



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

MAY 24 2017

IN RESPONSE REFER TO:  
FOIA/PA-2017-0130A  
FOIA/PA-2017-0283

Julian Tarver



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 decision related to your Freedom of Information Act (FOIA) request, FOIA/PA-2017-0283. You appealed the full denial of the requested search for new records.

Acting on your appeal, I have considered this matter and have determined that the administrative closing of your request was appropriate.

FOIA/PA 2017-0283 was a duplicate request of your December 21, 2014, FOIA/PA 2015-0119, asking for records relating to the Earth Liberation Front. While you specified that you only wanted records that belonged to the Office of Nuclear Security and Incident Response (NSIR), a search had already been conducted for the previous FOIA. However, on appeal, a preliminary search was conducted and I was notified that the search is expected to reasonably produce a voluminous amount of pages and would take longer than two hours of search. Because of your unwillingness to pay fees to process your request, we will not proceed on the processing of this request. Therefore, I 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 can seek judicial review of this decision in a district court of the United States in the district in which you reside or have your principal place of business, in the district where 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. 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.

Julian Tarver

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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](mailto: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