

Standard Opening & Closing Paragraphs for EDO Appeal Letters

Opening paragraph

On behalf of the U. S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated [date], to the Freedom of Information Act/Privacy Act Officer, in which you appealed the agency's [date], decision related to your [date], Freedom of Information Act (FOIA) request, [FOIA/PA-xxxx-xxxx], for [subject of initial request]. Specifically, you appealed the denial of [subject of appeal].

Example: On behalf of the U. S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated February 24, 2004, to the Freedom of Information Act/Privacy Act Officer, in which you appealed the agency's January 30, 2004, decision related to your December 20, 2003, Freedom of Information Act (FOIA) request, FOIA/PA-2004-0153, for all records relating to the Davis-Besse nuclear power plant. Specifically, you appealed the denial of the records that were withheld because they are attorney-client communications.

Second paragraph

Acting on your appeal, I have reviewed the record in the case and have determined that the previously withheld information will continue to be withheld. Therefore, I have denied your appeal.

OR

Acting on your appeal, I have reviewed the record in the case and have determined that the previously withheld information may now be released. Therefore, I have granted your appeal.

OR

Acting on your appeal, I have reviewed the record in the case and have determined that some information may be made available to you. Therefore, I have partially granted and partially denied your appeal. The released [portions of the] records are enclosed.

Closing paragraph

This is NRC's final decision. As set forth in the FOIA (5 U.S.C. 552(a)(4)(B)), judicial review of this decision is available in a district court of the United States in the district in which you reside or have your principal place of business. Judicial review can also be had in the district in which the agency's records are situated or in the District of Columbia.

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