



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

2020-000101

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RESPONSE TYPE

INTERIM

FINAL

**REQUESTER:**

Aaron M. Paul

**DATE:**

02/03/2020

**DESCRIPTION OF REQUESTED RECORDS:**

All documents dated, created, or modified on or after January 1, 1995, relating to the development, submission, review, analysis, revision, or approval of reclamation plans for the White Mesa uranium mill near Blanding, Utah, Docket No. 40-8681

**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.gov/foiaonline/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**

<b>AMOUNT</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 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-6 A60M, 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. Please be sure to include on your submission that it is a "FOIA Appeal." Only a pre-registered user may file an appeal through FOIA Online, <https://foiaonline.gov/foiaonline/action/public/home>. A user who has not registered an account prior to filing the initial FOIA request may still submit their appeal by one of the above mentioned options.

**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

In NRC-2019-000132, you originally requested the above-described records. After receiving our response, you submitted an appeal (NRC-2020-000076) that, in part, successfully challenged the adequacy of the search. Upon remand from the Chief Information Officer's partial grant of your appeal, this office, working with our colleagues in the OCIO's Records Office, as well as staff in the Office of Nuclear Material Safety & Safeguards (NMSS), identified which of the Public Legacy records that had been processed in a 2003 FOIA request (FOIA/PA-2003-0334) were also responsive to your request. All of the records identified as responsive, which had not previously been provided to you, are now being released to you in their entirety. They are already publicly available in (and from) the NRC's Public Document Room. See 10 CFR 9.23(a). Please note that, due to the age of the records (which the NRC maintains only on microfiche), the reproduction quality of many of the records is poor. In a few records, pages are askew or missing. To the extent the records included oversized pages (indicated by placeholder pages referring to "aperture cards"), the Records Office staff was able to locate many, but not all, of them and they have been included in their appropriate place within the records. As we noted in our previous responses to you, the original records were transferred to the State of Utah when it became an Agreement State. Here is the contact information for the state:

Ty L. Howard, Director  
Division of Waste Management and Radiation Control  
Department of Environmental Quality  
195 North 1950 West  
Salt Lake City, UT 84116

If you choose to mail Mr. Howard, please use the following address: P.O. Box 144880, Salt Lake City, UT 84114-4880. Alternatively, you may email him at tyhoward@utah.gov. His office's telephone number is (801) 536-0203.

Signature - Freedom of Information Act Officer or Designee

**Karen E. Danoff**

Digitally signed by Karen E. Danoff  
Date: 2020.02.03 10:33:26 -05'00'