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Description of document: **Documents concerning irradiation of gemstones to enhance color, and licensing of such reactors by the Nuclear Regulatory Commission (NRC)**

Released date: 15-February-2008

Posted date: 09-June-2008

Date/date range of document: 1960 - 2008

Source of document: U.S. Nuclear Regulatory Commission
Mail Stop T5-F11
Washington, DC 20555-0001
Fax: 301-415-5130
E-mail: FOIA@nrc.gov

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**RESPONSE TO FREEDOM OF
INFORMATION ACT (FOIA) / PRIVACY
ACT (PA) REQUEST**

2008-0085

1

RESPONSE
TYPE

FINAL



PARTIAL

REQUESTER

DATE

FEB 15 2008

PART I. -- INFORMATION RELEASED

- ☐ No additional agency records subject to the request have been located.
- ☐ Requested records are available through another public distribution program. See Comments section.
- ☐ **APPENDICES** Agency records subject to the request that are identified in the listed appendices are already available for public inspection and copying at the NRC Public Document Room.
- ☐ **APPENDICES** Agency records subject to the request that are identified in the listed appendices are being made available for public inspection and copying at the NRC Public Document Room.
- ☐ Enclosed is information on how you may obtain access to and the charges for copying records located at the NRC Public Document Room, 11555 Rockville Pike, Rockville, MD 20852-2738.
- ☒ **APPENDICES**
A 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 comments section) for a disclosure determination and direct response to you.
- ☐ We are continuing to process your request.
- ☐ See Comments.

PART I.A -- FEES

AMOUNT *

\$

☐

You will be billed by NRC for the amount listed.

☒

None. Minimum fee threshold not met.

☐

You will receive a refund for the amount listed.

☐

Fees waived.

* See comments
for details**PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE**

- ☐ No agency records subject to the request have been located.
- ☐ Certain information in the requested records is being withheld from disclosure pursuant to the exemptions described in and for the reasons stated in Part II.
- ☐ This determination may be appealed within 30 days by writing to the FOIA/PA Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Clearly state on the envelope and in the letter that it is a "FOIA/PA Appeal."

PART I.C COMMENTS (Use attached Comments continuation page if required)

The records released under FOIA #2007-0333 are already publicly available in the NRC's Public Electronic Reading Room (PDR) at <http://www.nrc.gov/reading-rm/adams.html>. Also, enclosed is a copy of the procedures for obtaining copies of records from the PDR.

For assistance in obtaining any records, please contact the NRC's Public Document Room (PDR) at 1-800-397-4209 or email at pdr@nrc.gov.

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Russell A. Nichols

APPENDIX A
RECORDS BEING RELEASED IN THERE ENTIRETY

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
1	9/18/2007	Copy of FOIA Request #2007-0333, and NRC Acknowledgement Letter (3 pages)
2.	12/3/2007	NRC Response Partial 1 (7 pages)
3.	2/13/2008	NRC Final Response (1 page)

From: uid no body <nobody@www.nrc.gov>
To: <foia@nrc.gov>
Date: Tue, Sep 18, 2007 4:54 PM
Subject: WWW Form Submission

FOIA REQUEST

Case No. 2007-0333
Date Rec'd: 9-18-07
Specialist: Shoemaker
Related Case: 11

Below is the result of your feedback form. It was submitted by

() on Tuesday, September 18, 2007 at 16:53:54

FirstName: Jon

LastName: Crate

Company/Affiliation: FAI Materials Testing Laboratory

Address1: 825 Chance Road

Address2:

City: Marietta

State: GA

Zip: 30066

Country: United_States

Country-Other: USA

Email: Jon@FAI.US

Phone: 770-928-1930

Desc: We are trying to determine what equipment and procedures have been used for the analysis of neutron irradiated gemstones, in particular blue topaz. For each of the following companies, please indicate if possible the dates they began testing and when they stopped testing blue topaz (or gemstones in general), and all the information given about the equipment used, the testing protocols, any standard reference materials used, calculations made, isotopes found and the levels of radioactivity found. If there are indications of the amount of materials tested, that would be of interest also.

