



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

JAN 11 2018

IN RESPONSE REFER TO:
NRC-2018-000199
NRC-2018-000003

Mr. Julian Tarver
Washington State Penitentiary IMU South H-2
1313 N 13th Avenue
Walla Walla, WA 99362

Dear Mr. Tarver:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated December 8, 2017, in which you appealed the agency's November 28, 2017 response related to your November 3, 2017 Freedom of Information Act (FOIA) request, NRC-2018-000003. Your request sought the "report of Office of Inspector General [OIG] internally generated documents for period FY2009-Q4 that did not appear to meet the policy for released to the public. Found under ML092790530." You appealed the "no record" response.

Acting on your appeal, I have considered the matter and have determined that the "no record" response you received was appropriate. Therefore, I have denied your appeal.

The particular document you requested, ML092790530, is a "scorecard" that reflects OIG's 100% conformance with the NRC's release policy. As such, it does *not* reflect any OIG records that did not appear to meet the NRC's release policy, which is what you requested. However, as a one-time courtesy to you, I am enclosing a copy of this scorecard.

Sincerely,

A handwritten signature in black ink, appearing to read "David J. Nelson".

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

Enclosure:
As stated

Public Release Timeliness (PRT) Report of Internally Generated Documents

**Period Covered for this Report: July 1, 2009 through September 30, 2009 (Based on Date Actually Released to PARS)
OIG - 23 out of 23 documents (100.0%) appear to conform to release policy**

Agency policy regarding the "timely release" of publicly available documents to the public is provided in the agency's Yellow Announcement YA-00-0039 "Revised Policy Goal on Timing the Release of Documents to the Public in the ADAMS Environment" (Issued May 22, 2000). This policy states, in part, that "Documents produced by the staff addressed to external entities are to be released 5 full working days after the date of the document." In addition, the policy states that "Documents produced by the staff addressed to other internal addressees or documents with no specific addressee shall be released 5 full working days after the date of the document."

The purpose of the Public Release timeliness (PRT) Report is to specifically identify (by accession number) documents within a defined period which appear not to have been released to the public within the time frame specified under NRC agency policy.

Certain NRC documents have a different time period for public release, as stipulated under Yellow Announcement YA-00-0039, which needed to be factored into this report generator as exceptions. In order to effectively filter these "exception" documents out, the staging queue criteria listed below was used to stage documents for this report. In addition to the criteria referenced in the Yellow Announcement, "Document Date" and "Keyword" criteria was applied to exempt retrofit documents from being included. Staged documents were then run through an automated process to identify those which did not appear to have been released to the public in accordance with the NRC release policy, under the five working day rule. This report includes documents addressed to all NRC offices (sorted by office) that were replicated to the ADAMS Publicly Available Records System (PARS) Library during the Period of Report date range defined at the report prompt.

Staging Queue Criteria

- Date Copied to PARS...within date range entered at "Period of Report" prompt (except 25-oct-2007 to 16-nov-2007)
- Author Affiliation...like...NRC/OIG*
- Document Date...is after...One year prior to PRT report "Start" date entered at "Period of Report" prompt

Exceptions

- Added By User...equal...capture
- Author Affiliation...like...NRC/ACMUI
- Case/Reference Number...like...*FOIA*
- Docket Number...like...030*
- Document Type...equal...Agreement States-Regulations Review
- Document Type...equal...Commission Action Memoranda (COM)
- Document Type...equal...Commission SECY Paper
- Document Type...equal...Commission Staff Requirements Memo (SRM)
- Document Type...equal...Commission Voting Record (CVR)
- Document Type...equal...Committee Letter Report
- Document Type...equal...Congressional Correspondence
- Document Type...equal...Emergency Preparedness-Emergency Plan and Post Exercise Evaluation (FEMA)
- Document Type...equal...Emergency Preparedness-Emergency Plan Exercise Objectives and Scenario
- Document Type...equal...Emergency Preparedness-Review of Emergency Plan Exercise Objectives and Scenario
- Document Type...equal...Enforcement Action
- Document Type...equal...Enforcement Notification
- Document Type...equal...Federal Register Notice
- Document Type...equal...FOIA/Privacy Act Response to Requestor
- Document Type...equal...Legal-Exhibit
- Document Type...equal...Legal-Pre-Filed Exhibits
- Document Type...equal...License-Operator License Exam, Draft
- Document Type...equal...License-Operator, Form 396, Certification of Medical Examination
- Document Type...equal...License-Operator, Form 398, Personal Qualification Statement
- Document Type...equal...License-Operator, Form 474, Simulation Facility Certification
- Document Type...equal...License-Operator, Other HQ and Regional Correspondence
- Document Type...equal...License-Operator, Part 55 Examination Related Material
- Document Type...equal...Management Directive
- Document Type...equal...Meeting Transcript

Staging Queue Criteria - Exceptions (continued)

- Document Type...equal...NUREG
- Document Type...equal...NUREG, Draft
- Document Type...equal...OCFO Fee Policy Documentation
- Document Type...equal...OMB Clearance Material
- Document Type...equal...Privacy Impact Assessment
- Document Type...equal...Regulatory Guide
- Document Type...equal...Regulatory Guide, Draft
- Document Type...equal...Route Approval Letter to Licensee
- Document Type...equal...Safety and Compliance Inspection Record, NRC Form 591
- Keyword...like...*+ur*
- Keyword...like...*NRR/DLR/OGC Email*
- Keyword...like...*OMB 300*
- Keyword...like...*Redacted Public Version*
- Keyword...like...*Retrofit*
- Title...like...*certified Index*
- Title...like...COMSECY*
- Title...like...SECY*
- Keyword...like...*MLRoot*
- (Document Type...equal...Meeting Agenda) ...and... (Author Affiliation...like...NRC/ACRS*)
- (Document Type...equal...Meeting Agenda) ...and... (Author Affiliation...like...NRC/ACNW*)
- (Document Type...equal...Meeting Minutes) ...and... (Author Affiliation...equal...NRC/CRGR)
- (Document Type...equal...Legal-Hearing Transcript) ...and... (Author Affiliation...like...NRC/ASLBP*)

Release Compliant Criteria

- Documents included in the "staged queue" set (based on criteria listed above) which were actually "Copied to PARS" more than six (6) workdays after their "Document Date", are listed on the following detailed page(s).

NRC Internal Documents That Appear to Meet Policy for Release to the Public 1-Jul-2009 to 30-Sep-2009

OIG - 23 out of 23 documents (100.0%) documents appear to conform to release policy

Author Affiliation	Document Date	Policy Release Date	DPC Folder Date	Staff Release Date	Actual Release Date
--------------------	---------------	---------------------	-----------------	--------------------	---------------------

NRC/OIG - 0 out of 3 documents (0.0%) documents do not appear to conform to release policy					
--	--	--	--	--	--

NRC Internal Documents That Appear to Meet Policy for Release to the Public 1-Jul-2009 to 30-Sep-2009

OIG - 23 out of 23 documents (100.0%) documents appear to conform to release policy

Author Affiliation	Document Date	Policy Release Date	DPC Folder Date	Staff Release Date	Actual Release Date
--------------------	---------------	---------------------	-----------------	--------------------	---------------------

NRC/OIG/AIGA - 0 out of 20 documents (0.0%) documents do not appear to conform to release policy					
---	--	--	--	--	--