



### RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

2016-0469

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RESPONSE TYPE  INTERIM  FINAL

**REQUESTER:**

Beryl Lipton

**DATE:**

05/16/2016

**DESCRIPTION OF REQUESTED RECORDS:**

(1) manual, or guiding documentation/protocols, used by FOIA Office to process requests; (2) guidelines to agency FOIA regulations; and (3) guidelines and regulations regarding the submission and processing of appeals.

#### PART I. -- INFORMATION RELEASED

- Agency records subject to the request are already available in public ADAMS or on microfiche in the NRC Public Document Room.
- 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\*

\$

\*See Comments for details

- You will be billed by NRC for the amount listed.
- None. Minimum fee threshold not met.
- 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:* Agencies may treat three discrete categories of law enforcement and national security records as not subject to the FOIA ("exclusions"). 5 U.S.C. 552(c). This is a standard notification given to all requesters; it should not be taken to mean that any excluded records do, or do not, exist.
- We have withheld certain information 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 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.
- You may appeal this final determination within 30 calendar days of the date of this response by sending a letter or email to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or [FOIA.Resource@nrc.gov](mailto:FOIA.Resource@nrc.gov). Please be sure to include on your letter or email that it is a "FOIA Appeal."

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

The NRC's FOIA and Privacy Act webpage, which is available at this link, <http://www.nrc.gov/reading-rm/foia/foia-privacy.html>, contains information about the processing of FOIA requests and administrative appeals, including the information you requested in item 3. You will also see that the FOIA Office's Desk Guide, which the FOIA staff uses in its processing of FOIA requests, and that is responsive to item 1, is included on that page, at <http://www.nrc.gov/reading-rm/foia/ML16083A096.pdf>. (You can also locate the Desk Guide by entering the accession number, ML16083A096, in the Web-based ADAMS search tool found on the right hand side of this link: <http://www.nrc.gov/reading-rm/adams.html>.)

SIGNATURE - FREEDOM OF INFORMATION ACT OFFICER

*Roger D. Andoh*

**RESPONSE TO FREEDOM OF INFORMATION  
ACT (FOIA) REQUEST Continued**

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**PART I.C COMMENTS (Continued)**

With respect to item 2, the NRC does not have any "guides to agency FOIA request regulations" like those described in the DOJ/OIP link you included in your request. You may find the NRC's FOIA regulations, 10 C.F.R. Part 9, at <http://www.nrc.gov/reading-rm/doc-collections/cfr/part009/>. In addition to these FOIA resources, you may wish to refer to Management Directive 3.1, which can be found at <http://www.nrc.gov/docs/ML1100/ML110050002.pdf>. (Please note that MD 3.1 is currently undergoing revision and is expected to be re-published during the summer months.)

The incoming FOIA request will be made available in public ADAMS as ML#16137A161. 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 1-800-397-4029, or by email to [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov).