

**RESPONSE TO FREEDOM OF  
INFORMATION ACT (FOIA) / PRIVACY  
ACT (PA) REQUEST**

2016-0060

1

RESPONSE  
TYPE

INTERIM

FINAL

REQUESTER

David Lochbaum

DATE

December 18, 2015

**PART I. -- INFORMATION RELEASED**

- No additional agency records subject to the request have been located.
- Requested records are available through another public distribution program. See Comments section.
- |       |
|-------|
| GROUP |
|-------|

 Agency records subject to the request that are identified in the specified group are already available in public ADAMS or on microfiche in the NRC Public Document Room.
- |       |
|-------|
| GROUP |
|-------|

 Agency records subject to the request that are contained in the specified group are being made available in public ADAMS.
- |       |
|-------|
| GROUP |
|-------|

 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**

AMOUNT\*

\$ 

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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 WITHHELD FROM DISCLOSURE**

- We did not locate any agency records responsive to your request. *Note:* Congress allowed agencies to treat three discrete categories of law enforcement and national security records as not subject to the FOIA ("exclusions"). See 5 U.S.C. 552(c). This is a standard notification that we give to all requesters; it should not be taken as an indication that any of these excluded records do, or do not, exist.
- We have withheld certain information in the records from disclosure pursuant to the FOIA exemptions described, and for the reasons stated, in Part II.
- Because this is an interim response to your request, you may not appeal this determination at this time. We will notify you of your right to appeal any of the responses we have issued in response to your request when we issue our final determination on your request.
- You may appeal this final determination within 30 calendar days of the date of this response, by writing to the FOIA Officer, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001. Please be sure to mark your letter/envelope or email that it is a "FOIA Appeal."

**PART I.C COMMENTS ( Use attached Comments continuation page if required)**

The incoming FOIA request which, after rescoping by a 10/29/2015 email from the requester, sought access to certain records related to the MOX fuel fabrication facility that are in non-public ADAMS dated 1/1/2011 or later, will be made available in public ADAMS as ML#15300A467.

In light of your submission of FOIA-2016-00154 for the specific documents relating to the Mox facility that you identified from the listing recently provided you, we are considering FOIA-2016-0060 withdrawn and therefore are administratively closing it.

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

*Roger D. Andoh*