

FOIA REQUEST

Case No.: 2015 - 0352

Date Rec'd. 6/17/2015

Specialist:

Requester Name:

Dear FOIA Officer
NRC

6/17/2015

pursuant to FOIA 5 USC 552, I am writing for the following

* NRC - Information Digest dated March 30, 2011

Please view all her at this time

I look forward to a prompt 20 day reply not counting holidays & weekends.

If you have any questions please let me know.

Thanks Always

Julian Tarver DOC 885530
CBCC

1830 Eagle Crest way
Challan Bay, WA 98326

cc: legal file



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

June 26, 2015

FOIA/PA-2015-00352

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

Dear Mr. Tarver,

We received your Freedom of Information Act/Privacy Act (FOIA/PA) request on June 26, 2015, pertaining to NRC's Information Digest.

Your request has been assigned the following reference number that you should use in any future communications with us about your request: **FOIA/PA-2015-00352**

To ensure the most equitable treatment possible of all requesters, the NRC processes requests on a first-in, first-out basis, using a multiple track system based upon the estimated time it will take to process the request. Based on your description of the records you are seeking, we estimate completion of your request will be within 20 working days. We will advise you of any change in the estimated time to complete your request.

For purposes of assessing fees in accordance with our regulations (10 CFR 9.33), we have placed your request in the following category: **Non-Exempted**. If applicable, you will be charged appropriate fees for: **Search and Duplication of Records**.

A sheet has been enclosed that explains in detail the fee charges that may be applicable. **Please do not submit any payment unless we notify you to do so.**

The following person is the Government Information Specialist who has been assigned responsibility for your request: **Tina Ennis at 301-415-5616**.

If you have questions on any matters concerning your FOIA/PA request please feel free to contact the assigned Government Information Specialist or me at (301) 415-7169.

Sincerely,

Roger Andoh
FOIA Officer
Office of Information Services

Enclosures:
Incoming Request
Explanation of Fees

EXPLANATION OF FEES

Requester Fee Categories

Commercial: Fees are charged for document search, duplication, and review, when records are requested for commercial purposes. Fees (above the minimum fee charge) cannot be waived for this category of requester.

Educational, Non-Commercial Scientific, News Media and Privacy Act: Fees may be charged only for document duplication when records are not sought for commercial use and the request is made by an Educational or Non-Commercial Scientific Institution, whose purpose is scholarly or scientific research; or a Representative of the News Media; or a person requesting his/her own records that are in a Privacy Act system of records. No fee is charged for the first one hundred pages of duplication for this category of requester.

Non-Exempted: For any request not described above (Non-Exempted), fees may be charged for document search and duplication. No fee is charged for the first two hours of search time or for the first one hundred pages of duplication for this category of requester.

Fee Schedules

Fee schedules provide only for the recovery of the direct costs of search, duplication, or review. Review costs include only the costs for initial examination of a document to determine whether it must be disclosed and to determine whether to withhold portions that are exempt from disclosure. The fee schedule is as follows:

<u>Search & Review Conducted By</u>	<u>Rate</u>	
SES/COMMISSIONER	\$90.53/hour	(ES-maximum)
PROFESSIONAL	\$56.36/hour	(GG-13, Step 6)
CLERICAL	\$25.16/hour	(GG-7, Step 6)
<u>Duplication Charges</u>	\$.20 per page	

Fees for non-standard search or duplication will be charged at the actual cost (e.g. providing copying of audio tapes or conducting computer searches).

Minimum Fee: No fee will be charged unless the fee is equal to or greater than \$25.00.

When to Pay Fees

If we estimate that fees will not exceed \$25.00 or you have stated in your request a higher amount that you are willing to pay, we assume your willingness to pay up to \$25 or the amount stipulated and you will be billed after we have completed your request.

If we estimate that fees will exceed \$25.00 or any amount that has been stated by you in your request, we will not proceed with your request until we have notified you and obtained your agreement to pay the estimated fees.

