

February 18, 2015

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

IN RESPONSE REFER TO
FOIA/PA 2015-00010A
(FOIA/PA 2015-0054)

Dear Mr. Tarver,

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated December 18, 2014, in which you appealed the agency's December 1, 2014, decision related to your November 5, 2014, Freedom of Information Act/Privacy Act (FOIA/PA) request (FOIA/PA 2015-0054). In the December 18, 2014, letter you appealed "Non-use of NRC Form 496, Report of Staff Resources for Processing FOIA/PA Requests."

Your FOIA appeal asked for all NRC Form 496s used to process your FOIA requests. We conducted a search and did not identify any Form 496s for your FOIA requests. Note that we only use this form when we charge fees. You have not been charged for any of your FOIA requests. Acting on your appeal, I have reviewed the records in this case and have determined that you have no basis for an appeal. Therefore, we deny your appeal.

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 in 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.

The 2007 FOIA amendments created the Office of Government Information Services (OGIS) to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive 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

J. Tarver

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Darren B. Ash
Deputy Executive Director
For Corporate Management
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