



RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

2016-0546

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RESPONSE TYPE INTERIM FINAL

REQUESTER:

Julian Tarver

DATE:

07/12/2016

DESCRIPTION OF REQUESTED RECORDS:

"Department of Energy proposal to provide NRC a mock adversary force, per page 1 of OIG Report 05-015 (sic)"

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. 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)

Please note that the OIG Report to which your request refers is actually 05-01S. Our initial search for the responsive record, based upon the report number you provided, did not produce any record. Even after the FOIA Office was able to identify the correct report number, NRC staff was unable to locate the Department of Energy (DOE) proposal you asked for. Even had we located the proposal, we note that we would have had to consult with, or refer your request to, the DOE. Accordingly, you may wish to direct your request to the DOE. If you choose to submit a request to the DOE, it should be mailed to the following address: FOIA Requester Service Center, 1000 Independence Avenue, S.W., Mail Stop MA-90, Washington, D.C. 20585.

SIGNATURE - FREEDOM OF INFORMATION ACT OFFICER

Nina Argent, Acting