

PDR-016



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

October 12, 1982

Michael H. Lipson, Esquire  
Office of the Lieutenant Governor  
State of Vermont  
Montpelier, VT 05602

IN RESPONSE REFER  
TO FOIA-82-445

Dear Mr. Lipson:

This is in partial response to your letter dated September 16, 1982, in which you requested, pursuant to the Freedom of Information Act, three separate categories of documents regarding shipments of waste through Vermont from Chalk River.

The documents listed on Appendix A are responsive to your request. Documents 1, 2, and 3 are released in their entirety. Documents 4, 5, and 6 contain unclassified safeguards information. The statutory authority for withholding this information is found in Section 147 of the Atomic Energy Act (42 U.S.C. 2167). This information is being withheld from public disclosure pursuant to exemption (3) of the Freedom of Information Act (5 U.S.C. 552(b)(3)) and 10 CFR 9.5(a)(3) of the Commission's regulations. Copies of the non-exempt portions of these documents are enclosed.

Pursuant to 10 CFR 9.9 of the Commission's regulations, it has been determined that the information withheld is exempt from production or disclosure, and that its production or disclosure is contrary to the public interest. The persons responsible for this denial are the undersigned and Mr. John G. Davis, Director, Office of Nuclear Material Safety and Safeguards.

This denial may be appealed to the Commission's Executive Director for Operations within 30 days from the receipt of this letter. As provided in 10 CFR 9.11, any such appeal must be in writing, addressed to the Executive Director for Operations, 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."

The search for additional documents subject to your request is continuing. When we have completed our search, you will be advised of our determination.

Sincerely,

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

Enclosures: As stated

Appendix A

1. Letter to Charles Hillman, NRC, from F. L. Danese, NAC, 8/17/82.
2. Letter to Director, Region I, from F. L. Danese, 9/8/82.
3. Letter to Hon. Richard Snelling from Nunzio J. Palladino, 9/29/82.
4. Letter to Nunzio J. Palladino, from Hon. Richard Snelling, 8/31/82.
5. Letter to Director, Region I, from F. L. Danese, with enclosure, 8/13/82.
6. Letter to Director, Region I, from F. L. Danese, with enclosure, 8/31/82.

Nuclear Assurance Corporation  
24 Executive Park West  
Atlanta, Georgia 30329  
(404) 325-4200  
Telex: 549567, 542703

715 Horizon Drive  
Grand Junction, Colorado 81501  
(303) 245-4320  
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Weinbergstrasse 9  
8001 Zurich, Switzerland  
(01) 470844  
Telex: 57275

August 17, 1982  
FLD/82/109/ETS

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Mr. Charles Hillman  
Material Transfer SG Licensing Branch  
Division of Safeguards  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Dear Mr. Hillman:

This letter confirms our telephone conversation of August 16, 1982 and provides supplemental information you had requested in that conversation.

By letter dated November 13, 1981, NAC requested route approval for a series of irradiated reactor fuel shipments between the AECL Chalk River facility and the U.S. DOE Savannah River facility. Section 2 of that submittal indicated that the anticipated number of shipments in the series was 6.

By letter dated July 2, 1982 to (I&E) Region I, NAC made notification of the schedule for the proposed shipments. That schedule also indicated that six shipments were planned.

By letter dated August 13, 1982 to (I&E) Region I, NAC made notification of the schedule for an anticipated five (5) additional shipments in the series.

The basis for the planned increase in the number of shipments is that through the 5th scheduled shipment of the series only 53% of the Uranium and 42% of the Uranium 235 authorized by Import License ISNM 810005 Rev. 1 had been shipped. This is due primarily to the indefinite deferral of the shipment of NRX type fuel rods and on the selection of specific eligible NRU type fuel rods contained in each shipment.

The shipments identified as 6, 7, and 8 will be made in order to import the remaining material authorized by the import license.

The shipments identified as 9, 10, and 11 are identified for planning purposes and would be made if allowed by the constraints of the import license, otherwise they would be cancelled.

In view of the foregoing, Section 2 of our November 13, 1981 letter could be revised to indicate eight (8) shipments in the series, with a possible later, additional revision to indicate eleven (11) shipments in the series.

PDR

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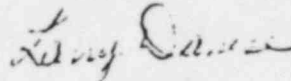
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Mr. Charles Hillman  
August 17, 1982  
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I hope that this has clarified the circumstances of the anticipated increase in the number of shipments, however, if additional information is needed, please let me know.

Sincerely,

NUCLEAR ASSURANCE CORPORATION



F. L. Danese  
Manager, Cask Operations

FLD:pwh

cc: Director, Region I  
U.S. Nuclear Regulatory Commission  
Office of Inspection and  
Enforcement  
631 Park Avenue  
King of Prussia, Pennsylvania 19406

Attn: Mr. A. Gody

Director, Region II  
U.S. Nuclear Regulatory Commission  
Office of Inspection and  
Enforcement  
101 Marietta Street  
Suite 3100  
Atlanta, GA 30303

Attn: Mr. M. D. McGuire