

PDR 016



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

APR 11 1986

Ms. Melody Carole Johnson
RD 3, Box 126-R
Dover, DE 19901

IN RESPONSE REFER
TO FOIA-85-647

Dear Ms. Johnson:

This is in response to your letter to the Federal Bureau of Investigation (FBI) dated August 22, 1984, in which you requested, pursuant to the Freedom of Information Act (FOIA), copies of documents relating to a possible plutonium smuggling ring being operated within the Kerr-McGee Cimmaron facility located in Crescent, Oklahoma.

The FBI has asked that the Nuclear Regulatory Commission (NRC) respond directly to you regarding the eight NRC originated documents found in FBI files. These eight documents are listed on the enclosed appendix. We are placing all of these records excluding number five, either in their entirety or in part in the NRC's Public Document Room (PDR) in file folder FOIA-85-647 in your name. The record listed at number five has previously been placed in the PDR in response to FOIA-79-272. Portions of documents one and two of the enclosed appendix contain information which identifies procedures for safeguarding licensed special nuclear material at a licensed facility or plant. This information is considered commercial or financial (proprietary) information pursuant to 10 CFR 2.790(d) and is being withheld from public disclosure pursuant to Exemption (4) of the FOIA (5 U.S.C. 552(b)(4)) and 10 CFR 9.5(a)(4) of the Commission's regulations.

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 NRC 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."

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Ms. Johnson

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During a recent telephone conversation with Nina Toms, you expressed your interest in reviewing any and all records pertinent to the Karen Silkwood incident. Ms. Toms explained that the NRC has made a voluminous amount of records relating to Karen Silkwood available for public inspection and copying at the PDR which is located at 1717 H Street, NW Washington, DC 20555. I am enclosing copies of responses to two earlier FOIA requests relating to Karen Silkwood listing the records which were released under these FOIA requests. In addition, Ms. Toms has been informed that you are being given a computer printout by the PDR listing records publicly available at the PDR relating to Karen Silkwood. I am, therefore, enclosing a copy of a notice outlining procedures and charges for obtaining copies of records.

Sincerely,



Donnie H. Grimsley, Director
Division of Rules and Records
Office of Administration

Enclosures: As stated

APPENDIX

1. 11/22/74 Memo to Thornburg from Hind, subject: "Kerr-McGee Nuclear Corp. - Possibility of Diversion of Trigger Quantity of Plutonium" (Docket No. 70-1193). (5 pages) - NR 6-6-75
2. 12/09/74 Memo to Davis from Keppler, subject: "Diversion Risk Analysis - Major Fuel Processing Facilities Docket No. 70-1193 (28 pages) NR 6-6-75
3. 12/30/74 Memo to R.O: III Files from Peck, subject: "Unusual Incident Involving Uranium Pellets - Kerr-McGee Uranium Plant (4 pages) - 117-2629-48
4. 01/22/75 Region III Investigation Report, dtd. Dec. 19 & 20, 1974 (6 pages) 117-2696-6 and 117-2696-8
5. 02/20/75 Letter to Kelley from Gossick re: Kerr-McGee (2 pages) NR 2-20-75 and NR 6-6-75
6. 03/04/75 Sketch of KMC Cimmaron facility by SA L.J. Olson (1 page) 117-2696-20
7. 03/20/75 Memo to Hind from Ridgway, subject: K-M Inspections OSHA and NRC and OCAW (3 pages) NR 6-6-75
8. 06/06/75 Letter to Duffin from Thornburg, re: Kerr-McGee (2 pages) 117-2696-48 and NR 6-6-75