



RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

2017-0581

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RESPONSE TYPE INTERIM FINAL

REQUESTER:

Vanessa Kemp/ Susan Brice

DATE:

DESCRIPTION OF REQUESTED RECORDS:

All records related to any investigation, remediation, or removal activities related to the presence of thorium, uranium or other radionuclide material located at the specified properties in New York,

PART I. - INFORMATION RELEASED

You have the right to seek assistance from the NRC's FOIA Public Liaison. Contact information for the NRC's FOIA Public Liaison is available at <https://www.nrc.gov/reading-rm/foia/contact-foia.html>

- Agency records subject to the request are already available on the Public NRC Website, in Public ADAMS or on microfiche in the NRC Public Document Room.
- 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

NO FEES

AMOUNT*

\$7273.74

*See Comments for details

- You will be billed by NRC for the amount listed.
- You will receive a refund for the amount listed.
- Fees waived.

- Minimum fee threshold not met.
- Due to our delayed response, you will not be charged fees.

PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE

- We did not locate any agency records responsive to your request. *Note:* Agencies may treat three discrete categories of law enforcement and national security records as not subject to the FOIA ("exclusions"). 5 U.S.C. 552(c). This is a standard notification given to all requesters; it should not be taken to mean that any excluded records do, or do not, exist.
- We have withheld certain information 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 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.
- You may appeal this final determination within 90 calendar days of the date of this response by sending a letter or e-mail to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or FOIA.Resource@nrc.gov. Please be sure to include on your letter or email that it is a "FOIA Appeal." You have the right to seek dispute resolution services from the NRC's Public Liaison, or the Office of Government Information Services (OGIS). Contact information for OGIS is available at <https://ogis.archives.gov/about-ogis/contact-information.htm>

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

* Thank you for your pre-payment in the amount of 11,840.55. Since the actual search and review time was less than estimated (10 hours of search, 71 hours of review at \$56.36 each plus 1 CD for \$1.65, Total \$4,566.81) the NRC will send a refund in the amount of \$7,273.74 to you.

Please see comments, continued on next page.

Signature - Freedom of Information Act Officer or Designee

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**RESPONSE TO FREEDOM OF INFORMATION
ACT (FOIA) REQUEST Continued**

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PART I.C COMMENTS (Continued)

Records being released in their entirety

- 1) 04/22/1982 8205070120 Submits review of "Environ Surveillance Plan for DOE Niagara Falls Storage Site (NFSS),Lewiston, NY," NLCO-008EV.Routine health physics program acceptable. Specific details for implementation should be provided.
- 2) 06/24/1982 8210010434 Forwards "Summary of Radiological Survey of NL Industries Niagara Falls Plant," final rept.
- 3) 10/31/1983 8401300108 Forwards settlement agreement transferring title of Afrimet-Indussa, Inc residues at Niagara Falls,NY & Fernald OH to DOE effective 830701
- 4) 06/26/1984 8412210091 Responds to FOIA request for three categories of info re NUMEC Niagara facility located near Lewiston, NY.NRC has no documents subj to request .DOE should be contacted for response
- 5) 04/09/1986 8605080450 Forwards Apr 1986 DOE final EIS on "Long-Term Mgt of Existing Radwaste & Residues at Niagara Falls Storage Site." DOE prefers in-place mgt at Niagara Falls w/modified containment
- 6) 04/15/1996 9605130323 Submits Petition re unregulated radon release from Niagara landfill.
- 7) 10/07/1996 9610160258 Responds to 960918 ltr re Niagara Landfill on River Road in Tonawanda. Concerns over safety for school children & request for new radon sample be taken of landfill Dept determined emissions to not pose health threat as of Feb 1996.
- 8) 09/18/1996 9611060050 Requests that new radon sample be taken of Niagara Landfill & naturally occurring soils using similar methods & acceptable scientific practices in order to accurately determine real radon emissions coming from landfill
- 9) 11/07/1996 9611180029 Forwards 961015-16 completed first quarterly analysis of landfill gas from Browning-Ferris Industries Niagara Landfill on River Road in Tonawanda.
- 10) 10/29/1996 9612060170 Forwards OGC rewrite of placeholder ltr to FACTS on Tonowanda to be sent out if no significant problems noted.
- 11) 09/04/1996 9612060178 Requests response re 960326 ltr from J Rauch concerning radon release from Niagara landfill in Tonawanda, NY.
- 12) 08/14/1998 9810210253 Forwards copy of contractor sampling & analysis plans & preliminary analytical results indicating that no hazardous wastes have been encountered in matls at Ashland 2 site in Tonowanda, NY.
- 13) 12/01/1998 9812090025 Application for amend to license SUA-1358,seeking authorization to receive & process uranium bearing matl from Ashland 1 FUSRAP site near Tonowanda, NY.