



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

NRC-2021-000197

1

RESPONSE TYPE  INTERIM  FINAL

**REQUESTER:**

Tovah Strong

**DATE:**

07/27/2021

**DESCRIPTION OF REQUESTED RECORDS:**

Access to and copies of documents and official correspondence dated from the beginning of 2014 through 2018 that denies initial licenses for operating reactors.

**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**

|   |  |  |
|---|--|--|
| <p><b>AMOUNT</b></p> <p><b>\$0.00</b></p> | <input type="checkbox"/> You will be billed by NRC for the amount indicated. | <input checked="" type="checkbox"/> Since the minimum fee threshold was not met, you will not be charged fees.   |
|   | <input type="checkbox"/> You will receive a refund for the amount indicated. | <input type="checkbox"/> Due to our delayed response, you will not be charged search and/or duplication fees that would otherwise be applicable to your request. |
|   | <input type="checkbox"/> Fees waived.  |  |

**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 your prior FOIA request, NRC-2021-000170, you requested the records that deny licenses for new operating reactors for the past 10 years. Because the estimated search fees for that period of time was expected to be high, you agreed to narrow your request to the 2019-present time period. In this request, you asked for the same records covering the 2014-2018 time period. As reflected in our acknowledgment letter dated July 12, 2021, we have aggregated this request with your prior request. Based on the information we received from each of the four regions and program offices, you have now exhausted the two hours of search time to which you are entitled without charge.

Upon receipt of this request, we tasked the Office of Nuclear Reactor Regulation in our headquarters and all four regions. No responsive records were found.

Signature - Freedom of Information Act Officer or Designee

**Stephanie A. Blaney**

Digitally signed by Stephanie A. Blaney  
Date: 2021.07.27 13:05:53 -04'00'