



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

JUN 13 2017

IN RESPONSE REFER TO:
FOIA/PA-2017-0074A
FOIA/PA-2017-0113

Andrew DeSalvo
Post Office Box 1515
Santa Fe, NM 87504

Dear Mr. DeSalvo:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated November 1, 2016, in which you appealed the NRC's decision related to your Freedom of Information Act (FOIA) request, FOIA/PA-2017-0113. You appealed on the basis that the records we provided to you were not responsive to your request

In your FOIA request, you asked for "Turkey Point Nuclear Plant—Notification of Inspection and Request for Information. [ADAMS Accession No.] ML16187A399 07/06/2016." In our response, we provided you this record. In your appeal, however, you stated that you were in fact seeking not just the Notification of Inspection itself, but all of the information from the licensee that the NRC requested through the Notification. This information pertained to the heat exchangers and service water equipment at the licensee's Turkey Point Nuclear Plant.

In response to your appeal, our Region II (RGN II) office was asked to estimate whether it had any responsive records. Your appeal resulted in RGN II estimating they had 10,000 pages of records that were responsive to your request. All 10,000 pages were licensee records and on one CD. The NRC has not, however, retained this CD. Accordingly, the NRC does not at this time have any records responsive to your FOIA request, as described in your appeal letter.

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.

DeSalvo, A.

- 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 20740
Email: ogis@nara.gov
Toll-free: 1-866-272-6272

Sincerely,

A handwritten signature in black ink, appearing to read "David J. Nelson". The signature is fluid and cursive, with a large initial "D" and "N".

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