



### RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

NRC-2018-000024

1

RESPONSE TYPE  INTERIM  FINAL

**REQUESTER:**

Julian Tarver

**DATE:**

11/28/2017

**DESCRIPTION OF REQUESTED RECORDS:**

"13 non-public ADAMS records in package ML16195A365"

#### PART I. -- INFORMATION RELEASED

You have the right to seek assistance from the NRC's FOIA Public Liaison. Contact information for the NRC's FOIA Public Liaison is available at <https://www.nrc.gov/reading-rm/foia/contact-foia.html>

- Agency records subject to the request are already available on the Public NRC Website, in Public ADAMS or on microfiche in the NRC Public Document Room.
- Agency records subject to the request are enclosed.
- Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (see comments section) for a disclosure determination and direct response to you.
- We are continuing to process your request.
- See Comments.

#### PART I.A -- FEES

#### NO FEES

AMOUNT\*

\*See Comments for details

- You will be billed by NRC for the amount listed.
- You will receive a refund for the amount listed.
- Fees waived.
- Minimum fee threshold not met.
- Due to our delayed response, you will not be charged fees.

#### PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE

- We did not locate any agency records responsive to your request. *Note:* Agencies may treat three discrete categories of law enforcement and national security records as not subject to the FOIA ("exclusions"). 5 U.S.C. 552(c). This is a standard notification given to all requesters; it should not be taken to mean that any excluded records do, or do not, exist.
  - We have withheld certain information pursuant to the FOIA exemptions described, and for the reasons stated, in Part II.
  - Because this is an interim response to your request, you may not appeal at this time. We will notify you of your right to appeal any of the responses we have issued in response to your request when we issue our final determination.
- You may appeal this final determination within 90 calendar days of the date of this response by sending a letter or e-mail to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or [FOIA.Resource@nrc.gov](mailto:FOIA.Resource@nrc.gov). Please be sure to include on your letter or email that it is a "FOIA Appeal." You have the right to seek dispute resolution services from the NRC's Public Liaison, or the Office of Government Information Services (OGIS). Contact information for OGIS is available at <https://ogis.archives.gov/about-ogis/contact-information.htm>

#### PART I.C COMMENTS ( Use attached Comments continuation page if required)

This acknowledges receipt of your request. The 13 records comprising the package, ML16195A365, consist of 375 releasable pages, which exceeds the threshold at which duplication charges would be billed to you. (Please note that, although the 13 records were already maintained in ADAMS under their respective ML#,s, they are no longer assembled into the single ML# as a package.) Since your fee waiver request does not address the factors set forth in the NRC's FOIA regulations, you are ineligible for a fee waiver. And, since you have declined to incur fees in any of your prior requests, this request is not considered "perfected" and, for the reasons stated above, we are administratively closing our file.

Signature - Freedom of Information Act Officer or Designee

Stephanie A. Blaney

Digitally signed by Stephanie A. Blaney  
Date: 2017.11.28 08:27:33 -05'00'