



RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

FOIA

NRC-2018-000065

RESPONSE NUMBER

1

RESPONSE TYPE

INTERIM

FINAL

REQUESTER:

Julian Tarver

DATE:

JAN 16 2018

DESCRIPTION OF REQUESTED RECORDS:

Internal/external communication regarding FOIA request 2017-0485

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. 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)

Signature - Freedom of Information Act Officer or Designee



RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

NRC-2018-000065

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PART II.A -- APPLICABLE EXEMPTIONS

Records subject to the request are being withheld in their entirety or in part under the FOIA exemption(s) as indicated below (5 U.S.C. 552(b)).

- Exemption 1: The withheld information is properly classified pursuant to an Executive Order protecting national security information.
- Exemption 2: The withheld information relates solely to the internal personnel rules and practices of NRC.
- Exemption 3: The withheld information is specifically exempted from public disclosure by the statute indicated.
 - Sections 141-145 of the Atomic Energy Act, which prohibits the disclosure of Restricted Data or Formerly Restricted Data (42 U.S.C. 2161-2165).
 - Section 147 of the Atomic Energy Act, which prohibits the disclosure of Unclassified Safeguards Information (42 U.S.C. 2167).
 - 41 U.S.C. 4702(b), which prohibits the disclosure of contractor proposals, except when incorporated into the contract between the agency and the submitter of the proposal.
- Exemption 4: The withheld information is a trade secret or confidential commercial or financial information that is being withheld for the reason(s) indicated.
 - The information is considered to be proprietary because it concerns a licensee's or applicant's physical protection or material control and accounting program for special nuclear material pursuant to 10 CFR 2.390(d)(1).
 - The information is considered to be another type of confidential business (proprietary) information.
 - The information was submitted by a foreign source and received in confidence pursuant to 10 CFR 2.390(d)(2).
- Exemption 5: The withheld information consists of interagency or intraagency records that are normally privileged in civil litigation.
 - Deliberative process privilege.
 - Attorney work product privilege.
 - Attorney-client privilege.
- Exemption 6: The withheld information from a personnel, medical, or similar file, is exempted from public disclosure because its disclosure would result in a clearly unwarranted invasion of personal privacy.
- Exemption 7: The withheld information consists of records compiled for law enforcement purposes and is being withheld for the reason(s) indicated.
 - (A) Disclosure could reasonably be expected to interfere with an open enforcement proceeding.
 - (C) Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
 - (D) The information consists of names and other information the disclosure of which could reasonably be expected to reveal identities of confidential sources.
 - (E) Disclosure would reveal techniques and procedures for law enforcement investigations or prosecutions, or guidelines that could reasonably be expected to risk circumvention of the law.
 - (F) Disclosure could reasonably be expected to endanger the life or physical safety of an individual.
- Other

PART II.B -- DENYING OFFICIALS

In accordance with 10 CFR 9.25(g) and 9.25(h) of the U.S. Nuclear Regulatory Commission regulations, the official(s) listed below have made the determination to withhold certain information responsive to your request.

DENYING OFFICIAL	TITLE/OFFICE	RECORDS DENIED	APPELLATE OFFICIAL	
			EDD	SECY
Stephanie Blaney	FOIA Officer/OCIO	PII, Predecisional Information	<input checked="" type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

Appeals must be made in writing within 90 calendar days of the date of this response by sending a letter or email to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or FOIA.Resource@nrc.gov. Please be sure to include on your letter or email that it is a "FOIA Appeal."

Ennis, Tina

From: Ennis, Tina
Sent: Friday, October 27, 2017 11:41 AM
To: Argent, Nina
Subject: RE: about your 2017-0485

Thanks.

Tina Ennis

FOIA Analyst (Contractor)
OCIO/GEMS/ISB
U.S. Nuclear Regulatory Commission
Location: O-4H02 | Mailstop: O-4A15
301-415-5616 | Tina.Ennis@nrc.gov

From: Argent, Nina
Sent: Friday, October 27, 2017 11:37 AM
To: Ennis, Tina <TINA.ENNIS@nrc.gov>
Subject: about your 2017-0485

This can be added to your folder or the correspondence log for 2017-0485 so it can be clear that Stephanie knew about the still interested letter going out.

