

(Date)

FOIA/PA xxxx-xxxx

[REQUESTER NAME]
[COMPANY]
[STREET ADDRESS], [SUITE #]
[CITY], [STATESHORT] [ZIPCODE]

Dear Requester:

We received your Freedom of Information Act/Privacy Act (FOIA/PA) request on _____.

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

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

be within 20 working days. We will advise you of any change in the estimated time to complete your request.

take between 21-30 working days. We will advise you of any change in the estimated time to complete your request.

take more than 30 working days. We will advise you of any change in the estimated time to complete your request. If you wish to revise the scope of your request to allow it to be completed sooner, please call or write the FOIA Specialist named below.

We have estimated that your request will take more than 20 working days required by law to complete because of one or more of the following reasons:

- The need to search for and collect the requested records from other offices and field facilities that are separate from this office.
- The need to search for, collect, and appropriately examine a voluminous amount of records that are responsive to your request.
- The need for consultation with other agencies and/or between two or more NRC components that have a substantial interest in the subject matter of the records that are responsive to 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
Educational
Noncommercial Scientific Institution
News Media Representative
Non-Excepted
Privacy Act

A-18

If applicable, you will be charged appropriate fees for:

Search, Review, and Duplication of records.

Search and Duplication of records.

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.**

You requested that fees be waived for your request and

I have determined that your justification is adequate and fees will be waived for those records which are responsive to your request.

I have determined that your request for a fee waiver does not provide sufficient information under 10 CFR 9.41 for the NRC to make a determination to waive fees. A copy of the factors which must be addressed is enclosed.

I have determined that your request for a wavier of fees does not meet the criteria required under 10 CFR 9.41 (copy attached) for the reasons shown on the attached fee waiver denial notice. You may appeal this determination. Any such appeal must be made in writing within 30 calendar days by addressing the appeal to the Executive Director for Operations.

To protect the privacy of individuals on whom we maintain records, our regulations (10 CFR 9.54) require that individuals seeking records about themselves provide verification of their identity by a signature, address, date of birth, employee identification number (if any), and one other item of identification such as a copy of a driver's license or other document. An individual may also provide a notarized statement, swearing or affirming to his identity and to the fact that he understands that penalties for false statements may be imposed pursuant to 18 U.S.C. 1001, and that penalties for obtaining a record concerning an individual under false pretenses may be imposed pursuant to 5 U.S.C. 552a(i)(3). A form for such a notarized statement is enclosed. The proper identification or a statement that you want this request processed as if it was received from any other member of the public must be received within **15 calendar days** of the date of this letter. The documentation should be mailed to the U.S. Nuclear Regulatory Commission, Mail Stop T-5 F09, 11555 Rockville Pike, Rockville, MD 20852-2738. If we do not hear from you regarding this matter within the 15 days, our file on this request will be closed.

Persons requesting records pertaining to another individual, in addition to furnishing verification of identity of the individual, must have the individual's written consent for the records to be disclosed to them. If you do not provide the individual's identification and written consent, information will be disclosed to you only if it is deemed that such disclosure will not constitute an invasion of the privacy of the individual about whom your requests pertains. In some instances, depending on the sensitivity of the type of records in which the kind of information you are seeking would be found, we will neither confirm nor deny the existence of records pertaining to the person because to even publicly acknowledge the fact that there is that type of record about the person could be considered to be an invasion of the person's privacy. The proper identification and consent or a statement that you want this request processed as if it was received from any other member of the public must be received within **15 calendar days** of the date of this letter. The documentation should be mailed to the U.S. Nuclear Regulatory Commission, Mail Stop T-5 F09, 11555 Rockville Pike, Rockville, MD 20852-2738. If we do not hear from you regarding this matter within the 15 days, our file on this request will be closed.

A request for expedited processing can be granted only when the requester shows a "compelling need" based on meeting either of two conditions: When failure to obtain the records quickly "could reasonably be expected to pose an imminent threat to the life or physical safety of an individual;" or, if the requester is a person "primarily engaged in disseminating information," by demonstrating that an "urgency to inform the public about the actual or alleged Federal Government activity" exists.

Your stated reason for requesting expedited processing does not meet the above criteria.

Your stated reason for requesting expedited processing does not meet the above criteria pertaining to an imminent threat to life or physical safety of an individual.

Even though you are a person "primarily engaged in disseminating information," you have not demonstrated an "urgency to inform the public about the actual or alleged Federal Government activity" that exists.

Therefore, you have not demonstrated a compelling need and your request for expedited processing cannot be granted. You may appeal this determination. Any such appeal must be made in writing within 30 calendar days by addressing the appeal to the Executive Director for Operations.

Your request for expedited processing has been approved and it will be completed as soon as possible.

The following person is the FOIA/PA Specialist who has been assigned responsibility for your request: **[Caseworker]** at **[phone number]**.

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,

Donna L. Sealing
FOIA/Privacy Act Officer
Office of Information Services

Enclosures:

Incoming Request
Explanation of Fees
Fee Waiver Justification Requirements
Verification of Identity Form
Fee Wavier Denial Notice
Expedited Processing Denial Notice
Authorization for Release Form