

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

2015-0044

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RESPONSE TYPE

FINAL

PARTIAL

REQUESTER

Larry Criscione

DATE

NOV 05 2014

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.
- | |
|-------|
| GROUP |
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 Agency records subject to the request that are identified in the specified group are already available in public ADAMS or on microfiche in the NRC Public Document Room.
- | |
|-------|
| GROUP |
|-------|

 Agency records subject to the request that are contained in the specified group are being made available in public ADAMS.
- | |
|-------|
| GROUP |
|-------|

 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*

\$

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You will be billed by NRC for the amount listed.

None. Minimum fee threshold not met.

* See comments for details

You will receive a refund for the amount listed.

Fees waived.

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

- No agency records subject to the request have been located. For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV (2010)). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.
- 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)

A copy of your incoming request will be placed in the NRC's Public Electronic Reading Room as ML#14308A014. Records with an ML Accession Number are publicly available in the NRC's Public Electronic Reading Room at <http://www.nrc.gov/reading-rm.html>. If you need assistance in obtaining these records, please contact the NRC's Public Document Room (PDR) at 301-415-4737, or 1-800-397-4209, or by email to PDR.Resource@nrc.gov.

The records you requested have been the subject of two prior requests from you. Your request, FOIA-2013-0264 (ML13168A033), asked for, among other things, "NRR correspondence with members of the public concerning [the slides prepared by Duke Energy in advance of a March 25, 2013 public meeting]" and "the version [of the slide show] sent by NRR to Jim Riccio of Green Peace." In our response #1 (ML#13217A758), we released Mr. Boska's email to Mr. Riccio (ML#13226A262) in its entirety and the 3/25/13 slides (ML#13123A204), with slide 18 redacted on the basis of exemption 7F. [continued on next page]

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Roger D. Andoh, FOIA Officer

**RESPONSE TO FREEDOM OF
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ACT (PA) REQUEST (Continued)**

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PART I.C COMMENTS (Continued)

Your request, FOIA-2014-0235 (ML14125A357), also included the same records. As we stated in our response to that request (ML#14157A258), we also treated as responsive certain records that were generated after receipt of your request in order to provide a clearer picture of the agency's actions regarding the handling of slide 18.