



# RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

2018-000438

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RESPONSE TYPE  INTERIM  FINAL

**REQUESTER:**

Carlos L. Sisco

**DATE:**

03/27/2018

**DESCRIPTION OF REQUESTED RECORDS:**

Under NRC Contract No. NRC-03-79-118, as relating to Environmental Qualification review tasks, a list of all Franklin Research Center and Idaho National Laboratory deliverables, and monthly or other periodic project status reports, prepared by these entities and submitted to the NRC.

## PART I. -- INFORMATION RELEASED

- The NRC has made some, or all, of the requested records publicly available through one or more of the following means: (1) <https://www.nrc.gov>; (2) public ADAMS, <https://www.nrc.gov/reading-rm/adams.html>; (3) microfiche available in the NRC Public Document Room; or FOIA Online, <https://foiaonline.regulations.gov/foia/action/public/home>.
- 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 Part I.D -- Comments) for a disclosure determination and direct response to you.
- We are continuing to process your request.
- See Part I.D -- Comments.

## PART I.A -- FEES

AMOUNT
<b>\$112.72</b>

- You will be billed by NRC for the amount indicated.
- You will receive a refund for the amount indicated.
- Fees waived.
- Since the minimum fee threshold was not met, you will not be charged fees.
- 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"). See 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. If you submit an appeal by mail, address it to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Mail Stop T-2 F43, Washington, D.C. 20555-0001. You may submit an appeal by e-mail to [FOIA.resource@nrc.gov](mailto:FOIA.resource@nrc.gov). You may fax an appeal to (301) 415-5130. Or you may submit an appeal through FOIA Online, <https://foiaonline.regulations.gov/foia/action/public/home>. Please be sure to include on your submission that it is a "FOIA Appeal."

## PART I.C -- REFERENCES AND POINTS OF CONTACT

You have the right to seek assistance from the NRC's FOIA Public Liaison by submitting your inquiry at <https://www.nrc.gov/reading-rm/foia/contact-foia.html>, or by calling the FOIA Public Liaison at (301) 415-1276.

If we have denied your request, you have the right to seek dispute resolution services from the NRC's Public Liaison or the Office of Government Information Services (OGIS). To seek dispute resolution services from OGIS, you may e-mail OGIS at [ogis@nara.gov](mailto:ogis@nara.gov), send a fax to (202) 741-5789, or send a letter to: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001. For additional information about OGIS, please visit the OGIS website at <https://www.archives.gov/ogis>.



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**PART I.D -- COMMENTS**

NRC staff in the Office of Administration (ADM), which maintains contract-related records, has informed us that, in accordance with record retention schedules, ADM no longer has any records pertaining to this old contract. Likewise, NRC staff in the Office of Nuclear Reactor Regulation (NRR) informed us that it did not possess a listing of deliverables under the contract, or any project status reports that may have been prepared during the course of the contract.

The FOIA does not obligate agencies to create a record that is not in their possession at the time a FOIA request is received. However, as a matter of discretion, NRR staff, using the terms "NRC-03-79-118" and "qual" (as in "environmental qualification") compiled the enclosed listing of the records that had been profiled with these terms when the records were entered into the Agency-wide Documents Access and Management System (ADAMS). ADAMS is NRC's official recordkeeping system. You'll note that a few of the records included on this listing are already publicly available through the NRC's Public Document Room (PDR). Because these records are maintained in the Public Legacy Library, in order to obtain any of these records, please contact the PDR staff at 301-415-4737, or 1-800-397-4209, or by email to PDR.Resource@nrc.gov. For the records included on the listing that are not profiled as publicly available, you may submit a new FOIA request for those that interest you, which will allow NRC staff (with input from the licensees, if applicable) to consider whether such records may now be released to you.

Signature - Freedom of Information Act Officer or Designee

**Stephanie A. Blaney**

Digitally signed by Stephanie A. Blaney

Date: 2018.03.27 11:28:47 -04'00'