

ENCOURAGING RESPONSIBLE DEVELOPMENT TODAY ~ FOR TOMORROW

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VIA ELECTRONIC MAIL

April 6, 2009

U.S. Nuclear Regulatory Commission
FOIA/Privacy Officer Mailstop: T-5F11
Washington, DC 20555-0001
FOIA.resource@nrc.gov

FOIA/PA REQUEST

Case No.: 2009-0131
Date Rec'd: 4-6-09
Specialist: Dennis
Related Case: _____

RE: Freedom of Information Act Request

This is a request made pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. §§ 552, *et seq.* I am a staff member of the Powder River Basin Resource Council (PRBRC). PRBRC is a nonprofit corporation, tax-exempt under Section 501(c)(3) of the Internal Revenue Code, that educates and empowers our organizational members and other Wyoming residents to raise a coherent voice in the decisions that will impact their environment and rural lifestyle. On behalf of PRBRC, I request that a copy of the following documents, or documents containing the following information, be provided to me:

1. Any data logs, correspondence, or other information, including electronic mail, between NRC staff, the Environmental Protection Agency, and/or uranium recovery operators regarding emissions of radon or other hazardous air pollutants from evaporation ponds at licensed (or previously licensed) facilities in Wyoming.

We believe our request is not exempt from disclosure under 5 U.S.C. § 552(b)(2)-(b)(7). However, if any portion of this request is denied, please provide us with a detailed explanation of the justification.

We request a waiver of all fees for this request pursuant to 5 U.S.C. § 552(a)(4). The requested records relate to NRC oversight functions of ISL uranium projects. The requested analysis and correspondence, and the policies and procedures on which they are based, define projects and activities NRC will support or otherwise define the scope of NRC's regulatory oversight over uranium recovery operations and are thus clearly "operations or activities of the government."

Additionally, disclosure of the requested information to our organization is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government. The information we obtain will contribute significantly to public understanding because it will be disclosed, free of charge, to our members and the public-at-large. We frequently correspond with members of the media, provide public testimony and

comments to federal, state, and local agencies, post information on our website, and otherwise disclose information to the public. Additionally, we regularly communicate with our members through individual and group meetings, phone calls, and other correspondence, and through a publication called *Powder River Breaks*, which is published six times a year. *Powder River Breaks* is mailed to all of our members and is available on our website. We will disclose any pertinent information we learn through this request via these avenues and others available to us. The information will help our members and the public-at-large better understand uranium mining projects, including oversight and regulatory authority and potential environmental impacts.

As a nonprofit organization, we have no commercial interest in the information. As mentioned above, the requested records will be used for the furtherance of our educational mission to inform the public on matters of importance to the environment and natural resources.

If a fee waiver is not granted, we request that you minimize our costs by copying the materials electronically through a data compact disc or other means. If our fees are expected to be greater than \$50, please obtain my authorization before any such charges are incurred.

If you have any questions or need additional information, please do not hesitate to contact me at (307) 672-5809 or via e-mail at sanderson@powderriverbasin.org.

Thank you for your consideration of this request.

Sincerely,

/s/

Shannon Anderson

Powder River Basin Resource Council, 934 N. Main St., Sheridan, WY 82801

FOIA Resource

From: Shannon Anderson [sanderson@powderriverbasin.org]
Sent: Monday, April 06, 2009 11:35 AM
To: FOIA Resource
Subject: Freedom of Information Act Request
Attachments: FOIAtoNRCreHAPs.pdf

Please see attached. Thank you,

Shannon Anderson
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