RESPONSE NUMBER

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RESPONSE TO FREEDOM OF	NRC-2018-000029 1		
INFORMATION ACT (FOIA) REQUEST	RESPONSE INT	ERIM / FINAL	
REQUESTER:		DATE:	
		12.1	
DESCRIPTION OF REQUESTED RECORDS:			
All records related to an investigation of (b)(6).		V	
PART I INFORMATION RELEAS	ED		
Agency records subject to the request are already available in public ADAMS Room.	or on microfiche in the N	NRC Public Document	
Agency records subject to the request are enclosed.			
Records subject to the request that contain information originated by or of intereferred to that agency (see comments section) for a disclosure determination			
We are continuing to process your request.			
✓ See Comments.			
PART I.A FEES			
\$ You will be billed by NRC for the amount listed.  *See Comments for details  You will receive a refund for the amount listed.	✓ None. Minimun  Fees waived.	n fee threshold not met.	
PART I.B INFORMATION NOT LOCATED OR WITHHE	LD FROM DISCLOS	JRE	
We did not locate any agency records responsive to your request. <i>Note</i> : Agencies may treat three discrete categories of <b>law</b> 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 30 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."			
PART I.C COMMENTS ( Use attached Comments contin	nuation page if requi	(rod)	
This acknowledges receipt of your request. Your request seeks access to investigative records about a specificall satisfactory consent of that named individual, we can neither confirm nor den would constitute an unwarranted invasion of personal privacy, cognizable undaged to the confirmation of the confirmation of personal privacy.	estigative records pert y named individual w y the existence of suc	aining to a third party rithout providing the records. To do so	
SIGNATURE - ASSISTANT INSPECTOR GENERAL FOR INVESTIGATIONS, OIG			

Joseph A. McMillan

7)



# RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

FOIA	- 1
NRC-2018-000	0029
DATE:	

			9		
	PART II.A APPLICABLE E	XEMPTIONS			
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 with	neld information is specifically exempted from public disclosu	re by the statute indicated.			
Sections 141-145 c	of the Atomic Energy Act, which prohibits the disclosure of Re	estricted Data or Formerly Restricted Data (42	U.S.C. 2161-2165).		
Section 147 of the	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), submitter of the pro	which prohibits the disclosure of contractor proposals, exceptoposal.	ot when incorporated into the contract between	n the agency and the		
Exemption 4: The withhindicated.	neld information is a trade secret or confidential commercial of	or financial information that is being withheld f	or the reason(s)		
	considered to be proprietary because it concerns a licens m for special nuclear material pursuant to 10 CFR 2.390(		aterial control and		
The information is	considered to be another type or confidential business (p	roprietary) information.			
The information w	as submitted by a foreign source and received in confiden	nce pursuant to 10 CFR 2.390(d)(2).	ii ii		
Exemption 5: The with	nheld information consists of interagency or intraagency re	ecords that are normally privileged in civil lit	igation.		
Deliberative proce	ss privilege.				
Attorney work prod	duct privilege.				
Attorney-client priv	vilege.		Ĭ.		
	held information from a personnel, medical, or similar file, is $\epsilon$ I invasion of personal privacy.	exempted from public disclosure because its o	lisclosure would result		
Exemption 7: The withheld information consists of records compiled for law enforcement purposes and is being withheld for the reason(s) indicated.					
(A) Disclosure cou	ld reasonably be expected to interfere with an open enforcer	nent proceeding.			
√ (C) Disclosure cou	(C) Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.				
(D) The information sources.	n consists of names and other information the disclosure of w	which could reasonably be expected to reveal	identities of confidential		
(E) Disclosure wou	ald reveal techniques and procedures for law enforcement invik circumvention of the law.	vestigations or prosecutions, or guidelines tha	t could reasonably be		
(F) Disclosure cou	ald reasonably be expected to endanger the life or physical	al safety of an individual.	1		
Other					
	PART II.B DENYING O	FFICIALS	j l		
	CFR 9.25(g) and 9.25(h) of the U.S. Nuclea				
	have made the determination to withhold		APPELLATE OFFICIAL		
DENYING OFFICIAL	TITLE/OFFICE	RECORDS DENIED	EDO SECY IG		
Joseph A. MeMillan	Assistant Inspector General for Investigations, OIG		] 🗆 🗆 🗸		
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email to the FOIA Office	e in writing within 90 calendar days of the cer, at U.S. Nuclear Regulatory Commissio gov. Please be sure to include on your lette	n, Washington, D.C. 20555-0001	, or		



# UNITED STATES NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

MAR 0 7 2018

	IN RESPONSE REFER TO NRC-2018-000254
Dear :	

This is a final response to your Freedom of Information Act/Privacy Act (FOIA/PA) request dated January 2, 2018, in which you requested copies of available records pertaining to an investigation involving fire safety checks performed at Palisades Nuclear Generating Station, located near Covert, Michigan. In particular, an interview transcript and audio between an investigator and a former security worker at Palisades that took place on January 26, 2017, and overall findings from the investigation concerning fire inspections.

Since you have asked for records regarding a specifically named individual without providing satisfactory consent of the named individual, we neither confirm nor deny the existence of such records within the US. Nuclear Regulatory Commission (NRC) pertaining to the person you have named. This response constitutes a denial under FOIA Exemption b(7)(C): disclosure of which could reasonably be expected to constitute an unwarranted invasion of personal privacy. The reason for this response is further explained below.

It is the policy of the NRC to encourage individuals to come forward and identify safety concerns to their employers or to the NRC, and to protect the identities of individuals, where appropriate and possible, to preclude potential retaliation by employers against individuals raising concerns to the NRC. Only through the consistent application of this masked response to first or third-party requests, regardless of whether responsive records do actually exist, can the privacy of those who are in fact mentioned in such files be protected. Therefore, the NRC will neither confirm nor deny the existence of records when it receives first or third-party requests under the FOIA for records regarding allegations by a named individual, or records involving other named individuals participating in the investigation, or records on named individuals who are the subject of investigations, except: (1) when the third-party subject of a request has provided the requester with a written, notarized waiver of his or her privacy rights, which in turn is provided to the NRC with regard to the FOIA request; (2) when the NRC is aware of the third-party subject's death, or (3) when the third-party subject has publicly disclosed his or her contacts with the NRC.

This determination may be appealed within 30 days by writing to the FOIA Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. The appeal should clearly state on the envelope, and in the letter, that it is a "FOIA/PA Appeal of an Initial Determination."

You have the right to seek dispute resolution services from the NRC's Public Liaison or the Office of Government Information Services (OGIS), <a href="https://www.archives.gov/ogis/mediation-program/request-assistance">https://www.archives.gov/ogis/mediation-program/request-assistance</a>. To seek dispute resolution services from the NRC's Public Liaison, please contact John Moses at 301-415-1276. To seek dispute resolution services from OGIS, you may email OGIS at <a href="mailto:ogis@nara.gov">ogis@nara.gov</a>, 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.

Sincerely,

Stephanie A. Blaney

**FOIA Officer** 

Office of the Chief Information Officer



# UNITED STATES NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

MAR 0 7 2018

	IN RESPONSE REFER TO NRC-2018-000287
Dear :	

This is a final response to your Freedom of Information Act/Privacy Act (FOIA/PA) request dated January 18, 2018, in which you requested a named individuals testimonial evidence pertaining to a Region I Office of Investigations Case Number.

Since you have asked for records regarding a specifically named individual without providing satisfactory consent of the named individual, we neither confirm nor deny the existence of such records within the US. Nuclear Regulatory Commission (NRC) pertaining to the person you have named. This response constitutes a denial under FOIA Exemption b(7)(C): disclosure of which could reasonably be expected to constitute an unwarranted invasion of personal privacy. The reason for this response is further explained below.

