



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

NOV 02 2016

IN RESPONSE REFER TO:
FOIA/PA-2017-00012A
FOIA/PA-2016-00712

Julian Tarver, (b) (6)
(b) (6)

Dear Mr. Tarver:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated September 28, 2016, in which you appealed the agency's September 23, 2016, response related to your August 3, 2016 Freedom of Information Act (FOIA) request, FOIA/PA-2016-00712. Your request sought copies of all "lawsuits that have been served on the NRC by the National Whistleblower Center." Your appeal letter appears to take issue with the fee category to which your request was assigned, stating that you are a member of the media and, on that basis, you are eligible for a fee waiver.

Acting on your appeal, I have considered the matter and have determined that the agency provided the responsive records to FOIA/PA-2016-00712 to you at no charge. Therefore, your appeal is being denied on the bases that you have not appealed any adverse determination made by the agency.

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.

Tarver, J.

-2-

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 nonexclusive 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 J. Nelson", written in a cursive style.

David J. Nelson
Chief Information Officer
Office of the Chief Information Officer