



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

FEB 21 2018

**IN RESPONSE REFER TO:
NRC-2018-000334
NRC-2018-000182**

**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 January 26, 2018, in which you appealed the agency's January 12, 2018 final response related to your November 10, 2017 Freedom of Information Act (FOIA) request, NRC-2018-000182 (which was received by the FOIA Office on December 19, 2017). Of relevance herein, your request sought a copy of ML100740454¹. You appealed the redactions made in the record that is publicly available and was released to you in part.

Acting on your appeal, I have considered the matter and have determined that the redactions in ML100740454 are appropriate. Therefore, I have denied your appeal.

Exemption (b)(7)(F) permits the withholding of information compiled for law enforcement purposes that, if disclosed, could reasonably be expected to endanger the life or physical safety of an individual. The redacted portions of ML100740454 contain information that may provide potential adversaries with specific information useful to their ability to plan or execute a malevolent act, and adversely affect the ability of the Institute and governmental authorities to detect, assess, and respond to such an act. Release of these portions may give insight into Armed Forces Radiobiology Research Institute's security-related vulnerabilities associated with the radiological materials it maintains, and its protective strategies thereto. As such, disclosure of such information can reasonably be expected to undermine the physical security at the Armed Forces Radiobiology Research Institute, thereby creating a risk of harm to their personnel, as well as other individuals living or working near the Institute. Accordingly, the information was properly withheld under exemption (b)(7)(F).

This is the final agency decision. As set forth in the FOIA (5 U.S.C. 552(a)(4)(B)), you may seek judicial review of this decision in the district court of the United States in the district in which you reside or have your principal place of business. You may also seek judicial review in the district in which the agency's records are situated or in the District of Columbia.

¹ This document is available in public ADAMS, in redacted form, as ML101650422.

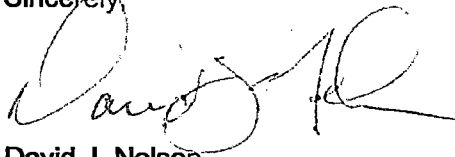
Tarver, J.

- 2 -

The 2007 FOIA amendments created the Office of Government Information Services (OGIS) 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. You may contact OGIS in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road
College Park, MD 20740
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". The signature is fluid and cursive, with a large initial "D" and "N".

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