It is the policy of the NRC to encourage individuals to come forward and identify safety concerns to their employers or to the NRC, and to protect the identities of individuals, where appropriate and possible, to preclude potential retaliation by employers against individuals raising concerns to the NRC. Only through the consistent application of this masked response to first or third-party requests, regardless of whether responsive records do actually exist, can the privacy of those who are in fact mentioned in such files be protected. Therefore, the NRC will neither confirm nor deny the existence of records when it receives first or third-party requests under the FOIA for records regarding allegations by a named individual, or records involving other named individuals participating in the investigation, or records on named individuals who are the subject of investigations, except: (1) when the third-party subject of a request has provided to the NRC with regard to the FOIA request; (2) when the NRC is aware of the third-party subject's death, or (3) when the third-party subject has publicly disclosed his or her contacts with the NRC.

This determination may be appealed within 30 days by writing to the FOIA Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. The appeal should clearly state on the envelope, and in the letter, that it is a "FOIA/PA Appeal of an Initial Determination."

You have the right to seek dispute resolution services from the NRC's Public Liaison or the Office of Government Information Services (OGIS), <a href="https://www.archives.gov/ogis/mediation-">https://www.archives.gov/ogis/mediation-</a> Program/request-assistance. To seek dispute resolution services from the NRC's Public Liaison, please contact John Moses at 301-415-1276. To seek dispute resolution services from OGIS, you may email OGIS at <a href="mailto:ogis@nara.gov">ogis@nara.gov</a>, 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.

Sincerely,

Stephanie A. Blaney

**FOIA Officer** 

Office of the Chief Information Officer

### NRC FORM 464 Part I U.S. NUCLEAR REGULATORY COMMISSION NRC RESPONSE NUMBER (04-2018)2018-000829 1 RESPONSE TO FREEDOM OF **INFORMATION ACT (FOIA) REQUEST** RESPONSE INTERIM **FINAL TYPE** REQUESTER: DATE: 03/11/2019 DESCRIPTION OF REQUESTED RECORDS: The hostile work environment investigation issued in July 2018 about allegations reported against a named individual. 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 Since the minimum fee threshold was not met, You will be billed by NRC for the amount indicated. **AMOUNT** you will not be charged fees. You will receive a refund for the amount indicated. Due to our delayed response, you will not be charged search and/or duplication fees that Fees waived. would otherwise be applicable to your request. 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.

### PART I.C -- REFERENCES AND POINTS OF CONTACT

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, <a href="https://foiaonline.regulations.gov/foia/action/public/home">https://foiaonline.regulations.gov/foia/action/public/home</a>. Please be sure to include on your submission that it

✓

is a "FOIA Appeal."

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

NRC	FORM	464	Part I

RESPONSE TO FREEDOM OF
INFORMATION ACT (FOIA) REQUEST

NRC	RESPONSE NUMBER		
2018-000829	1		
RESPONSE IN	TERIM V FINAL		

PART I.D COMMENTS
Since you have asked for investigatory records regarding a specifically named individual without providing satisfactory consent of the named individual, we neither confirm nor deny the existence of such records within the U.S. Nuclear Regulatory Commission pertaining to the person you have named. This response constitutes a denial under FOIA exemption 7(C).

Signature - Freedom of Information Act Officer or Designee

Stephanie A. Blaney

Digitally signed by Stephanie A. Blaney Date: 2019.03.11 12:02:46 -04'00'

(04-2018)

# RESPONSE TO FREEDOM OF

NRC	
2018-000829	
DATE:	