(Karen asked me if Stephanie knew) – so I thought to send this.

Thanks!

From: Blaney, Stephanie
Sent: Friday, October 27, 2017 7:14 AM
To: Argent, Nina <Nina.Argent@nrc.gov>
Cc: Danoff, Karen <Karen.Danoff@nrc.gov>; Stevens, Margo <Margo.Stevens@nrc.gov>; Ennis, Tina <TINA.ENNIS@nrc.gov>
Subject: RE: Last 3 cases

Ok I will assign 537 to Karen

496 – to Margo

485 - Tina

From: Argent, Nina
Sent: Friday, October 27, 2017 7:09 AM
To: Blaney, Stephanie <Stephanie.Blaney@nrc.gov>
Subject: RE: Last 3 cases

I will. I can't find the still interested for 2017-0485 (Tarver) and will do that now. Then when someone gets it, all they will really have to do is close it out with the 464.

2017-0496 – I have not heard back from the requester but the email was sent through FOIAX so it's there for information. Her response is going to come into FOIA Resource if/when she responds to my message.

2017-0537 – Karen and I met on this one and 2017-0557 and she was wondering why it hadn't already been assigned to her so I'm sure she emailed you about it already.

I have met with everyone but Bobbi and will turn the two cases over to her today before I leave and let her know where I left off.

I am going to put the other case files on your desk so when they are re-assigned they are there for you to hand over.

Thanks.

From: Blaney, Stephanie
Sent: Friday, October 27, 2017 6:59 AM
To: Argent, Nina <Nina.Argent@nrc.gov>
Subject: Last 3 cases

Let me know the status of those last 3 cases I need to assign so that I can re-assign them.

Ennis, Tina

From: Ennis, Tina
Sent: Monday, November 20, 2017 12:22 PM
To: Stevens, Margo
Subject: RE: 2017-0485

I will bring that to (b)(6) attention as well.

Thanks.

Tina Ennis

FOIA Analyst (Contractor)
OCIO/GEMS/ISB
U.S. Nuclear Regulatory Commission
Location: O-4H02 | Mailstop: O-4A15
301-415-5616 | Tina.Ennis@nrc.gov

From: Stevens, Margo
Sent: Monday, November 20, 2017 12:19 PM
To: Ennis, Tina <TINA.ENNIS@nrc.gov>
Subject: RE: 2017-0485

(b)(5)

Margo L. Stevens
FOIA Analyst/Team Leader (Contractor)
OCIO/GEMS/Information Services Branch
U.S. Nuclear Regulatory Commission
11545 Rockville Pike, Mail Stop T-2J7
Rockville, Maryland 20852
Telephone #: (301) 415-8148

From: Stevens, Margo
Sent: Monday, November 20, 2017 12:07 PM
To: Ennis, Tina <TINA.ENNIS@nrc.gov>
Subject: RE: 2017-0485

Yes, good research! I would definitely get back with (b)(6) (b)(5).

(b)(5)

(b)(5),(b)(6)

Thanks.

Margo L. Stevens
FOIA Analyst/Team Leader (Contractor)
OCIO/GEMS/Information Services Branch
U.S. Nuclear Regulatory Commission
11545 Rockville Pike, Mail Stop T-2F7
Rockville, Maryland 20852
Telephone #: (301) 415-8148

From: Ennis, Tina
Sent: Monday, November 20, 2017 11:28 AM
To: Stevens, Margo <Margo.Stevens@nrc.gov>
Subject: 2017-0485

(b)(5)

Thank you,

Tina Ennis
FOIA Analyst (Contractor)
OCIO/GEMS/ISB
U.S. Nuclear Regulatory Commission
Location: O-4H02 | Mailstop: O-4A15
301-415-5616 |  Tina.Ennis@nrc.gov

Ennis, Tina

From: Ennis, Tina
Sent: Monday, November 20, 2017 12:36 PM
To: Stevens, Margo
Subject: RE: 2017-0485

Sounds great. Thanks.

