

January 28, 2015

Julian Tarver DOC 885530
Clallam Bay Correction Center
1830 Eagle Crest Way
Clallam Bay, WA 98326

IN RESPONSE REFER TO
FOIA/PA 2015-0009A
(FOIA/PA 2015-0078)

Dear Mr. Tarver,

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated December 17, 2014, in which you appealed the agency's December 10, 2014, decision related to your December 5, 2014, Freedom of Information Act/Privacy Act (FOIA/PA) request (FOIA/PA 2015-0078). In the December 17, 2014, letter, you appealed "the redaction made to an organizational chart of a Government Information Specialist." Specifically, you said the redaction of material that the NRC determined to be outside of the scope of your request.

Acting on your appeal, I have reviewed your original FOIA request (enclosed) and have determined that the agency complied with your request. You requested an organizational chart that shows where Ms. Gabriele Chidichimo works. The chart you were provided showed exactly what you requested. Therefore, your appeal is denied. The NRC's policy of redacting portions of records that clearly fall outside the scope of a request is not a denial of the request under the FOIA.

This is the NRC's final decision concerning your appeal on the redaction of information that falls outside of the scope of your request. As set forth in the FOIA (5 U.S.C. 552(a)(4)(B)), you may obtain a judicial review of this decision in a district court of the United States in the district in which you reside or have your principal place of business. You may also seek judicial review in the district in which the agency's records are situated or in the District of Columbia.

As part of the 2007 FOIA amendments, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a nonexclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974.

J. Tarver

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You may contact OGIS in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, MD 20740
E-mail: ogis@nara.gov
Telephone: 202-741-5770
Fax: 202-741-5769
Toll-free: 1-877-684-6448

Sincerely,

/RA/

Darren B. Ash
Deputy Executive Director
for Corporate Management
Office of the Executive Director for Operations

Enclosure:
As stated

J. Tarver

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