



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

JUN 13 2017

IN RESPONSE REFER TO:
FOIA/PA-2017-0146A (FOIA/PA-2017-0326)
FOIA/PA-2017-0147A (FOIA/PA-2017-0322)
FOIA/PA-2017-0164A (FOIA/PA-2017-0310)
FOIA/PA-2017-0172A (FOIA/PA-2017-0317)

Julian Tarver

(b) (6)

Dear Mr. Tarver,

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letters dated 03/28/2017, 03/29/2017, and 03/30/2017, in which you appealed the agency's decision related to your Freedom of Information Act (FOIA) requests, as listed above. You appealed the adequacy of search because of the no records response you received for each FOIA response.

In response to appeal of the findings relating to FOIA/PA 2017-0146A, you requested a copy of all notices sent to the NRC Operations Center of discovery or loss of any shipment of special nuclear materials or spent nuclear fuel. We tasked the program that is responsible for reporting these events; and for keeping a record of nuclear materials shipments, and they provided the FOIA staff with a no records response. For this appeal, I have determined that the search was indeed adequate, and therefore I am denying your appeal.

FOIA/PA 2017-0147A appealed the non-disclosure of a cell phone number for an NRC employee. As stated in previous FOIA responses where you have requested to have other's cell phone numbers, we stated that we do not routinely provide the public with the personal cell phone numbers of others because it is an unwarranted invasion of the personal privacy of others. In this case however, that information was not provided because the employee does not have a government-issued cell phone. Acting on your appeal, I have considered the matter and have determined that the denial of a cell phone number was appropriate and the denial is being upheld.

FOIA/PA-2017-0164A was appealing the request for the past/current intelligence reports maintained by the NRC or sent to the NRC relating to Greenpeace, from 2009-December 31, 2015. A search of the Office of Nuclear Safety and Incident Response was performed, and it was stated that no records were located relating to Greenpeace and any intelligence reports for the specified date range. Because of the specific nature of the search and the fact that the appropriate program office was tasked, I am also upholding the findings of this request; therefore your appeal is denied.

In response to 2017-0172A, you are again appealing the no records response that you received. In this case, there were no records found (internal or external communications) within the case folder, or in our electronic tracking system. I will continue to uphold and support this finding. Therefore, your appeal is denied.

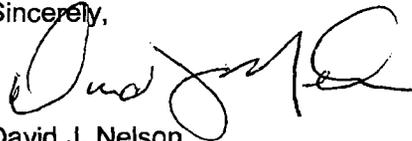
This is the final agency decision. As set forth in the FOIA (5 U.S.C. 552(a)(4)(B)), you can seek judicial review of this decision in a district court of the United States in the district in which you reside or have your principal place of business, in the district where the agency's records are situated, 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.

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,



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