OFFICIA	ils				
du	ction ficials	to 10 CFR 9.25(b) and/or 9.25(c) of the U.S. Nuclear Regulatory Common disclosure, and that its production or disclosure is contrary to the publiand the Director, Division of Freedom of Information and Publications Sections (EDO).	to interest. The persons of	expensione for the derival are than with	CHAIL HIS COLLECT LIMITS THE STANK OF PERSONS	2000		
10	- mari	DENYING OFFICIAL TITLE/OFFICI	RECORDS DENIED	APPELLATE OFFIC	IAL			
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		nuclear Mate	half	11				

PART II. D - APPEAL RIGHTS

The denial by each denying official identified in Part II.C may be appealed to the Appellate Official identified there. Any such appeal must be made in writing within 30 days of receipt of this response. Appeals must be addressed, as appropriate, to the Executive Director for Operations, to the Secretary of the Commission, or to the Inspector General, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should clearly state on the envelope and in the letter that it is an "Appeal from an Initial FOIA Decision,"

Re: FOIA-93-310

APPENDIX A DOCUMENTS BEING WITHHELD IN ENTIRETY

NUMBER DATE DESCRIPTION

1. 6/29/93 Computer Printout - Denied in Entirety - Exemption 4 - Proprietary Information