



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

FEB 15 2018

**IN RESPONSE REFER TO:
NRC-2018-000200
Appeal of NRC-2018-000028**

Julian Tarver
Washington State Penitentiary IMU North
1313 N 13th Ave
Walla Walla, WA 99362

Dear Mr. Tarver,

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated 12/08/17, in which you appealed the agency's decision related to your Freedom of Information Act (FOIA) request NRC 2018-000028, which was seeking all released records for FOIA/PA request 2016-0474. Specifically, you appealed the full denial of information.

Acting on your appeal, I have considered the issue raised in your appeal. As stated to you in our final response to NRC-2018-000028, FOIA/PA request 2016-0474 is still open, and the responsive records for the request are still being processed. Therefore, the final response has not been released as of yet. However, we determined that a first interim release has been provided to the requester. Since this release contains over 1,100 responsive pages and therefore exceeds the number of pages you are entitled to receive free of charge, we are unable to provide this first interim release to you due to your stated unwillingness to pay any fees. Therefore, your appeal is being denied.

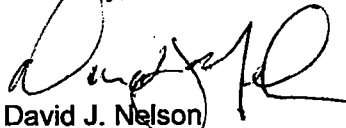
This is the final agency decision. As set forth in the FOIA (5 U.S.C. 552(a)(4)(B)), you can seek judicial review of this decision in a district court of the United States in the district in which you reside or have your principal place of business, in the district where the agency's records are situated, 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
732 North Capitol Street, NW
Washington, D.C. 20401
Email: ogis@nara.gov
Telephone: 202-741-5770
Toll-free: 1-877-684-6448
Fax: 202-741-5769

Sincerely,

A handwritten signature in black ink, appearing to read "David J. Nelson", written over a circular stamp or seal.

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