

RESPONSIVE RECORDS



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

MAR 09 2017

IN RESPONSE REFER TO:
FOIA/PA-2017-00132A
FOIA/PA-2017-00252

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 February 25, 2017, in which you appealed the agency's January 23, 2017 response related to your December 29, 2016 Freedom of Information Act (FOIA) request, FOIA/PA-2017-00252. You appealed the redactions made to the requested FOIA log.

Acting on your appeal, I have reviewed the records in the case and have determined that the previously withheld information will continue to be withheld. The redactions are justified under exemption 6 of the FOIA. Exemption 6 of the FOIA (5 U.S.C. 552 (b) (6)), which is reflected also at 10 CFR 9.17 (a)(6) of the Commission's regulations, protects information, the disclosure of which would result in a clearly unwarranted invasion of personal privacy. I have concluded that disclosing the identities of FOIA requesters who were seeking investigative records about themselves and Privacy Act requesters who were seeking their own personnel records, previously marked for withholding under exemption 6, would result in a clearly unwarranted invasion of personal privacy. I am unable to identify any legitimate public interest in the release of this information that outweighs the privacy interest of the individual. Therefore, the NRC will continue to withhold this information under exemption 6, and have denied your appeal.

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 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:

Tarver, J.

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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". The signature is stylized and cursive, with a large initial "D" and "N".

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