



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

February 27, 2015

Julian Tarver DOC 885530
Clallam Bay Correction Center C-D10
1830 Eagle Crest Way
Clallam Bay, WA 98326

IN RESPONSE REFER TO
FOIA/PA-2015-0014A
(FOIA/PA-2015-0055)

Dear Mr. Tarver,

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your December 24, 2014, letter to the Freedom of Information Act/Privacy Act Officer. You appealed the agency's December 10, 2014, decision related to your November 5, 2014, Freedom of Information Act/Privacy Act (FOIA/PA) request (FOIA/PA 2014-0055). In your FOIA request, you asked the NRC to release the organizational chart, staff roster, and telephone directory for both the Office of Enforcement and the Office of Investigations.

In response to your FOIA request, the NRC released the organizational charts and the staff rosters in their entirety. The NRC also partially released the telephone directories by releasing only the names and telephone numbers but not the office locations of staff. The agency withheld the office locations in part under the authority of FOIA Exemption (b)(7)(F) and also because the agency believes it is out of scope of the Freedom of Information Act. You appealed the denial of the partly withheld information in the telephone directories. Your appeal letter asserts that the information in the records would not aid in a terrorist attack and would not compromise security. Your letter does not explain the basis for this assertion.

Acting on your appeal, I have reviewed the record in the case and have determined that the NRC will continue to withhold the information. Therefore, I have denied your appeal.

The NRC will continue to withhold the information pursuant to Exemptions (b)(7)(F) and because the information is out of scope of the FOIA. The telephone directories contain details on the physical location of specific NRC personnel who perform law enforcement-related functions. If the NRC releases this information, it could constitute an unwarranted invasion of personal privacy and could reasonably be expected to endanger the life or physical safety of an individual.

This is the NRC's final decision concerning your appeal of the denial of information. As set forth in the FOIA (5 U.S.C. 552(a)(4)(B)), you may obtain 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. In other words, 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

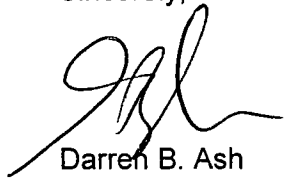
J. Tarver

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the authority to handle requests made under the Privacy Act of 1974. You may contact OGIS in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
Room 2510
8601 Adelphi Road
College Park, MD 20740-6001
E-mail: ogis@nara.gov
Telephone: 301-837-1996
Facsimile: 301-837-0348
Toll-free telephone: 1-877-684-6448

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Ash', with a long horizontal flourish extending to the right.

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