Tina Ennis

FOIA Analyst (Contractor)
OCIO/GEMS/ISB
U.S. Nuclear Regulatory Commission
Location: O-4H02 | Mailstop: O-4A15
301-415-5616 | Tina.Ennis@nrc.gov

From: Stevens, Margo
Sent: Monday, November 20, 2017 12:35 PM
To: Ennis, Tina <TINA.ENNIS@nrc.gov>
Subject: RE: 2017-0485

I forgot about that.

(b)(5),(b)(6)

Margo L. Stevens
FOIA Analyst/Team Leader (Contractor)
OCIO/GEMS/Information Services Branch
U.S. Nuclear Regulatory Commission
11545 Rockville Pike, Mail Stop T-2f7
Rockville, Maryland 20852
Telephone #: (301) 415-8148

From: Ennis, Tina
Sent: Monday, November 20, 2017 12:21 PM
To: Stevens, Margo <Margo.Stevens@nrc.gov>
Subject: RE: 2017-0485

(b)(5),(b)(6)

Thanks.

Tina Ennis

FOIA Analyst (Contractor)

OCIO/GEMS/ISB

U.S. Nuclear Regulatory Commission

Location: O-4H02 | Mailstop: O-4A15

301-415-5616 |  Tina.Ennis@nrc.gov

From: Stevens, Margo

Sent: Monday, November 20, 2017 12:07 PM

To: Ennis, Tina <TINA.ENNIS@nrc.gov>

Subject: RE: 2017-0485

Yes, good research! I would definitely get back with (b)(6) (b)(5)

(b)(5)

(b)(5),(b)(6)

(b)(5)

Thanks.

Margo L. Stevens

FOIA Analyst/Team Leader (Contractor)

OCIO/GEMS/Information Services Branch

U.S. Nuclear Regulatory Commission

11545 Rockville Pike, Mail Stop T-2F7

Rockville, Maryland 20852

Telephone #: (301) 415-8148

From: Ennis, Tina

Sent: Monday, November 20, 2017 11:28 AM

To: Stevens, Margo <Margo.Stevens@nrc.gov>

Subject: 2017-0485

(b)(5)

Thank you,

Tina Ennis

FOIA Analyst (Contractor)

OCIO/GEMS/ISB

U.S. Nuclear Regulatory Commission

Location: O-4H02 | Mailstop: O-4A15

301-415-5616 |  Tina.Ennis@nrc.gov

Ennis, Tina

From: Ennis, Tina
Sent: Monday, November 20, 2017 12:51 PM
To: FOIAPAOIG Resource
Cc: (b)(6)
Subject: RE: FOIA/PA-2017-00485 Action Item/Instructions Review of Referred Records

Ok, thanks.

Tina Ennis

FOIA Analyst (Contractor)
OCIO/GEMS/ISB
U.S. Nuclear Regulatory Commission
Location: O-4H02 | Mailstop: O-4A15
301-415-5616 | Tina.Ennis@nrc.gov

From: FOIAPAOIG Resource
Sent: Monday, November 20, 2017 12:50 PM
To: Ennis, Tina <TINA.ENNIS@nrc.gov>
Cc: (b)(6)
Subject: RE: FOIA/PA-2017-00485 Action Item/Instructions Review of Referred Records

Tina,

Let me discuss this with Joe, he is the person that instructed me to redact the document the way I did. I will get back with you shortly.

From: Ennis, Tina
Sent: Monday, November 20, 2017 12:46 PM
To: FOIAPAOIG Resource <FOIAPAOIG.Resource@nrc.gov>
Cc: (b)(6)
Subject: RE: FOIA/PA-2017-00485 Action Item/Instructions Review of Referred Records

Hi (b)(6)

(b)(5)

Please advise.

