NRC FORM 464 Part I (10-2012)

U.S. NUCLEAR	REGULATORY	COMMISSION

RESPONSE TO FREEDOM OF

FOIA/PA	
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RESPONSE NUMBER

2011-**** / 2012-****

See Part I.C.

INFORMATION ACT (FOIA) / PRIVACY ACT (PA) REQUEST	RESPONSE FINAL PARTIAL							
REQUESTER See Part I.C	DATE 1 1 2013							
PART I INFORMATION RELEASED								
No additional agency records subject to the request have been located.								
Requested records are available through another public distribution program.	Requested records are available through another public distribution program. See Comments section.							
Agency records subject to the request that are identified in the listed appendices are already available for public inspection and copying at the NRC Public Document Room.								
Agency records subject to the request that are identified in the public inspection and copying at the NRC Public Document F	Agency records subject to the request that are identified in the listed appendices are being made available to [
Enclosed is information on how you may obtain access to and the charges for copying records located at the NRC Public Document Room, 11555 Rockville Pike, Rockville, MD 20852-2738.								
Agency records subject to the request are enclosed.	Agency records subject to the request are enclosed.							
Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (see comments section) for a disclosure determination and direct response to you.								
✓ We are continuing to process your request.								
✓ See Comments.								
PART I.A FEES								
\$ You will be billed by NRC for the amount listed. None. Minimum fee threshold not met. * See comments for details You will receive a refund for the amount listed. Fees waived.								
PART I.B INFORMATION NOT LOCATED OR WITHHEL	D FROM DISCLOSURE							
No agency records subject to the request have been located. For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV (2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.								
Certain information in the requested records is being withheld from disclosure and for the reasons stated in Part II.	Certain information in the requested records is being withheld from disclosure pursuant to the exemptions described in and for the reasons stated in Part II.							
This determination may be appealed within 30 days by writing to the FOIA/PA Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Clearly state on the envelope and in the letter that it is a "FOIA/PA Appeal."								
PART I.C COMMENTS (Use attached Comments continuation page if required) The released portions of Group BU records relating to your 2011 or 2012 FOIA/PA request (Please see attached Comments continuation page for list of FOIA/PA request and corresponding response number) are being made publicly available in the "NRC Library" at								
http://www.nrc.gov/reading-rm/foia/japan-foia-info/2011 (for 2011-**** FOIA/PA Requests) http://www.nrc.gov/reading-rm/foia/japan-foia-info/2012 (for 2012-**** FOIA/PA Requests)								
As the NRC makes records publicly available, you will be notified in writing.								
SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER								
Laura Pearson								

NRC FORM 464 Part I U.S. NUCLEAR REGULATORY COMMISSION RESPONSE NUMBER FOIA/PA (10-2012) 2011-**** / 2012-**** See Part I.C. RESPONSE TO FREEDOM OF **INFORMATION ACT (FOIA) / PRIVACY** RESPONSE ✓ PARTIAL **FINAL ACT (PA) REQUEST (Continued) TYPE** REQUESTER DATE 41 1 11 1119 See Part I.C PART I.C COMMENTS (Continued) The released portion of Group BU records relating to the following FOIA/PA request are being publicly available; 2011 FOIA/PA Request(s): FOIA/PA-2011-0140- Bill Dedman, Response #107 FOIA/PA-2011-0147- Jim Riccio, Response #112 FOIA/PA-2011-0148-Takeshi Yamashina, Response #110 FOIA/PA-2011-0166- Brad Heath, Response #112 FOIA/PA-2011-0184- Takao Ikeuchi, Response #112 FOIA/PA-2011-0189- Jonathan McLaughlin/ Geoffrey H. Fettus, Response #112 FOIA/PA-2011-0191- Roberta Rampton, Response #115 FOIA/PA-2011-0195- Hannah Marie Northey, Response #112 FOIA/PA-2011-0215- Rebecca Smith, Response #112 FOIA/PA-2011-0267- Tetsuro Yamada, Response #112 2012 FOIA/PA Request(s): FOIA/PA-2012-0069- Deborah Solomon, Response #70 FOIA/PA-2012-0172- Takanori Eto, Response #28

NRC FORM 464 Part II (1-2012)

U.S. NUCLEAR REGULATORY COMMISSION

FOIA/PA

DATE

JUL 1 1 2013 RESPONSE TO FREEDOM OF INFORMATION 2011-****/2012-****

AC1	(FOIA) / <u>P</u> R	RIVACY ACT (PA) REQUEST			_		
		PART II.A APPLICABLE EX	EMPTIONS				
APPENDICE BU	Necolus sc	ubject to the request that are described in the enclosed A No.(s) of the PA and/or the FOIA as indicated below (5	appendices are being with	nheld in their entirety or in part S.C. 552(b)).	under the		
Exe	mption 1: The withl	held information is properly classified pursuant to Execu	tive Order 12958.				
Exe	emption 2: The with	held information relates solely to the internal personnel r	ules and practices of NR	C.			
Exe	mption 3: The with	held information is specifically exempted from public disc	closure by statute indicate	ed.			
	Sections 141-145 2161-2165).	5 of the Atomic Energy Act, which prohibits the disclosure	e of Restricted Data or Fo	rmerly Restricted Data (42 U.	S.C.		
	•	e Atomic Energy Act, which prohibits the disclosure of U	nclassified Safeguards In	formation (42 U.S.C. 2167).			
		on 4702(b), prohibits the disclosure of contractor proposal rson under section 552 of Title 5, U.S.C. (the FOIA), except proposal.	•		ency and		
Exe	mption 4: The with	nheld information is a trade secret or commercial or finan	cial information that is be	ing withheld for the reason(s)	indicated.		
	The information is	s considered to be confidential business (proprietary) info	ormation.				
		s considered to be proprietary because it concerns a lice am for special nuclear material pursuant to 10 CFR 2.39		sical protection or material cor	ntrol and		
	The information v	was submitted by a foreign source and received in confid	ence pursuant to 10 CFR	R 2.390(d)(2).			
		arm an identifiable private or governmental interest.					
✓ Exe		nheld information consists of interagency or intraagency ole privileges:	records that are not availa	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	oduct privilege. (Documents prepared by an attorney in	contemplation of litigation	n)			
	Attorney-client pri	ivilege. (Confidential communications between an attorr	ney and his/her client)				
	invasion	nheld information is exempted from public disclosure become of personal privacy.					
Exe	indicate			•	` '		
(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.							
一	(D) The information	n consists of names of individuals and other information	•	ould reasonably be expected t	o reveal		
H		nfidential sources. uld reveal techniques and procedures for law enforcemer	at investigations or proces	cutions or quidelines that cou	ıa		
	reasonably be	expected to risk circumvention of the law.			iu		
		ld reasonably be expected to endanger the life or physic	al safety of an individual.				
	HER (Specify)						
	· · ·	PART II.B DENYING OF					
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).							
DENYI	NG OFFICIAL	TITLE/OFFICE	RECORDS	DENIED APPELLATE EDO SEG			
Laura Pearson		FOIA/PA Officer for Japan-Related FOIAs	Appendix BU	V			
Appeal mu	st be made in wr	iting within 30 days of receipt of this response. A	ppeals should be maile	ed to the FOIA/Privacy Act	Officer,		

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."