RESEARCH REACTOR CENTER CONTACT JOHN P. ERNST
UNIV OF MISSOURI-COLUMBIA PHONE 573-882-5226
COLUMBIA, MO 65211 R.S.O. JOHN P. ERNST
LICENSE NO. : 24-00513-36E DOCKET 3030162

GEM TESTING AND RESEARCH CONTACT MILAGROS GONZALEZ-GANDIA
11405 N.W. 7TH ST., #104 PHONE 305-226-7112
MIAMI, FL 33172 R.S.O.
LICENSE NO. : 09-23801-01E
DOCKET 3032571

GEMOLOGICAL INSTITUTE OF AMERICA CONTACT DR. JAMES E. SHIGLEY
5355 ARMADA DRIVE PHONE 760-603-4019
CARLSBAD, CA 92008 R.S.O. DR. JAMES E. SHIGLEY

11/1

LICENSE NO. : 04-23787-01E
DOCKET 3032052

While we do not have any emergency need for rush services, we are holding our breath! ;>)
Many thanks, Jon 770-928-1930

FeeCategory: Private_Corporation

MediaType:

FeeCategory_Description:

Expedite_ImminentThreat: on

Expedite_ImminentThreatText:

Expedite_UrgencyToInformText:

Waiver_Purpose:

Waiver_ExtentToExtractAnalyze:

Waiver_SpecificActivityQuals:

Waiver_ImpactPublicUnderstanding:

Waiver_NatureOfPublic:

Waiver_MeansOfDissemination:

Waiver_FreeToPublicOrFee:

Waiver_PrivateCommericalInterest:



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555 - 0001

September 18, 2007

FOIA/PA 2007-0333

Jon Crate
FAI Materials Testing Laboratory
825 Chance Road
Marietta, GA 30066

Dear Requester:

We received your Freedom of Information Act/Privacy Act (FOIA/PA) request on September 18, 2007.

Your request has been assigned the following reference number that you should use in any future communications with us about your request: **FOIA/PA 2007-0333**

To ensure the most equitable treatment possible of all requesters, the NRC processes requests on a first-in, first-out basis, using a multiple track system based upon the estimated time it will take to process the request. Based on your description of the records you are seeking, we estimate completion of your request will take 10-20 workdays (2-4 weeks). We will advise you of any change in the estimated time to complete your request.

For purposes of assessing fees in accordance with our regulations (10 CFR 9.33), we have placed your request in the following category: Commercial

If applicable, you will be charged appropriate fees for Search, Review, and Duplication of records.

A sheet has been enclosed that explains in detail the fee charges that may be applicable. **Please do not submit any payment unless we notify you to do so.**

The following person is the FOIA/PA Specialist who has been assigned responsibility for your request: Reginald Sheppard, 301-415-6975.

If you have questions on any matters concerning your FOIA/PA request please feel free to contact the assigned FOIA/PA Specialist or me at (301) 415-7169.

Sincerely,

A handwritten signature in black ink, appearing to read "Russell A. Nichols".

Russell A. Nichols
FOIA/Privacy Act Officer
Office of Information Services

Enclosures:
Incoming Request
Explanation of Fees

**RESPONSE TO FREEDOM OF
INFORMATION ACT (FOIA) / PRIVACY
ACT (PA) REQUEST**

2007-0333

1

RESPONSE
TYPE ☐ FINAL ☒ PARTIAL

REQUESTER

Jon M. Crate

DATE

DEC - 3 2007

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for details**PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE**

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PART I.C COMMENTS (Use attached Comments continuation page if required)

The incoming FOIA/PA-2007-0333 request is in ADAMS at ML072620111.

Enclosed is an ADAMS listing of records responsive to your request. The records are publicly available in the NRC's Public Electronic Reading Room (PDR) at <http://www.nrc.gov/reading-rm/adams.html>. Also, enclosed is a copy of the procedures for obtaining copies of records from the PDR.