Thank you,

Tina Ennis

FOIA Analyst (Contractor)
OCIO/GEMS/ISB
U.S. Nuclear Regulatory Commission
Location: O-4H02 | Mailstop: O-4A15
301-415-5616 | Tina.Ennis@nrc.gov

From: FOIAPAOIG Resource
Sent: Thursday, November 16, 2017 10:50 AM
To: Ennis, Tina <TINA.ENNIS@nrc.gov>
Cc: (b)(6)
Subject: RE: FOIA/PA-2017-00485 Action Item/Instructions Review of Referred Records

Tina,

Attached is a redacted copy of records responsive to the above request.

Thanks,

(b)(6)

From: Ennis, Tina [<mailto:Tina.Ennis@nrc.gov>]
Sent: Tuesday, November 07, 2017 9:02 AM
To: FOIAPAOIG Resource <FOIAPAOIG.Resource@nrc.gov>
Cc: (b)(6)
Subject: FOIA/PA-2017-00485 Action Item/Instructions Review of Referred Records

You have received this email message from FOIAXpress Request for Documents module. A RedactXpress (ADX) file has been attached with this email to add documents. You need to have the RedactXpress application to open and add documents to this file. Your response Due date is: 11/21/2017. Message from SENDER: A referral for FOIA/PA-2017-00485 is being assigned to OIG on November 7, 2017.

The due date is November 21, 2017, which is ten (10) working days from the date of this e-mail.

The action needing to be taken:

- Provide your office's concurrence or non-concurrence in the originating office's recommendations for disclosure or withholding of each record; or
- Provide a disclosure determination/recommendation for each record that was identified by another office as a record for which your office is responsible and which is subject to this request; or
- Provide a disclosure determination/recommendation for each record that was referred to the NRC for review or consultation by [insert name of other agency].

The records are attached, along with the incoming FOIA request.

NRC Form 496, "Report of Staff Resources for Processing FOIA Request" is available in the NRC Forms Library for your use.

The Government Information Specialist for this request is Tina Ennis, who can be reached at 301-415-5616, or Tina.Ennis@nrc.gov.

To avoid inundating FOIA.Resource@nrc.gov, when you (or any member of your staff) respond to this tasking, please make sure that your office's emails are being sent ONLY to the assigned specialist. If a specialist is scheduled to be out of the office when your tasking is due, he or she will advise you of any change to this practice.

Email Details

Page 1 of 1

Email Details Information

From Email : nina.argent@nrc.gov
To Email : FOIAPANSIR.Resource@nrc.gov
Cc Email : Deanna.Warner@nrc.gov
Bcc Email :
Subject : FOIA/PA-2017-00485 Action Item/Instructions Review of Referred Records
Email Body :

****Per SECY, the memo that is attached to the email (attached to this tasking) needs NSIR's review. Thanks.****

A referral for FOIA/PA-2017-00485 is being assigned to NSIR on June 9, 2017.

The due date is June 22, 2017, which is ten (10) working days from the date of this e-mail

The action needing to be taken

Provide your office's concurrence or non-concurrence in the originating office's recommendations for disclosure or withholding of each record;
or

Provide a disclosure determination/recommendation for each record that was identified by another office as a record for which your office is responsible and which is subject to this request, or

Provide a disclosure determination/recommendation for each record that was referred to the NRC for review or consultation by [insert name of other agency]

[The records are attached] [Due to the size of the records, they are being hand-carried] [sent by overnight mail to your office]

NRC Form 496, "Report of Staff Resources for Processing FOIA Request" is available in the NRC Forms Library for your use

The Government Information Specialist for this request is Nina Argent, who can be reached at 301-415-5295, or nina.argent@nrc.gov.

To avoid inundating FOIA.Resource@nrc.gov, when you (or any member of your staff) respond to this tasking, please make sure that your office's emails are being sent ONLY to the assigned specialist. If a specialist is scheduled to be out of the office when your tasking is due, he or she will advise you of any change to this practice.

