



RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

2021-000222

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RESPONSE TYPE

INTERIM

FINAL

REQUESTER:

Bobby Vaughn, Jr.

DATE:

08/17/2021

DESCRIPTION OF REQUESTED RECORDS:

Transcript of the Predecisional Enforcement Conference held in Lisle, Illinois on June 10th, 1999 involving the NRC, United States Enrichment Corporation (USEC) and staff of the Portsmouth Gaseous Diffusion Plant. (If a transcript is unavailable, "the best available record will suffice.")

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

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-6 A60M, 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. 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 an 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, 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 response also serves to acknowledge receipt of your request.

Under NUREG-0190 (ML051390495), the retention period for enforcement-related records that are not deemed significant is only 10 years. We confirmed with Office of Enforcement staff that the enforcement matter you inquired about was not deemed significant so, to the extent a transcript of the Predecisional Enforcement Conference (PEC) was created, it (along with the rest of the enforcement file,) would no longer be available. We do note that, according to the letter that may be found in public ADAMS at <https://www.nrc.gov/reading-rm/doc-collections/enforcement/actions/materials/ea99080.html>, it does not appear that a transcript had been created. This letter makes reference to an enclosed Notice of Violation and any response the licensee provided being available in the NRC's Public Document Room (PDR). If you need assistance in obtaining these records, please contact the PDR staff at 301-415-4737 or 1-800-397-4209 or by email to PDR.Resource@nrc.gov.

Signature - Freedom of Information Act Officer or Designee

Stephanie A. Blaney



Digitally signed by Stephanie A. Blaney
Date: 2021.08.17 09:24:18 -04'00'