



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

APR 05 2017

IN RESPONSE REFER TO:
FOIA/PA-2017-0085A
FOIA/PA-2017-0056
FOIA/PA2017-0103A
FOIA/PA 2017-0056

Julian Tarver, (b) (6)

Dear Mr. Tarver:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated November 21, 2016, in which you appealed the agency's October 27, 2016, decision related to your September 21, 2016, Freedom of Information Act (FOIA) request, FOIA/PA-2017-0056. Also, your letter dated November 19, 2016, in which you appealed the agency's October 27, 2016, decision related to your September 21, 2016, Freedom of Information Act (FOIA) request, FOIA/PA-2017-0056. Both requests sought the same search as FOIA/PA 2016-0326, all notices of intent to initiate NRC classified work at Department of Energy National Laboratories, but with the date range of 2005 through December 31, 2009. Your appeal disputes the no records response to your requests.

Acting on your appeal, I have considered the matter and have determined the search was adequate. Therefore, I have denied your appeal.

The Office of Administration, Office of Research and the Office of Nuclear Security & Incident Response were tasked to conduct your search. These offices were appropriately determined to be the locations most likely to have the record(s) responsive to your requests. The search conducted was proper and complete to identify any records responsive to your request. Therefore, I conclude that the search performed was adequate.

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.

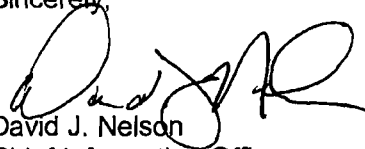
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The 2007 FOIA amendments created the Office of Government Information Services (OGIS) to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a nonexclusive alternative to litigation. Using OGIS services does 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 over a circular stamp or seal.

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