Thank you.



REFERRAL RELATED TO FOIA REQUEST

INITIAL REQUEST APPEAL

2017-0485

TO: FOIA COORDINATOR – Cynthia Davidson

OFFICE

OGC

FROM: FOIA SPECIALIST– Tina Ennis

TELEPHONE NUMBER

(301) 415-5616

Provide your office's concurrence/nonconcurrence in the originating office's disclosure recommendation for each record.

Complete NRC Form 496, "Report of Staff Resources for Processing FOIA Requests."

Provide a disclosure determination/recommendation for each record, which was identified by another office as a record for which your office is responsible, and that is subject to this request.

The initial denial of records (FOIA Number) has been appealed. Copies of the initial request, denial, and appeal are attached. Have your office conduct another review of each record and provide either a new disclosure determination/recommendation or reaffirm the initial disclosure determination/recommendation.

Provide a disclosure determination/recommendation for each record that was referred to the NRC for review by another agency.

Records that you provided this office in response to this FOIA request are being returned to you for further review/clarification for reasons noted in the COMMENTS section below.

Other required action as noted in the COMMENTS section below.

COMMENTS

Due by December 7, 2017

(b)(5)

(b)(5)

Please provide your office's final

disposition on the release of this document.

(b)(5)

Attached document was released to requester in its entirety.

Thank you.

SIGNATURE – FOIA COORDINATOR (Typed First & Last Name Indicates Your Electronic Signature)

Date



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

June 2, 1978

OFFICE OF THE
SECRETARY

MEMORANDUM FOR: Lee V. Gossick, Executive Director for Operations
FROM: Samuel J. Chilk, Secretary
SUBJECT: COMMISSION REVIEW OF OGC OIG REPORT, "INQUIRY
INTO TESTIMONY OF THE EDO"

The following memorandum from the Chairman is quoted for your information and necessary action:

"As a result of its first meeting to review the subject report (May 11, 1978), the Commission decided to implement in substance the recommendations made therein (p. 47-48, Vol. I).

"With regard to Recommendation 1., the Commission wishes to be briefed separately by the Federal Bureau of Investigation and the General Accounting Office on the progress and results to date of their investigations of the NUMEC matter. Mr. Pedersen and Mr. Kelley should attend, as should the EDO, Mr. Dircks, Dr. Volgenau, Mr. Davis, Mr. Smith, Mr. Burnett, and perhaps one or two other officers of Mr. Burnett's Division, as he and Mr. Smith may think appropriate. The EDO should be asked to arrange the briefings.

"With regard to Recommendations 2. and 3., the Commission wishes to clarify its position on the 'no evidence' statement as it pertains to NUMEC and related matters, and to make this position widely known to the staff. First, the statement 'NRC has no evidence that any significant amount of strategic SNM has ever been stolen or diverted,' on page 2 of the first inventory difference report, NUREG-0350, must be understood to apply only to the post-1968 period to which the report applies. Second, with regard to the NUMEC matter itself, an appropriate characterization is that based on information available to the Commission at the present time, there is no conclusive evidence that a diversion of a significant amount of strategic SNM either did or did not take place. Third, the Commission believes that unqualified 'no evidence' statements should be avoided in characterizing inventory difference matters, since even a zero inventory difference does not conclusively demonstrate that material has not been diverted. Qualified 'no evidence' statements should not imply a higher degree of confidence

than the situation warrants. The staff judgments as to the possibility of theft or diversion of SNM are based on a combination of factors, including physical security measures at a facility and material accounting and control measures, and should be characterized as judgments rather than proof. Fourth, in dealing with the pre-1968 safeguards data, staff statements should note that such data predate any regulatory staff activity and derive from a period in which safeguards measures were far less stringent than at present.

"The staff should develop, for Commission consideration, a general statement concerning the conclusions that can be made about theft and diversion of significant amounts of strategic SNM, based on the above.

