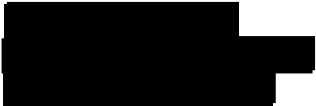


**FOI/PA REQUEST**Case No.: 2011-0016ADate Rec'd: 7-11-11Specialist: BrownRelated Case: 2011-0274

July 5, 2011

FOIA/PA Officer  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

FREEDOM OF INFORMATION ACT APPEAL - 2011-0274

Dear Sir or Madam:

This is an administrative appeal of the NRC's flawed "no records" response. I appeal on the grounds that the search was insufficient and that the 'no records' finding constituted a constructive denial of records without cause.

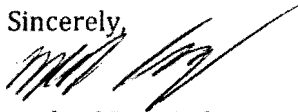
The NRC has received a number of requests from various requesters for records concerning sightings of unidentified flying objects near nuclear generating plants.

The NRC has reportedly responded to each and every one with the same answer: no records. However, news reports and anecdotal evidence, as well as common sense, indicates that there are such reports and sightings of unknown origin.

The consistent "no records" response in the face of there being reports and records suggests that the Commission maintains a formal or informal policy in responding to such requests. I myself requested a copy of this policy or guidance in the subject request but was informed that there is no such policy, something that presses the boundaries of credulity.

For the reasons described above, I believe that the NRC initial response was flawed and should be reversed.

Sincerely,



Michael Ravnitzky

FOIA Resource

FOIA/PA REQUEST

**From:** Michael Ravnitzky [REDACTED]  
**Sent:** Sunday, June 26, 2011 8:57 PM  
**To:** FOIA Resource  
**Subject:** FOIA request

**Case No.:** 2011-0274  
**Date Rec'd:** 6-27-11  
**Specialist:** Brown  
**Related Case:** \_\_\_\_\_

[REDACTED]

June 25, 2011

U.S. Nuclear Regulatory Commission  
FOIA/Privacy Officer  
Mailstop: T-5 F09  
Washington, DC 20555-0001

Dear Sir or Madam:

This is a request for records under the provisions of the Freedom of Information Act.

I hereby request a copy of any guidelines or directions or notes or instructions or guidance or other materials provided to NRC FOIA staff relating to how to respond to requests for records on the subject of unidentified flying objects.

This is an individual request for research and study purposes and I agree to pay up to \$25 for costs.

Sincerely,

Michael Ravnitzky

2011-0274

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

RESPONSE  
TYPE

FINAL

PARTIAL

REQUESTER

Michael Ravnitzky

DATE

JUN 29 2011

**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 |
|------------|

 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 incoming request is in ADAMS at Accession No. ML1178A234.

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Donna L. Sealing