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SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Russell A. Nichols

A 12

**APPENDIX A
RECORDS ARE PUBLICLY AVAILABLE**

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)/EXEMPTIONS</u>
1.	N/A	ADAMS Listing of publicly available documents relating to equipment and standards used in neutron irradiated gemstones at licensed facilities (5 pages).

Enteria Results Options

Look In: Legacy Library

Property	Operator	Value
Docket Number	is equal	03030152
Availability	is equal	Publicly Available

Order	Words or Phrases	Range

Final Type

[illegible][illegible]

Black Bull









Chad Filley

PEOPLE

Name	Information Addressed	Document Date	Date Added	Availability	Accession Number
Forwards background info on staff paper re exempt concentrations amend to Part 30.	48018:195-48018:228	02/01/1960	05/05/2001 ...	Publicly Available	8901030194
Forwards application for license to distribute gemstones containing byproduct matl to persons e...	48018:140-48018:145	08/19/1987	05/05/2001 ...	Publicly Available	8901030154
Application for license,authorizing return of gemstones to unlicensed individuals per 10CFR32.1...	48018:141-48018:145	08/19/1987	05/05/2001 ...	Publicly Available	8901030156
Requests fee re application for matl license to distribute gemstones containing byproduct matl t...	48709:149-48709:197	09/10/1987	05/05/2001 ...	Publicly Available	8902060332
Forwards payment of fee for application for license to distribute gemstones containing byprodu...	48709:148-48709:148	09/17/1987	05/05/2001 ...	Publicly Available	8902060328
Requests addl info to support application for license per 10CFR32.11 to distribute neutron irradi...	48018:161-48018:194	03/03/1988	05/05/2001 ...	Publicly Available	8901030181
Forwards info in support of application for license to distribute irradiated gemstones,per NRC 8...	48709:048-48709:147	04/15/1988	05/05/2001 ...	Publicly Available	8902060277
Requests review & comments on end documents,including info needed from domestic reactor & ...	48709:035-48709:047	05/13/1988	05/05/2001 ...	Publicly Available	8902060313
Forwards comments from review of Univ of Missouri & Nuclear Theory & Technologies applicatio...	48709:029-48709:034	06/23/1988	05/05/2001 ...	Publicly Available	8902060302
Submits addendum to B Morris 880623 memo reviewing application for license to distribute neutr...	48709:022-48709:028	07/14/1988	05/05/2001 ...	Publicly Available	8902060282
Forwards flow chart & lists of operations & QA procedures being prepared in support of request...	48018:229-48018:236	09/20/1988	05/05/2001 ...	Publicly Available	8901030198
Summary of 880822-23 meeting w/representatives of Univ of Missouri Research Reactor (MUR...	48709:198-48709:261	09/28/1988	05/05/2001 ...	Publicly Available	8902060273
Forwards draft sections of Univ of Missouri research reactor gemstone license submittal re exe...	48018:157-48018:157	10/05/1988	05/05/2001 ...	Publicly Available	8901030170
Requests addl info re 870819 application for license to distribute irradiated topaz to persons ex...	48018:158-48018:194	10/28/1988	05/05/2001 ...	Publicly Available	8901030179
Forwards minutes of 881107 meeting w/representatives of Univ of Missouri research reactor (M...	48018:151-48018:156	11/11/1988	05/05/2001 ...	Publicly Available	8901030168
Forwards amended application to replace matl furnished in 870819 application for byproduct ma...	48018:146-48018:146	11/15/1988	05/05/2001 ...	Publicly Available	8901030160
Forwards amended application to replace matl furnished in 870819 application for byproduct ma...	48438:009-48438:009	11/15/1988	05/05/2001 ...	Publicly Available	8901030160
Application for license,authorizing distribution of neutron irradiated gemstones.	48019:007-48019:186	11/15/1988	05/05/2001 ...	Publicly Available	8901030220
Application for license,authorizing distribution of neutron irradiated gemstones.	48438:010-48438:188	11/15/1988	05/05/2001 ...	Publicly Available	8901030220

