Department of Energy
Washington, DC 20585

May 4, 2009

Ms. Margaret Boyle
Babst, Calland, Clements & Zomnir, P.C.
603 Stanwix Street
Two Gateway Center
6th Floor
Pittsburgh, PA 15222

Re: Freedom of Information Act Request F2009-000026

Dear Ms. Boyle:

This is in response to your request to the Department of Energy (DOE) under the Freedom of Information Act (FOIA), 5 U.S.C. 552. You asked for documents that relate to the decision to deem the former nuclear fuel plant in Hematite, Missouri, a covered facility under the Energy Employees Occupational Illness Compensation Program Act.

The Office of Health, Safety and Security's (HSS) Office of Health and Safety has searched its files and located the enclosed documents that is responsive to your request. The Office of Classification within HSS, has completed its review of the documents and has determined that the documents may be released in their entirety.

You may challenge the search by written appeal to the Director, Office of Hearings and Appeals, at HG-1/L'Enfant Plaza Building, U.S. DOE, 1000 Independence Avenue, SW, Washington, DC 20585-1615. You should submit the appeal within 30 calendar days of receipt of this determination. The written appeal, including the envelope, must clearly indicate that a FOIA appeal is being made. The appeal must contain all the elements required by 10 CFR 1004.8. Judicial review will thereafter be available (1) in the district where you reside; (2) in the district where you have your principal place of business; (3) in the district where the DOE records are located; or (4) in the District of Columbia.

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The above referenced number has been assigned to the request and you should refer to it in correspondence to the DOE about this matter. I appreciate the opportunity to assist you with this matter. If you have any questions, please contact Regina Cano of my staff at (202) 586-4455 or Robyne Johnston at (202) 586-5385.

Sincerely,

Patricia Worthington
Director
Office of Health and Safety
Office of Health, Safety and Security

Enclosures

cc: Joan Ogbazghi, MA-90
Regina Cano, HS-15
Robyne Johnston, HS-1.23

Enclosure List

1. E-mail from Josh Silverman to Karoline Anders dated July 2, 2001. Subject: Josh-Silverman@reid.senate.gove sent you this story from STLtoday.com. 4 pages. (F2009-000026).

2. United States Atomic Energy Commission. Major Activities in the Atomic Energy Programs, dated January--December 1962. 2 pages. (F2009-000026).

3. United States Atomic Energy Commission. Major Activities in the Atomic Energy Programs, dated January–December 1961. 2 pages. (F2009-000026).

4. United States Atomic Energy Commission. Major Activities in the Atomic Energy Programs, dated January – December 1961. 2 pages. (F2009-000026).

5. Letter from L.J. Swallow to Harrold Wermer, Secretary, Nuclear Safety Review Board, U.S. Atomic Energy Commission, dated November 1, 1961. 2 pages. (F2009-000026).

6. Letter from Samuel N. Bevans Authorized Representative to Dr. Edward D. North, Manager, Hesmitite Plant, United Nuclear Corporation Chemicals Division. 1 page. (F2009-000026).

7. Letter from L.J. Swallow to Harrold Wermer, Secretary, Nuclear Safety Review Board, U.S. Atomic Energy Commission, dated September 19, 1961. 2 pages. (F2009-000026).

8. United States Atomic Energy Commission Compliance Inspection Report, dated January 12 – 14, 1960. 15 pages. (F2009-000026).

9. Letter from E.D. North, Manager, Hematite Plant to Mr. Lyall Johnson, Chief, Licensing Branch, Division of Licensing and Regulation, U.S. Atomic Energy Commission, dated October 27, 1959. 1 page. (F2009-000026).

10. Letter from Dorothy E. Jablonski to Mr. Lyall Johnson, Licensing Branch, U.S. Atomic Energy Commission, dated June 5, 1959. 1 page. (F2009-000026).

11. United States Atomic Energy Commission. Atomic Industrial Progress and Second World Conference, July-December 1958. 2 pages. (F2009-000026).