

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

2019-000298

1

RESPONSE
TYPE☐

INTERIM

☒

FINAL

REQUESTER:

Robert K. Campbell

DATE:

05/31/2019

DESCRIPTION OF REQUESTED RECORDS:

Information on the companies or businesses that currently have radioactive material licenses/permits within Lincoln County Oregon.

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

We reached out to the offices of Nuclear Material Safety & Safeguards (NMSS) and Region IV (RIV) to search for any records responsive to your request. However, no responsive records were located by the aforementioned offices.

In addition to these offices' searches, we undertook a review of the Material Licensing Tracking System (MLTS) database to locate any entities holding current licensees that list their addresses in major cities within Lincoln County, Oregon. No current licensees were identified. Region IV staff informed us that the United States Air Force (USAF), which holds a master materials license to issue permits for authorized radioactive materials, may have records responsive to your request. You may submit a FOIA request to the USAF; we have included a link to the USAF's FOIA webpage: <https://www.foia.af.mil/>. Additionally, because Oregon has been an Agreement State since 1965, it may maintain records of interest to you. Information about the NRC's Agreement State Program may be found at this link: <https://www.nrc.gov/about-nrc/state-tribal/agreement-states.html>. The State Liaison Officer is Ken Niles, Assistant Director, Nuclear Safety and Energy, Emergency Preparedness Division, Oregon Department of Energy. You may contact him by writing to 550 Capital Street, N.E., 1st Floor, Salem, OR 97301-3742, or sending an email to ken.niles@oregon.gov or telephoning (503)378-4906.

Signature - Freedom of Information Act Officer or Designee

Stephanie A. Blaney

Digitally signed by Stephanie A. Blaney
Date: 2019.05.31 11:17:18 -04'00'