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FOIA/PA REQUEST

Case No.: 2010-0039
Date Rec'd: 11-10-09
Specialist: Christian
Related Case: _____

November 10, 2009

Via E-mail

Maria D. Webb
Phone: 202.663.8302
maria.webb@pillsburylaw.com

FOIA/Privacy Act Officer
U.S. Nuclear Regulatory Commission
Mail Stop T-5 F09
Washington, D.C. 20555-0001

Re: REVISED Freedom of Information Act Request

Dear Sir or Madam:

Please withdraw my FOIA Request (FOIA/PA-2010-0027, dated October 29, 2009) and replace it with the following request. Please assign this Request a new FOIA number.

Pursuant to 5 U.S.C. § 552, as amended, and 10 C.F.R. § 9.23(b), I request copies of the following records, *to the extent that such records are not available in the NRC Public or Legacy ADAMS system*:

- (1) Any Agency Records concerning the September 30, 2009 agreement (the "Agreement") between the NRC and the State of New Jersey pursuant to Section 274 of the Atomic Energy Act of 1954, 42 U.S.C. § 2021, published in the Federal Register on October 8, 2009 (74 Fed. Reg. 51,882);
- (2) Any Agency Records concerning the transfer from the NRC to the State of New Jersey of regulatory authority over Shieldalloy Metallurgical Corporation's ("Shieldalloy") NRC Materials License No. SMB-743 (NRC Docket No. 40-7102) for its Newfield, New Jersey facility;
- (3) Any Agency Records concerning SECY-09-0065, "Proposed Agreement between the State of New Jersey and the Commission Pursuant to Section 274 of the Atomic Energy Act of 1954, as Amended" (April 23, 2009);
- (4) Any Agency Records concerning SECY-09-0114, "Section 274B Agreement with the State of New Jersey" (August 18, 2009);
- (5) Any Agency Records concerning any public comments submitted in response to four Federal Register notices concerning the proposed Agreement between the State of New Jersey and the NRC: 74 Fed. Reg. 25,283 (May 27, 2009), 74 Fed. Reg.

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26,739 (June 3, 2009), 74 Fed. Reg. 27,572 (June 10, 2009), and 74 Fed. Reg. 28,728 (June 17, 2009);

(6) Any Agency Records concerning the classification of the "License Termination Rule [LTR]," in Subpart E of 10 C.F.R. Part 20 as noticed in the Federal Register on July 21, 1997 (62 Fed. Reg. 39,058) as Compatibility Category "C" and assessing the impact of New Jersey regulations being more stringent than the LTR. *See SECY-09-114, Enclosure 2, at page 5;*

(7) Any Agency Records, beginning on August 1, 2007, concerning communications relating to the proposed Agreement, or the Agreement, between the NRC and the State of New Jersey, between the NRC and members of the New Jersey Congressional delegation or other members of Congress, and between the NRC and the Department of Justice regarding the Agreement; and

(8) Any Agency Records, beginning on October 1, 2005, concerning any communications between the NRC and the State of New Jersey relating to Shieldalloy's request to the NRC for approval of Shieldalloy's decommissioning plan for its Newfield, New Jersey licensed facility which have not been sent to, or from, Shieldalloy

I agree to pay reasonable fees associated with this request. If the fees will exceed \$2,000.00 (two thousand dollars), please advise me in advance. The documents produced in response to this request can be made available in electronic form on compact disks instead of paper copies.

Thank you for your prompt response to this FOIA request.

Very truly yours,

Maria D. Webb
Senior Energy Legal Analyst/Paralegal Coordinator

FOIA Resource

From: Webb, Maria D. [maria.webb@pillsburylaw.com]
Sent: Tuesday, November 10, 2009 9:09 AM
To: FOIA Resource
Subject: REVISED FOIA Request
Attachments: REVISED NRC FOIA Request 11102009.pdf

Good Morning FOIA Staff,

Attached please find my REVISED FOIA request concerning the Agreement between the NRC and the State of New Jersey.

Please withdraw my earlier FOIA Request (FOIA/PA-2010-0027, dated October 29, 2009) and replace it with this request.

Please assign this revised FOIA Request a new number.

Thank you in advance for your prompt assistance with this request.

Maria D. Webb
Senior Energy Legal Analyst/Paralegal Coordinator
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