



RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

NRC 2018 000018

1

RESPONSE TYPE INTERIM FINAL

REQUESTER:

Julian Tarver

DATE:

05/31/2018

DESCRIPTION OF REQUESTED RECORDS:

Same search as FOIA 2016-0557 [All records classified "non-public" placed in ADAMS on April 13, 2016] but for May 1st, 2017

PART I. -- INFORMATION RELEASED

- The NRC has made some, or all, of the requested records publicly available through one or more of the following means: (1) <https://www.nrc.gov>; (2) public ADAMS, <https://www.nrc.gov/reading-rm/adams.html>; (3) microfiche available in the NRC Public Document Room; or FOIA Online, <https://foiaonline.regulations.gov/foia/action/public/home>.
- 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 Part I.D -- Comments) for a disclosure determination and direct response to you.
- We are continuing to process your request.
- See Part I.D -- Comments.

PART I.A -- FEES

AMOUNT
\$0.00

- You will be billed by NRC for the amount indicated.
- You will receive a refund for the amount indicated.
- Fees waived.
- Since the minimum fee threshold was not met, you will not be charged fees.
- 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"). See 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. If you submit an appeal by mail, address it to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Mail Stop T-2 F43, Washington, D.C. 20555-0001. You may submit an appeal by e-mail to FOIA.resource@nrc.gov. You may fax an appeal to (301) 415-5130. Or you may submit an appeal through FOIA Online, <https://foiaonline.regulations.gov/foia/action/public/home>. Please be sure to include on your submission that it is a "FOIA Appeal."

PART I.C -- REFERENCES AND POINTS OF CONTACT

You have the right to seek assistance from the NRC's FOIA Public Liaison by submitting your inquiry at <https://www.nrc.gov/reading-rm/foia/contact-foia.html>, or by calling the FOIA Public Liaison at (301) 415-1276.

If we have denied your request, you have the right to seek dispute resolution services from the NRC's Public Liaison or the Office of Government Information Services (OGIS). To seek dispute resolution services from OGIS, you may e-mail OGIS at ogis@nara.gov, send a fax to (202) 741-5789, or send a letter to: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001. For additional information about OGIS, please visit the OGIS website at <https://www.archives.gov/ogis>.



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PART I.D -- COMMENTS

Please note:

The search for records in response to FOIA/PA 2016-0557 that were placed in ADAMS on April 13, 2016 yielded responsive records in excess of 2,000 pages.

Since multiple NRC program offices place large quantities of "non-public" records in ADAMS, the agency's record system, on a daily basis, the scope of your request, as written, is overly broad.

You stated that you do not agree to pay any fees, and you were denied a fee waiver. Therefore, you are entitled to 2 hours search time free of charge as well as 100 pages free of charge as a non-excepted requester without incurring any fees. Please note that the scope of this request as written exceeds the 2 hours search free of charge and the 100 pages free of charge.

It is incumbent upon you, as the requester, to fashion a request that asks for records within the 2 -hour search time and 100 pages free of charge threshold for which no fee would be owed if you are unwilling to pay fees. This part of your request is not considered "perfected" and we will therefore administratively close our file on this matter.

Signature - Freedom of Information Act Officer or Designee

Stephanie A. Blaney

Digitally signed by Stephanie A. Blaney
Date: 2018.05.31 09:32:36 -04'00'