



RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

FOIA or Reference Number

FOIA-2023-000061

Response Number

2

Response Type

Interim

Final

Requester:

Allyssa Kimbler

Date:

04/26/2023

Description of Requested Records:

Copy of the April 22, 1996 Letter of Intent that Ohio State University submitted to the NRC regarding the Fawcett Landfill Site, and records that indicate any agreement or instructions related to groundwater monitoring at the Fawcett Landfill Site.

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 the NRC Public Access Link (PAL), at <https://foia.nrc-gateway.gov/app/Home.aspx>.
- 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 | <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 email to 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." You may file an appeal through the NRC Public Access Link (PAL) at <https://foia.nrc-gateway.gov/app/Home.aspx>.

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) 415-0717.

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 email 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

This is regarding your FOIA request received by the NRC on February 24, 2023.

We provided you a first interim response on March 1, 2023, in which we provided you with a copy of the April 22, 1996 Letter of Intent that Ohio State University submitted to the NRC regarding the Fawcett Landfill Site.

We tasked the NRC Office of Research (RES), the Office of Nuclear Material Safety and Safeguards (NMSS), and the Region III office (which has jurisdiction over Ohio) for the remaining records in your request.

Attached are the responsive records, all released in their entirety, provided by the Region III office. The other two offices located no responsive records, however NMSS staff recommended that you contact the State of Ohio for any additional records because they are an NRC Agreement State. Regulatory contacts for Ohio are available at <https://www.nrc.gov/agreement-states/ohio.html>.

Signature - Freedom of Information Act Officer or Designee

Lezlie J. Colbert

Digitally signed by Lezlie J. Colbert
Date: 2023.04.26 13:59:17 -04'00'