



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

MAR 17 2017

IN RESPONSE REFER TO:  
FOIA/PA-2017-00083A  
FOIA/PA-2017-00736

Julian Tarver



Dear Mr. Tarver:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated November 7, 2016, in which you appealed the agency's October 25, 2016, response related to your August 23, 2016, Freedom of Information Act (FOIA) request, FOIA/PA-2016-00736, which sought all internal/external communication related to FOIA Case 2016-0131A and 2016-0517. You appealed the denial of information.

Acting on your appeal, I have reviewed our previous response that was withheld in part and have determined that the exemptions applied were appropriate. Therefore, I have denied your appeal.

The NRC continues to believe that the redactions in the responsive documents provided to you are justified under the deliberative process under FOIA exemption 5. Specifically, the NRC has determined that release of redacted information is necessary to protect the integrity of our internal deliberative process. Accordingly, the NRC is denying your appeal and will continue to withhold the redacted portions under FOIA exemption 5.

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.

As part of the 2007 FOIA amendments, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a nonexclusive alternative to litigation. In other words, using OGIS services does not affect your right to pursue litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974.

Tarver, J.

- 2 -

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 207 40  
E-mail: [ogis@nara.gov](mailto:ogis@nara.gov)  
Telephone: 202-741-5770  
Facsimile: 202-7 41-5769  
Toll-free telephone: 1-877-684-6448

Sincerely,

A handwritten signature in black ink, appearing to read "David J. Nelson", with a long horizontal flourish extending to the right.

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

Enclosure:  
As stated