

FOIA/PA REQUEST

Case No.: 2014-0080
Date Rec'd: 12/6/13
Specialist: Graff
Related Case:

December 5, 2013

Freedom of Information/Public Affairs Officer
U.S. Nuclear Regulatory Commission
Washington, DC 20555-001
Phone: (301) 415-7000
Email: FOIA.resource@nrc.gov

Subject: FREEDOM OF INFORMATION ACT REQUEST

SENT VIA E-MAIL ATTACHMENT – CONFIRMATION REQUESTED

Dear Sir/Madam:

I hereby submit this Freedom of Information Act (“FOIA”) request pursuant to the requirements of 5 U.S.C. §552(a). I request written confirmation (preferably by e-mail) of the receipt of this request. This FOIA request is submitted pursuant to the instructions for making FOIA requests as set forth on the USNRC website at <http://www.nrc.gov/reading-rm/foia/foia-request.html>.

I hereby request a copy of the following agency records in the custody of the Office of Federal and State Materials and Environmental Management Programs:

1. Records of any communications between FSME staff and any representative of Mineral Ablation, LLC or Ablation Technologies, LLC, dated August 13, 2013 through November 19, 2013.
2. Internal emails among any FSME staff related to the process of ablation, Mineral Ablation, LLC, Ablation Technologies, LLC, or the scheduling of a meeting between NRC staff and Mineral Ablation, LLC to discuss the company’s ablation pilot project in Wyoming and discuss legal and regulatory aspects related to using the ablation process to recover uranium from ore, dated August 13, 2013 through November 19, 2013.

The following records are specifically excluded from this request:

1. ML13224A259 – Black Range Minerals Limited July 2013 report
2. ML13227A070 – 8/13/13 email from Doug Mandeville to Ablation Tech.
3. ML13326A858 – 11/19/13 letter from Mineral Ablation to Andrew Persinko

For the purpose of this request, the term “records” also includes, but is not limited to: letters, correspondences, memoranda, applications, faxes and facsimiles, notes, telephone messages, transcripts, declarations, and all other handwritten, printed, or typed documents – as well as electronic records such as e-mail messages, email attachments, digital voicemail messages, and any other computer files.

Please provide all responsive records in electronic format if possible, preferably on CD-ROM.

If you determine that portions of any records covered by this request are exempt from disclosure, please separate the exempt portions of documents from the nonexempt portions and provide me with copies of the nonexempt portions. For any records that you determine to be exempt from release, please provide me with a specific description of the record or portion of the record along with a particularized description of the legal basis for withholding it.

I am the founder and webmaster of the website powertechexposed.com. Powertechexposed.com is a website with the mission of educating the public about the potential environmental and public health risks from uranium mining, recovery, and milling, with a specific focus on Powertech Uranium Corp.'s proposed Centennial project in Colorado and Dewey-Burdock project in South Dakota. Through education and the dissemination of information, I seek to help residents protect their health and the quality of their water, air, and other environmental resources.

Release of the records described in this request will primarily benefit the public and contribute to the understanding of the NRC's policies and activities concerning regulation of the unconventional uranium processing activity of ablation. Through publication via the aforementioned website, I intend to make the information obtained from this request available to potentially-affected residents, local officials, and the general public.

Release of the information will help empower members of the public to engage in public advocacy efforts to protect and conserve the resources of Colorado and South Dakota. I do not seek these documents for commercial use.

Accordingly, I request that you grant a waiver of fees pursuant to 5 U.S.C. § 522 (a)(4)(A). I expect that such a waiver will be granted. However, if a waiver is not granted, please inform me of the cost of disclosing the above described records if such fees exceed \$25.00.

I look forward to your response within 20 business days as required by the FOIA. If I do not receive a response within 20 business days, I will deem this request denied. If you have any questions regarding the scope of this request, or any concerns, please feel free to contact me at (b)(6) or via email at (b)(6). Thank you for your time and attention.

Respectfully submitted,

/s/ James B. Woodward

Mailing address and daytime phone number:

(b)(6)

