

Final-Recipient: [rfc822:FOIAResource@nrc.gov](mailto:rfc822:FOIAResource@nrc.gov)  
Action: failed  
Status: 5.1.1  
Diagnostic-Code: smtp;550 5.1.1 RESOLVER.ADR.RecipNotFound; not found

----- Forwarded message -----

**From:** Kyle Cleveland <[kyle.cleveland@tuj.temple.edu](mailto:kyle.cleveland@tuj.temple.edu)>  
**To:** <[FOIAResource@nrc.gov](mailto:FOIAResource@nrc.gov)>  
**Cc:**

**Date:** Fri, 19 Jul 2013 01:52:50 +0900

**Subject:** Re: FOIA/PA-2013-00088 Appeal (from Kyle Cleveland) - Addendum

2013-0019A  
7/22/13  
17: STEVENS  
2013-0088

To the FOIA administrative staff,

Further to my FOIA request (FOIA/PA-2013-00088) appeal below, note page 6 (or in the document, nnn/193) of this attached document, which says:

From: Zimmerman, Roy  
Sent: Thursday, April 21, 2011 12:42 PM  
To: OST01 HOC: Jackson, Karen; Kowalczyk, Jeffrey  
Subject: Japan sharepoint site

This is what I intend to send out ..... but interested in your comments first  
As we discussed briefly during this morning's briefing, we would like to use a recently developed sharepoint site (address and details in the attachment) to allow you to view the latest and prior updates of our regularly issued documents, as well as those of other organizations. Also, there will be access to videos and other information that we think you will find useful.  
Our intention is put our updates on the sharepoint site now, but to continue to send you the routine updates through next Tuesday, 4/26, and then stop emailing those updates starting 4/27 after the transition period ends, unless we receive concerns. The attachment will allow you to set up alerts so you will get an email when the sharepoint site is updated.  
Thank you for your willingness to give this approach a chance, we think you will find it useful.

I note from this document that many parties are included in such communication. For Casto, Donald and Mueller, are they included in this Sharesite email list (if not in this particular document, then elsewhere?). If so, then that information should be discoverable...

Thanks, Kyle

**On Thu, Jul 18, 2013 at 11:14 PM, Kyle Cleveland <[kyle.cleveland@tuj.temple.edu](mailto:kyle.cleveland@tuj.temple.edu)> wrote:**  
**To the FOIA administrative staff,**

I am writing to appeal a recent filing for a request to receive documents related to the Fukushima Nuclear Crisis in Japan.

My FOIA/PA identification number is: 2013-0088

The request I made was for correspondence *and* documents between Admiral Kirkland Donald, Troy Mueller and Charles Casto. (see attached document).

The response I received on June 18, 2013 indicated that:

Certain Information in the requested records is being withheld from disclosure pursuant to:

1. Exemption 5 (deliberative process)
2. Exemption 6 (invasion of personal privacy)

My appeal is that while some of the information conveyed might be personal in nature and that others may have been part of a deliberative process, these individuals were representatives of federal agencies (Naval Reactors and NRC) and some of their communications would have been also shared with many parties in U.S. government organizations and thus were not private in nature.

Moreover, in addition to emails, I requested briefing documents and powerpoint documents, that would have been summary documents *after* the deliberative process had been completed.

As is indicated in the NRC phone transcripts that were made available via FOIA, these parties communicated across a range of media, not limited to emails and the emails were not all private in nature. Their content reflects the end result of decision making of entire organizations, with multiple parties cc'd in, as situation reports, daily briefings, and summary documents. These are not personal emails.

While I do appreciate that some of the information contained herein may have been personal, and may have involved decision making processes, to provide absolutely no information whatsoever from these parties seems unreasonable and dismissive. The document I was directed to - an email exchange between Mueller and Casto - opens with "these are my thoughts" followed by two pages of redacted information (blacked out) and then a sign-off. No substantive information whatsoever except an indication that they were communicating.

In the month between March 11 and April 11, there would have been many communications between these parties. To characterize all of these communications to be either personal or part of a deliberative process is not reasonable.

I respectfully request that you revisit this request, and excluding those emails that you allude to in your response to my initial request (if necessary), that you make available attached documents and communications that do not fall under these criteria. Basically, this is not all or nothing - there must be communications between these parties that does not fall under these restrictions.

Thank you for the consideration. I appreciate your response to my inquiries and for your review of this appeal.

Respectively, Kyle

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**Kyle Cleveland, Ph.D.**  
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From: **Raphael, Mary Jean** <[MaryJean.Raphael@nrc.gov](mailto:MaryJean.Raphael@nrc.gov)>  
Date: Thu, Jul 18, 2013 at 1:41 AM  
Subject: FW: FOIA/PA-2013-00088 Acknowledgment Letter with Attachments