52 items found. 62 displayed

Name	Microsoft Address	Document Date	Date Added	Availability	Accession Num.
States conditions under which gemstones will be released to unlicensed persons.	48018:147-48018:150	11/17/1988	05/05/2001 ...	Publicly Available	8901030163
Furnishes draft revs to App A, license application per 881130 telcon.	48018:237-48018:240	12/01/1988	05/05/2001 ...	Publicly Available	8901030203
Summarizes conclusions of 881123 telcon w/S Morris. Morris will forward complete description of ...	48018:241-48018:241	12/01/1988	05/05/2001 ...	Publicly Available	8901030205
Provides comments on Univ of Missouri research reactor 881123 license application & info from t...	48018:242-48018:246	12/01/1988	05/05/2001 ...	Publicly Available	8901030208
License 24-00513-36E for Curators of Univ of Missouri, authorizing use of irradiated processed ...	48018:138-48019:186	12/08/1988	05/05/2001 ...	Publicly Available	8901030148
License 24-00513-36E for Curators of Univ of Missouri, authorizing use of irradiated processed ...	82854:348-82854:353	12/08/1988	05/05/2001 ...	Publicly Available	8901030148
Forwards License 24-00513-36E. License authorizes distribution of processed topaz containing b...	48708:005-48709:021	12/08/1988	05/05/2001 ...	Publicly Available	8902060266
Expresses appreciation for expeditious action on license application for distribution of neutron tr...	48708:003-48708:004	12/15/1988	05/05/2001 ...	Publicly Available	8902060262
Confirms 881216 telcon clarifying understanding of two provisions of gemstone distribution Lice...	48174:011-48174:011	12/20/1988	05/05/2001 ...	Publicly Available	8901170291
Corrected License 24-00513-36E for Curators of Univ of Missouri, authorizing use of irradiate...	48174:009-48174:011	01/05/1989	05/05/2001 ...	Publicly Available	8901170288
Corrected License 24-00513-36E for Curators of Univ of Missouri, authorizing use of irradiate...	48438:007-48438:008	01/05/1989	05/05/2001 ...	Publicly Available	8901170288
Forwards corrected License 24-00513-36E. License only authorizes distribution of processed top...	48708:001-48709:261	01/30/1989	05/05/2001 ...	Publicly Available	8902060223
Informs that addl info requested re 881222 request for amend to license 24-00513-36E to distri...	62971:199-62971:200	06/26/1989	04/30/2001 ...	Publicly Available	9209030104
Forwards addl info to 881222 ltr requesting amend to license 24-00513-36E concerning cut top...	62971:203-62971:227	07/24/1989	04/30/2001 ...	Publicly Available	9209030112
Amend 1 to License 24-00513-36E for Curators of Univ of Missouri.	82854:359-82854:360	11/09/1989	04/24/2001 ...	Publicly Available	9502280099
Application for amend to license 24-00513-36E, authorizing distribution of irradiated processed t...	62971:201-62971:202	01/18/1990	04/30/2001 ...	Publicly Available	9209030106
Responds to 900227 telcon re concern identified during recent NRC insp of facilities. Requests i...	53020:054-53020:056	03/08/1990	05/04/2001 ...	Publicly Available	9003150391
Insp Repts 30-02278/90-01, 30-30162/90-01, 30-00303/90-01 & 70-0270/90-01 on 900220-23...	53389:075-53389:086	03/22/1990	05/04/2001 ...	Publicly Available	9004100246
Mats licensing package for Amend 2 to License 24-00513-36E for Curators of Univ of Missouri.	54344:298-54344:301	03/23/1990	05/04/2001 ...	Publicly Available	9006280180
Discusses & forwards Safety Insps 30-02278/90-01, 30-00303/90-01, 30-30162/90-01 & 70-02...	53389:072-53389:086	03/26/1990	05/04/2001 ...	Publicly Available	9004100238
Discusses licensees authorized to distribute neutron irradiated blue topaz, including Univ of Miss...	63423:206-63423:206	11/08/1990	05/05/2001 ...	Publicly Available	9011290227
Certifies that less than 50% of annual cost of owning & operating facility devoted to production...	56496:126-56496:128	12/27/1990	04/30/2001 ...	Publicly Available	9101220458
Provides rev to operational/QA procedures & computer program descriptions. Procedure submitt...	56496:127-56496:128	12/27/1990	04/30/2001 ...	Publicly Available	9101220465
Responds to NRC Bulletin 92-002. Teletherapy unit covered under License 24-00513-35 now in s...	63926:356-63926:357	11/10/1992	04/30/2001 ...	Publicly Available	9211160404
Voided mats licensing action for Curators of Univ of MO. Control:021473.	82391:252-82391:313	01/27/1994	04/24/2001 ...	Publicly Available	9501200302
Reports that no revisions to operational & QA procedures took place in 1994, per Section 6.E, A...	82585:356-82585:356	01/20/1995	04/24/2001 ...	Publicly Available	9502020346
Submits list of all gemstones transferred per 10CFR30.41 in 1994, per license condition 13.b & s...	82967:330-82967:330	01/27/1995	04/24/2001 ...	Publicly Available	9503060094
Mats licensing package for amend 3 to license 24-00513-36E for Curators of Univ of Missouri.	84326:239-84326:285	04/27/1995	04/25/2001 ...	Publicly Available	9506150411
Informs of action taken to address concerns re control of radioactive topaz in non-licensed acco...	85864:082-85864:082	09/21/1995	04/26/2001 ...	Publicly Available	9510190288
Discusses NRC concerns re control of radioactive topaz at facility identified by R Marsh during 9...	85864:079-85864:082	10/06/1995	04/26/2001 ...	Publicly Available	9510190283
Forwards insp repts 30-30162/95-04 & 50-186/95-04 on 951101-27. No violations noted.	86679:036-86679:049	12/27/1995	04/19/2001 ...	Publicly Available	9601020246
Insp repts 30-30162/95-04 & 50-186/95-04 on 951101-27. No violations noted. Major areas insp...	86679:039-86679:049	12/27/1995	04/19/2001 ...	Publicly Available	9601020249
Forwards revised statement of intent, per request, to ref license 24-00513-40 instead of license ...	89387:265-89387:265	01/29/1996	04/23/2001 ...	Publicly Available	9608160007
Mats licensing package for amend 4 to license 24-00513-36E for Curators of Univ of Missouri. R...	89251:038-89251:042	06/04/1996	04/23/2001 ...	Publicly Available	9608020299