"With regard to Recommendation 4., the Commission wishes the staff to identify instances of alleged successful thefts or diversions of strategic special nuclear material. The list of such instances should include, to the extent possible, those mentioned by Mr. Conran in his July 29, 1977, testimony. The list should be in a form suitable for filing in the Public Document Room, except that classified information should be segregated in a suitable classified supplement. The Commission believes a comprehensive tabulation of such matters, along the lines of the recently prepared 'threats list' is desirable.

"Commission discussions on other matters in connection with the Inquiry Report, including its findings and conclusions, will take place at future meetings."

Please take the action requested by the Commission and advise me of the proposed briefing dates for scheduling purposes.

cc: Chairman Hendrie
Commissioner Gilinsky
Commissioner Kennedy
Commissioner Bradford
Acting General Counsel
Director, Office of Inspector
and Auditor

Email Details

Email Details Information

From Email : Tina.Ennis@nrc.gov
To Email : OGC_FOIA_Coordinator.Resource@nrc.gov
Cc Email :
Bcc Email :
Subject : Refer to OGC
Email Body :

A referral for FOIA/PA-2017-00485 is being assigned to OGC on November 22, 2017. Please note: (b)(5)

(b)(5)

The due date is December 7, 2017, which is ten (10) working days from the date of this e-mail

The action needing to be taken

Provide your office's concurrence or non-concurrence in the originating office's recommendations for disclosure or withholding of each record:

X Provide a disclosure determination/recommendation for each record that was identified by SECY as a record for which your office is responsible and which is subject to this request, or

Provide a disclosure determination/recommendation for each record that was referred to the NRC for review or consultation by [insert name of other agency]

The records are attached

NRC Form 496, 'Report of Staff Resources for Processing FOIA Request' is available in the NRC Forms Library for your use

The Government Information Specialist for this request is Tina Ennis, who can be reached at 301-415-5616, or Tina.Ennis@nrc.gov.

To avoid inundating FOIA.Resource@nrc.gov, when you (or any member of your staff) respond to this tasking, please make sure that your office's emails are being sent ONLY to the assigned specialist. If a specialist is scheduled to be out of the office when your tasking is due, he or she will advise you of any change to this practice.

Thank you

Email Details

Email Details Information

From Email : Tina.Ennis@nrc.gov
 To Email : FOIAPAIG.Resource@nrc.gov
 Cc Email : Malion.Bartley@nrc.gov
 Bcc Email :
 Subject : Referral to OIG
 Email Body :

You have received this email message from FOIAXpress Request for Documents module. A RedactXpress (ADX) file has been attached with this email to add documents. You need to have the RedactXpress application to open and add documents to this file. Your response Due date is: 11/21/2017. Message from SENDER: A referral for FOIA/PA-2017-00485 is being assigned to OIG on November 7, 2017.

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Provide a disclosure determination/recommendation for each record that was identified by another office as a record for which your office is responsible and which is subject to this request, or

Provide a disclosure determination/recommendation for each record that was referred to the NRC for review or consultation by [insert name of other agency]

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NRC Form 496, "Report of Staff Resources for Processing FOIA Request" is available in the NRC Forms Library for your use

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To avoid inundating FOIA.Resource@nrc.gov, when you (or any member of your staff) respond to this tasking, please make sure that your office's emails are being sent ONLY to the assigned specialist. If a specialist is scheduled to be out of the office when your tasking is due, he or she will advise you of any change to this practice.

Thank you



REFERRAL RELATED TO FOIA REQUEST

2017-0485

INITIAL REQUEST APPEAL

TO: FOIA COORDINATOR - (b)(6)

OFFICE
OIG

FROM: FOIA SPECIALIST- Tina Ennis

TELEPHONE NUMBER
(301) 415-5616

Provide your office's concurrence/nonconcurrence in the originating office's disclosure recommendation for each record.

Complete NRC Form 496, "Report of Staff Resources for Processing FOIA Requests."

