



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

SEP 09 2016

IN RESPONSE REFER TO:
FOIA/PA-2016-0151A
FOIA/PA-2016-0614

Julian Tarver

(b) (6)

Dear Mr. Tarver:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated August 16, 2016, in which you appealed the agency's August 4, 2016 response related to your July 9, 2016 Freedom of Information Act (FOIA) request, FOIA/PA-2016-614. You appealed the denial of information and adequacy of our search for responsive records.

Acting on your appeal, I have reviewed the final response and have determined that the search was adequate, because in your original request, you specifically stated that you were requesting a copy of the email from Margo Stevens to Todd Masse, dated April 14, 2015, 11:31 a.m. regarding FOIA 2015-022A. Because you had requested the internal and external communications relating to FOIA 2015-0119 and 2015-0022A in a previous request (FOIA 2016-0190), you were notified that since you appealed the agency's partial denial under FOIA 2016-0067A, dated February 26, 2016, that the denial of information was affirmed.

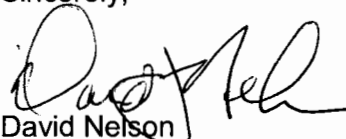
It was in the final response for FOIA 2016-0614, that you were again notified that you had already exhausted the administrative remedies in response to the records that have already been provided, and appealed. Additionally, because the requested information for FOIA 2016-0614 pertained to internal and external communications, the search that was performed was adequate because no search had to be performed by anyone other than the FOIA staff because only the FOIA staff maintains and has access to the FOIA case files. Therefore, your appeal is denied.

This is the final agency decision. As set forth in the FOIA (5 U.S.C. 552(a)(4)(B)), you may seek judicial review of this decision in the 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.

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. 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
Email: ogis@nara.gov
Telephone: 202-741-5770
Toll-free: 1-877-684-6448
Fax: 202-741-5769

Sincerely,

A handwritten signature in black ink, appearing to read "David Nelson", written over a printed name.

David Nelson
Chief Information Officer
Office of the Chief Information Officer