

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

2019-000209

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RESPONSE
TYPE☐

INTERIM

☒

FINAL

REQUESTER:

Alexander Elkan

DATE:

04/18/2019

DESCRIPTION OF REQUESTED RECORDS:

U.S. Army Corps of Engineers (USACE) Wilmington district documents related to the General Electric/Global Nuclear Fuels Facility, Hilton Prop. Ltd. Partnership Parcels, and Hilton Prop. LP Sand Mine.

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

- ☐ 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 search and/or duplication fees that would otherwise be applicable to your request.

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. 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, 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

The U.S. Army Corps of Engineers (ACE) referred a number of records to the U.S. Nuclear Regulatory Commission (NRC) for direct reply to you. In the course of reviewing the referred records, we found one record that originated with ACE. As such, we returned that record to ACE's FOIA Office; you should expect a response from that office shortly.

With respect to the remaining records that originated with NRC, all of those records have already been available to the public in ADAMS and were given the following ML#s:

ML091320332	ML090750333	ML092260010	ML100630761
ML092710569	ML091960561	ML092030396	ML113210208
ML12171A688	ML091960499	ML092260021	ML092160057
ML091530293	ML091620188	ML092290248	ML091190162
ML091470539	ML091660481	ML092380591	ML092360314
ML091330032	ML092010063	ML090820439	ML090440244
ML091180092	ML091590137	ML090690695	ML092240179
ML091100107	ML091630277	ML090610198	ML090440234
ML091100104			

Signature - Freedom of Information Act Officer or Designee

Stephanie A. Blaney

Digitally signed by Stephanie A. Blaney

Date: 2019.04.18 13:59:47 -04'00'