Provide a disclosure determination/recommendation for each record, which was identified by another office as a record for which your office is responsible, and that is subject to this request.

The initial denial of records (FOIA Number) has been appealed. Copies of the initial request, denial, and appeal are attached. Have your office conduct another review of each record and provide either a new disclosure determination/recommendation or reaffirm the initial disclosure determination/recommendation.

Provide a disclosure determination/recommendation for each record that was referred to the NRC for review by another agency.

Records that you provided this office in response to this FOIA request are being returned to you for further review/clarification for reasons noted in the COMMENTS section below.

Other required action as noted in the COMMENTS section below.

COMMENTS

Due November 21, 2017

This memorandum is referred to OIG for a release determination, since OIA was the predecessor of OIG. If OIG is not the appropriate office for this referral, please let me know and I will refer to NSIR and OGC.

Thank you.

SIGNATURE - FOIA COORDINATOR (Typed First & Last Name indicates Your Electronic Signature)

Date

Ennis, Tina

From: FOIAPASECY Resource
Sent: Tuesday, November 28, 2017 6:56 AM
To: Ennis, Tina; FOIAPASECY Resource
Subject: RE: FOIA/PA-2017-00485 Action Item/Instructions Review of Referred Records

Hi Tina,

(b)(5)

Thanks,

Kristy

Kristy Remsburg
Correspondence and Records
Office of the Secretary
U.S. Nuclear Regulatory Commission
Office: 301-415-1667

From: Ennis, Tina
Sent: Tuesday, November 28, 2017 6:48 AM
To: FOIAPASECY Resource <FOIAPASECY.Resource@nrc.gov>
Subject: RE: FOIA/PA-2017-00485 Action Item/Instructions Review of Referred Records

Hi Kristy,

(b)(5)

Thank you,

Tina Ennis

FOIA Analyst (Contractor)
OCIO/GEMS/ISB
U.S. Nuclear Regulatory Commission
Location: O-4H02 | Mailstop: O-4A15
301-415-5616 | Tina.Ennis@nrc.gov

From: Ennis, Tina
Sent: Wednesday, November 22, 2017 11:19 AM
To: FOIAPASECY Resource <FOIAPASECY.Resource@nrc.gov>
Subject: RE: FOIA/PA-2017-00485 Action Item/Instructions Review of Referred Records

Is it now good to send to requester?

Tina Ennis

FOIA Analyst (Contractor)
OCIO/GEMS/ISB
U.S. Nuclear Regulatory Commission

Location: O-4H02 | Mailstop: O-4A15
301-415-5616 | Tina.Ennis@nrc.gov

From: FOIAPASECY Resource
Sent: Wednesday, November 22, 2017 11:18 AM
To: Ennis, Tina <TINA.ENNIS@nrc.gov>
Subject: RE: FOIA/PA-2017-00485 Action Item/Instructions Review of Referred Records

Great. Thanks for letting us know.

Kristy

Kristy Remsburg
Correspondence and Records
Office of the Secretary
U.S. Nuclear Regulatory Commission
Office: 301-415-1667

From: Ennis, Tina
Sent: Wednesday, November 22, 2017 10:29 AM
To: FOIAPASECY Resource <FOIAPASECY.Resource@nrc.gov>
Subject: RE: FOIA/PA-2017-00485 Action Item/Instructions Review of Referred Records

Kristy,

(b)(5)

(please see attached email from Mike Clark).