If we estimate fees will exceed \$250, you will be required to pay the estimated fees in advance before we proceed further with your request. If, while processing your request, we find that the actual fees exceed the estimated fee, we will obtain your consent to pay the additional fees before continuing to process your request. If the actual fees to process your request are less than any advance payment you have made, you will be refunded the overpayment amount.

Fee Waivers

A waiver or reduction of fees may be granted for furnishing documents if a requester, by fully addressing the eight factors in 10 CFR 9.41, clearly demonstrates that disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.

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

2015-0352

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RESPONSE TYPE INTERIM FINAL

REQUESTER
Julian Tarver

DATE
June 29, 2015

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

- We did not locate any agency records responsive to your request. *Note:* Congress allowed agencies to treat three discrete categories of law enforcement and national security records as not subject to the FOIA ("exclusions"). See 5 U.S.C. 552(c). This is a standard notification that we give to all requesters; it should not be taken as an indication that any of these excluded records do, or do not, exist.
- We have withheld certain information in the records from disclosure pursuant to the FOIA exemptions described, and for the reasons stated, in Part II.
- Because this is an interim response to your request, you may not appeal this determination at this time. We will notify you of your right to appeal any of the responses we have issued in response to your request when we issue our final determination on your request.
- You may appeal this final determination within 30 calendar days of the date of this response, by writing to the FOIA Officer, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001. Please be sure to mark your letter/envelope or email that it is a "FOIA Appeal."

PART I.C COMMENTS (Use attached Comments continuation page if required)

We were not able to locate a NRC's Information Digest dated March 30, 2011. However, we have located NRC's Information Digest dated August 31, 2011, consisting of 196 pages, which is already publicly available. If you would like this Information Digest, please resubmit your FOIA request stating your willingness to pay applicable fees.

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Roger Andoh

FOI/PA REQUEST

Case No: 2015-0052A

Date Recd: 7/22/15

Specialist: T. Ennis

Related Case: 2015-0352

Dear NRC

FOIA Request

7/2/2015

RE: FOIA Case #, 2015-0352

I am writing to appeal a Search Review as the March 30, 2011 Information Digest was provided to me in past FOIA Case on (ELF). And that the date of the information digest.

Please let me know of any questions.

Thanks Always

Julian Tarver Doc 985530

CBCC

1930 Eagle Crest Way
Chattanooga, TN 37426

cc: lead file



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

July 22, 2015

FOIA/PA-2015-00052A
FOIA/PA-2015-00352

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

Dear Mr. Tarver:

We have logged your **July 9, 2015** correspondence as an appeal for **Adequacy of Search** to you under **FOIA/PA-2015-00352**, pertaining to the March 30, 2011, Information Digest.

Your appeal has been assigned the following reference number that you should use in any future communications with us about your appeal: **FOIA/PA-2015-00052A**.

As we stated in our June 29, 2015, response to your original request, FOIA/PA-2015-0352, we were unable to locate NRC's Information Digest dated March 30, 2011. The NRC publishes an Information Digest periodically, which provides a summary of information about the NRC and the industries it regulates, and is posted to NRC's external website. However, the Information Digest you referenced in your appeal letter is for a specific Information Digest, NID-01-11, Potential Domestic Terrorist Threat to NRC Licensees, which you did not clarify in your initial request. Furthermore, this Information Digest was already released to you in an appeal response, FOIA/PA-2015-0022A, dated May 7, 2015. Therefore, you have exhausted your administrative remedies, and no further action will be taken.

The following person is the Government Information Specialist who has been assigned responsibility for your appeal: **Tina Ennis at 301-415-5616**.

If you have questions on any matters concerning your FOIA/PA appeal, please feel free to contact the Government Information Specialist assigned to your appeal or me. I can be reached at 301-415-7169.

Sincerely,

/S/

Roger Andoh
FOIA Officer
Office of Information Services

Enclosure:
Incoming Request