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NRC FORM 464 Part I (10-2012)	U.S. NUCLEAR REGULATORY COMMISSION	FOIA/PA	RESPONSE NUMBER				
(10-2012)	RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) / PRIVACY ACT (PA) REQUEST (Continued)	2011-**** / 2012-****	See Part I.C.				
		RESPONSE FINAL					
REQUESTER See Part I.C		DATE 3 0 2013					
PART I.C COMMENTS							
The released portion o	f Group CE records relating to the following FOIA/PA request	are being publicly available;					
2011 FOIA/PA Request(s): FOIA/PA-2011-0140- Bill Dedman, Response #116							
FOIA/PA-2011-0147-	Jim Riccio, Response #121						
FOIA/PA-2011-0148-	Takeshi Yamashina, Response #119						
FOIA/PA-2011-0166-	Brad Heath, Response #121						
FOIA/PA-2011-0184-	FOIA/PA-2011-0184- Takao Ikeuchi, Response #121						
FOIA/PA-2011-0189- Jonathan McLaughlin/ Geoffrey H. Fettus, Response #121							
FOIA/PA-2011-0191- Roberta Rampton, Response #124							
FOIA/PA-2011-0195- Hannah Marie Northey, Response #121							
FOIA/PA-2011-0215-	Rebecca Smith, Response #121						
FOIA/PA-2011-0267-	Tetsuro Yamada, Response #121						
2012 FOIA/PA Reque							
FOIA/PA-2012-0069-	Deborah Solomon, Response #79						
FOIA/PA-2012-0172-	Takanori Eto, Response #37						

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NRC FORM 464 Part II	U.S. NUCLEAR REGULATORY COMMISSION	FOIA/PA	DATE						
RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) / PRIVACY ACT (PA) REQUEST									
PART II.A APPLICABLE EXEMPTIONS									
APPENDICES Records subject to the request that are described in the enclosed Appendices are being withheld in their entirety or in part under the Exemption No.(s) of the PA and/or the FOIA as indicated below (5 U.S.C. 552a and/or 5 U.S.C. 552(b)).									
Exemption 1: The withheld information is properly classified pursuant to Executive Order 12958.									
Exemption 2: The with	eld information relates solely to the internal perso	onnel rules and practices of NR	с.						
Exemption 3: The withh	eld information is specifically exempted from publ	ic disclosure by statute indicate	ed.						
Sections 141-145 2161-2165).	of the Atomic Energy Act, which prohibits the disc	closure of Restricted Data or Fo	rmerly Restricted Data (42 U.S.C.						
, , , , , , , , , , , , , , , , , , ,	Atomic Energy Act, which prohibits the disclosure	e of Unclassified Safeguards In	formation (42 U.S.C. 2167).						
41 U.S.C., Section 4702(b), prohibits the disclosure of contractor proposals in the possession and control of an executive agency to any person under section 552 of Title 5, U.S.C. (the FOIA), except when incorporated into the contract between the agency and the submitter of the proposal.									
Exemption 4: The with	neld information is a trade secret or commercial o	r financial information that is be	ing withheld for the reason(s) indicated.						
The information is	considered to be confidential business (proprieta	ry) information.	:						
	considered to be proprietary because it concerns m for special nuclear material pursuant to 10 CFF		sical protection or material control and						
The information w	as submitted by a foreign source and received in	confidence pursuant to 10 CFR	2.390(d)(2).						
	rm an identifiable private or governmental interest								
	neld information consists of interagency or intraag le privileges:	jency records that are not available	able through discovery during litigation.						
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 entirety, 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-pro	duct privilege. (Documents prepared by an attorr	ney in contemplation of litigatior))						
Attorney-client priv	vilege. (Confidential communications between an	attorney and his/her client)							
Exemption 6: The withheld information is exempted from public disclosure because its disclosure would result in a clearly unwarranted invasion of personal privacy. Exemption 7: The withheld information consists of records compiled for law enforcement purposes and is being withheld for the reason(s)									
 indicated. (A) Disclosure could reasonably be expected to interfere with an enforcement proceeding (e.g., it would reveal the scope, direction, and focus of enforcement efforts, and thus could possibly allow recipients to take action to shield potential wrong doing or a violation of NRC requirements from investigators). 									
(C) Disclosure could constitute an unwarranted invasion of personal privacy.									
(D) The information consists of names of individuals and other information the disclosure of which could reasonably be expected to reveal identities of confidential sources.									
reasonably be e	ld reveal techniques and procedures for law enfor expected to risk circumvention of the law.		-						
(F) Disclosure could reasonably be expected to endanger the life or physical safety of an individual.									
OTHER (Specify)									
	PART II.B DENYIN	G OFFICIALS							
Pursuant to 10 CFR 9.25(g), 9.25(h), and/or 9.65(b) of the U.S. Nuclear Regulatory Commission 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 person responsible for the denial are those officials identified below as denying officials and the FOIA/PA Officer for any denials that may be appealed to the Executive Director for Operations (EDO).									
DENYING OFFICIAL	TITLE/OFFICE	RECORDS	DENIED APPELLATE OFFICIAL EDO SECY IG						
Patricia Hirsch	FOIA/PA Officer for Japan-Related FOIA	s Appendix CE							
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Appeal must be made in wri	ting within 30 days of receipt of this respons	se. Appeals should be mail	ed to the FOIA/Privacy Act Officer						
U.S. Nuclear Regulatory Co	U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, for action by the appropriate appellate official(s). You should clearly state on the envelope and letter that it is a "FOIA/PA Appeal."								

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