Name	Microform Address	Document Date	Date Added	Availability	Accession Num.
 Reports all gemstones transferred, per 10CFR30.41 re license 24-00513-36E.	91961:351-91961:351	01/31/1997	04/21/2001 ...	Publicly Available	9703050136
 Discusses certification provided under provisions of 10CFR50.21 & IAW Section 6.D, app A of N...	91961:352-91961:352	01/31/1997	04/21/2001 ...	Publicly Available	9703050183
 Provides certification that less than 50% of annual cost of owning & operating facility devoted t...	A1891:328-A1891:328	01/12/1998	04/16/2001 ...	Publicly Available	9801230284
 Reports all gemstones transferred, per Section 30.41 of 10CFR30.	A1891:327-A1891:327	01/12/1998	04/16/2001 ...	Publicly Available	9801230287
 Matls licensing package for amend 6 to license 24-00513-36E for Curators of Univ of Missouri.C...	A3134:273-A3134:300	04/02/1998	04/17/2001 ...	Publicly Available	9804170079
 Safety & compliance insp on 980519 of license 24-00513-36E. Insp findings: no violations identi...	A3622:281-A3622:281	05/19/1998	04/18/2001 ...	Publicly Available	9806020198
 Provides required five year rept of matl transferred under provision of license 24-00513-36E, pe...	A6920:244-A6920:255	01/28/1999	04/14/2001 ...	Publicly Available	9902110047
 Provides required rept of all gemstones transferred under provisions of license 24-00513-36E, p...	A6960:353-A6960:353	01/28/1999	04/14/2001 ...	Publicly Available	9902190130