Thank you,

Tina Ennis

FOIA Analyst (Contractor)
OCIO/GEMS/ISB
U.S. Nuclear Regulatory Commission
Location: O-4H02 | Mailstop: O-4A15
301-415-5616 | Tina.Ennis@nrc.gov

From: FOIAPASECY Resource
Sent: Wednesday, November 22, 2017 7:12 AM
To: Ennis, Tina <TINA.ENNIS@nrc.gov>
Subject: RE: FOIA/PA-2017-00485 Action Item/Instructions Review of Referred Records

Hi Tina,

(b)(5)

Thanks,

Kristy

Kristy Remsburg
Correspondence and Records
Office of the Secretary
U.S. Nuclear Regulatory Commission

Office: 301-415-1667

From: Ennis, Tina
Sent: Tuesday, November 21, 2017 3:17 PM
To: FOIAPASECY Resource <FOIAPASECY.Resource@nrc.gov>; FOIA Resource <FOIA.Resource@nrc.gov>
Cc: Argent, Nina <Nina.Argent@nrc.gov>; Bates, Andrew <Andrew.Bates@nrc.gov>; Lewis, Antoinette <Antoinette.Lewis@nrc.gov>; Craver, Patti <Patti.Craver@nrc.gov>; McCloskey, Bridin <Bridin.McCloskey@nrc.gov>; Baval, Rochelle <Rochelle.Baval@nrc.gov>
Subject: RE: FOIA/PA-2017-00485 Action Item/Instructions Review of Referred Records

Hi Kristy,

(b)(5)

Thank you,

Tina Ennis

FOIA Analyst (Contractor)
OCIO/GEMS/ISB
U.S. Nuclear Regulatory Commission
Location: O-4H02 | Mailstop: O-4A15
301-415-5616 | Tina.Ennis@nrc.gov

From: FOIAPASECY Resource
Sent: Friday, June 09, 2017 11:40 AM
To: FOIA Resource <FOIA.Resource@nrc.gov>
Cc: Argent, Nina <Nina.Argent@nrc.gov>; Bates, Andrew <Andrew.Bates@nrc.gov>; Lewis, Antoinette <Antoinette.Lewis@nrc.gov>; Craver, Patti <Patti.Craver@nrc.gov>; McCloskey, Bridin <Bridin.McCloskey@nrc.gov>; Baval, Rochelle <Rochelle.Baval@nrc.gov>
Subject: RE: FOIA/PA-2017-00485 Action Item/Instructions Review of Referred Records

Hi Nina,

(b)(5)

This closes SECY action.

Thanks,

Kristy

Kristy Remsburg
Correspondence and Records
Office of the Secretary
U.S. Nuclear Regulatory Commission

Office: 301-415-1667

From: Argent, Nina [mailto:nina.argent@nrc.gov]
Sent: Wednesday, May 31, 2017 2:53 PM
To: FOIAPASECY Resource <FOIAPASECY.Resource@nrc.gov>
Subject: FOIA/PA-2017-00485 Action Item/Instructions Review of Referred Records

****I didn't originally task this one because I thought this would be a letter that was publicly available but I could only locate it as part of the web package. If you have a copy of the letter and/or don't mind me extracting the letter, I can close this one out once I know for sure. Thanks!****

A referral for FOIA/PA-2017-00485 is being assigned to SECY on May 31, 2017.

The due date is June 14, 2017, which is ten (10) working days from the date of this e-mail.

The action needing to be taken:

- Provide your office's concurrence or non-concurrence in the originating office's recommendations for disclosure or withholding of each record; or
- Provide a disclosure determination/recommendation for each record that was identified by another office as a record for which your office is responsible and which is subject to this request; or (specifically, the letter that is being requested which is part of an ADAMS web package).
- Provide a disclosure determination/recommendation for each record that was referred to the NRC for review or consultation by [insert name of other agency].

[The records are attached] [Due to the size of the records, they are being [hand-carried] [sent by overnight mail to your office.]]

NRC Form 496, "Report of Staff Resources for Processing FOIA Request" is available in the NRC Forms Library for your use.

The Government Information Specialist for this request is Nina Argent, who can be reached at 301-415-5295, or nina.argent@nrc.gov.

To avoid inundating FOIA.Resource@nrc.gov, when you (or any member of your staff) respond to this tasking, please make sure that your office's emails are being sent ONLY to the assigned specialist. If a specialist is scheduled to be out of the office when your tasking is due, he or she will advise you of any change to this practice.

Thank you.