



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

July 22, 2021

IN RESPONSE REFER TO:
NRC-2021-000181
[NRC-2021-000099]

Sent via email to: roald.ramsdal@tu.no

Mr. Roald Ramsdal
Teknisk Ukeblad
Teknisk Ukeblad Postboks 380 Sentrum
Oslo, Norway 0102

Dear Mr. Ramsdal:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated June 23, 2021, in which you appealed the agency's May 27, 2021 FOIA response related to your February 9, 2021 Freedom of Information Act (FOIA) request, NRC-2021-000099. In your February request, you sought a copy of two emails, dated May 13, 2020, and June 3, 2020, between the Norwegian Radiation and Nuclear Safety Authority (DSA) and the NRC regarding the former's investigation of irregularities in earlier research projects at the Halden reactor in Norway. In its response to your request, the NRC determined, after consulting with the DSA and the U.S. entity that was impacted by the discovery of Halden's research misconduct, that the emails may be released in part with the identity of the affected entity redacted on the basis of FOIA exemption (b)(4). You appealed the denial of information based, in part, on the fact that the affected entity's identity was ascertainable from the affected entity's public web site.

Acting on your appeal, I have reviewed the information withheld under exemption (b)(4) of FOIA. Under this exemption, an agency can withhold commercial and financial information if the information is held in confidence by its owner and if it is submitted to the agency with the assurance it will remain confidential.

The DSA has not made the identities of Halden's customers, including this U.S. entity, public, deferring to foreign regulators (including the NRC) to decide whether to release the information under the respective nation's laws. Upon receipt of your appeal, the FOIA Office contacted the U.S. entity for its views respecting disclosure of its identity, explaining the basis of your appeal.

Ramsdal, R.

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The U.S. entity indicated that it did not object to the disclosure of its identity. Given these circumstances, I have determined to grant your appeal. The two emails, with the previously withheld portions restored, are enclosed.

Sincerely,

David J. Nelson

Digitally signed by David J.
Nelson

Date: 2021.07.22 11:04:06 -04'00'

David J. Nelson
Chief Information Officer
Office of the Chief Information Officer

Enclosures:
As stated