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Name	Microform Addresses	Document Date	Date Added	Availability	Accession Number
Application for license,authorizing distribution of irradiated gemstones to persons exempt from lic...	63423:080-63423:162	02/06/1991	04/30/2001 ...	Publicly Available	9210050280
Matts licensing package for license 04-23787-01E for Gemological Inst of America,Inc.Control:021...	57829:001-57829:065	04/11/1991	05/01/2001 ...	Publicly Available	9105200310
Matts licensing package for license 04-23787-01E for Gemological Inst of America,Inc.Control:021...	63423:218-63423:219	04/11/1991	05/01/2001 ...	Publicly Available	9105200310
Matts licensing package for amend 1 to license 04-23787-01E for Gemological Inst of America,Inc....	61122:322-61122:326	03/12/1992	04/27/2001 ...	Publicly Available	9203270180
Matts licensing package for amend 1 to license 04-23787-01E for Gemological Inst of America,Inc....	82854:329-82854:331	03/12/1992	04/27/2001 ...	Publicly Available	9203270180
Voided matts licensing action for Gemological Inst of America,Control:21826.	90541:343-90541:359	06/05/1996	04/24/2001 ...	Publicly Available	9610250264
Matts licensing package for amend 2 to license 04-23787-01E for Gemological Institute of America....	91223:334-91223:349	12/20/1996	04/24/2001 ...	Publicly Available	9612260178
Safety & compliance insp on 980226 of license 04-23787-01E. Insp findings:as of 980226, rept ha...	A3239:040-A3239:040	02/26/1998	04/18/2001 ...	Publicly Available	9804290054
Informs that no testing of radioactive gemstones were conducted during period of 980101-0630....	A4376:078-A4376:082	07/02/1998	04/19/2001 ...	Publicly Available	9807210375
Informs that no radioactive gemstones were released during period of 980701-1231,per condition...	A6716:025-A6716:025	01/04/1999	04/14/2001 ...	Publicly Available	9901290320
Informs that licensee resumed testing program,per purchase of upgrade to gamma spectroscopy ...	A7898:062-A7898:062	04/23/1999	04/20/2001 ...	Publicly Available	9904300011

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Availability	is equal	Publicly Available

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Exit Previous

Name	Microform Addresses	Document Dates	Date Added	Availability	Accession Number
Matls licensing package for license 09-23801-01E for Gem Testing & Research,Control:021328.	63179:111-63179:254	08/24/1992	04/30/2001 ...	Publicly Available	9209180212
Matls licensing package for amend 1 to license 09-23801-01E for Gem Testing & Research,Control:...	77777:352-77777:358	10/18/1993	04/23/2001 ...	Publicly Available	9401120229

2 items found, 2 displayed

**RESPONSE TO FREEDOM OF
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2007-333

2

RESPONSE
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FINAL



PARTIAL

REQUESTER

Jon Crate

DATE

FEB 13 2008

PART I. -- INFORMATION RELEASED

No additional agency records subject to the request have been located.



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You will be billed by NRC for the amount listed.



None. Minimum fee threshold not met.



You will receive a refund for the amount listed.



Fees waived.

* See comments
for details**PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE**

No agency records subject to the request have been located.



Certain information in the requested records is being withheld from disclosure pursuant to the exemptions described in and for the reasons stated in Part II.



This determination may be appealed within 30 days by writing to the FOIA/PA Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Clearly state on the envelope and in the letter that it is a "FOIA/PA Appeal."

PART I.C COMMENTS (Use attached Comments continuation page if required)

Per your conversation with Reginald Sheppard of my staff, you narrowed your request to records for the last 5 years. Based on our search, no additional records were located. Please also note that the license for the University of Missouri (Docket No. 03030162) was terminated in February 2002. The license for the Gemological Institute of America (Docket No. 03032052) was terminated in October 2000. In addition, the license for Gem Testing & Research (Docket No. 03032571) was terminated in October 1993.

Finally, you will receive a refund in the amount of \$411.92, the cost for review.

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Russell A. Nichols

Russell A. Nichols