



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

October 2, 2014

Kenneth Meiners
656 E. Borgfeld Rd.
San Antonio, TX 78260

IN RESPONSE REFER TO
FOIA/PA-2014-0037A
(FOIA/PA-2014-0342)

Dear Mr. Meiners:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter received on September 3, 2014. In it, you appealed the agency's July 30, 2014, administrative closure of your July 16, 2014, Freedom of Information Act/Privacy Act (FOIA/PA) request (FOIA/PA-2014-0378). You had requested documents regarding an explosion at Medina base on November 13, 1963.

In conversations with you on July 30, 2014, you indicated that the U.S. Air Force was the entity that was likely to have records responsive to the request, particularly considering your assertion that the nature of the records would be regarding an inadvertent detonation of a nuclear bomb. You indicated that an entity responsible for the regulation of commercial nuclear energy (such as the NRC) would be unlikely to have records responsive to your request. As such, in that conversation, you agreed to the administrative closure of your request.

However, you have now appealed that administrative closure. Specifically, you have provided additional documentation consisting of an appendix from the Southeastern Radiological Health Laboratory, and you have indicated that:

"Here is some prof (sic) that over 1 million people were exposed to nuclear boom (sic) and 238 R in the city of San Antonio." You then reiterated your request "for all the informatin (sic) containing (sic) to the use of American Citizens being used as ginny (sic) pigs and the murder of American citizens."

In your request, you also stated that the NRC should have records regarding this incident, adding that "all the people that worked on bases here were not told that they were working in radioactive work areas on bases. Here again were (sic) was the help from NRC." You reiterated this point in your August 11, 2014 FOIA appeal, stating that "(t)he Nuclear Regulatory Commission was set up to help the American Citizens (sic) Where is the help." You still have yet to provide any indication that records responsive to your request are likely to be found at the NRC.

However, as your underlying request was administratively closed at your request, if you did not intend to administratively close your request, you could indicate (as you have) that you would prefer that your request continue to be processed, and that a search reasonably calculated to uncover all relevant documents take place. This request then results in a search for responsive records related to your original request.

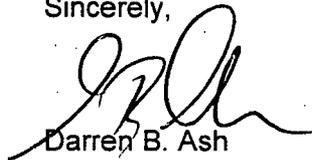
Acting on your appeal (enclosed as Document 1), I have carefully reviewed the record in the case. Your request is being remanded to be re-opened as a new FOIA request and will be processed consistent with this holding.

This is the NRC's final decision as to your appeal of the administrative closure of your FOIA request. As set forth in the FOIA (5 U.S.C. 552(a)(4)(B)), you can obtain judicial review of this decision in a district court of the United States in the district in which you reside or have your principal place of business. You can also obtain judicial review in the district in which the agency's records are situated or in the District of Columbia.

As part of the 2007 FOIA amendments, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a nonexclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. You may contact OGIS in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
Room 2510
8601 Adelphi Road
College Park, MD 20740-6001
E-mail: ogis@nara.gov
Telephone: 301-837-1996
Facsimile: 301-837-0348
Toll-free telephone: 1-877-684-6448

Sincerely,



Darren B. Ash
Deputy Executive Director
for Corporate Management
Office of the Executive Director for Operations

Enclosures:
As stated