E 10 20 8	RESPONSE TO PREEDOW	OF .			
	INFORMATION ACT (FOIA) REQUEST		DATE:		
****			03/11/2	2019	
	PART II.A APPLICABLE EXEM	/IPTIONS			
Records subject to the	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 Ord	ler protecting national security in	formation.		
Exemption 2: The	withheld information relates solely to the internal personnel rules and p	ractices of NRC.			
Exemption 3: The	withheld information is specifically exempted from public disclosure by	the statute indicated.			
Sections 141-1	45 of the Atomic Energy Act, which prohibits the disclosure of Restricte	ed Data or Formerly Restricted D	ata (42 U.S.C. 216	61-2165).	
Section 147 of	the Atomic Energy Act, which prohibits the disclosure of Unclassified S	Safeguards Information (42 U.S.C	C. 2167).		
	2(b), which prohibits the disclosure of contractor proposals, except whe	FA 28 1200409 107 31 040	2 10 227	v and the	
Other:	(			,	
	withheld information is a trade secret or confidential commercial or fina	ncial information that is being wit	thheld for the reason	on(s)	
indicated. The informati	on is considered to be proprietary because it concerns a licensee's	s or applicant's physical protec	tion or material co	ontrol and	
	rogram for special nuclear material pursuant to 10 CFR 2.390(d)(1				
	on is considered to be another type of confidential business (propr				
The informati	on was submitted by a foreign source and received in confidence	oursuant to 10 CFR 2.390(d)(2	).		
Exemption 5: The	withheld information consists of interagency or intraagency records tha	t are normally privileged in civil li	tigation.		
Deliberative pr	ocess privilege.				
Attorney work	product privilege.				
Attorney-client	privilege.				
	withheld information from a personnel, medical, or similar file, is exempanted invasion of personal privacy.	ted from public disclosure becau	use its disclosure w	ould result	
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 p	roceeding.			
✓ (C) Disclosure	could reasonably be expected to constitute an unwarranted invasion of	f personal privacy.			
(D) The inform sources.	nation consists of names and other information the disclosure of which	could reasonably be expected to	reveal identities of	f confidential	
(E) Disclosure	would reveal techniques and procedures for law enforcement investigated or risk circumvention of the law.	ations or prosecutions, or guideli	nes that could reas	onably be	
(F) Disclosure	could reasonably be expected to endanger the life or physical safety of	f any individual.			
Other:					
20 0340	PART II.B DENYING OFFIC	CIALS			
	10 CFR 9.25(g) and 9.25(h) of the U.S. Nuclear Regulato e determination to withhold certain information respon	ry Commission regulatio	ns, the official	(s) listed	
DENYING OFFICIAL	TITLE/OFFICE	RECORDS DENIED	APPEI EDO	LATE OFFICIAL SECY	
Stephanie A. Blaney	FOIA Officer	Any investigative records that Ni have	RC may		
	Select Title/Office from drop-down list				
	Select Title/Office from drop-down list				
	Select Title/Office from drop-down list				

### NRC FORM 464 Part I U.S. NUCLEAR REGULATORY COMMISSION NRC RESPONSE NUMBER (04-2018)2019-000161 1 RESPONSE TO FREEDOM OF **INFORMATION ACT (FOIA) REQUEST** RESPONSE INTERIM **FINAL** TYPE REQUESTER: DATE: 01/28/2019 DESCRIPTION OF REQUESTED RECORDS: All reports, investigations, and information regarding an anonymous concern about an NRC safety cleared nuclear engineer. This concern was expressed anonymously on the NRC Office of the Inspector General website made about [a named individual]. The date of initial anonymous tip was 08/21/2017. 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 Since the minimum fee threshold was not met, You will be billed by NRC for the amount indicated. **AMOUNT** you will not be charged fees. You will receive a refund for the amount indicated. Due to our delayed response, you will not be charged search and/or duplication fees that Fees waived. would otherwise be applicable to your request. 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.

### PART I.C -- REFERENCES AND POINTS OF CONTACT

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, <a href="https://foiaonline.regulations.gov/foia/action/public/home">https://foiaonline.regulations.gov/foia/action/public/home</a>. Please be sure to include on your submission that it

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

is a "FOIA Appeal."

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# RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

NRC	RESPONSE NUMBER
2019-000161	1
RESPONSE V	NTERIM FINAL

#### **PART I.D -- COMMENTS**

It is the policy of the NRC to encourage individuals to come forward and identify safety concerns to their employers or to the NRC and to protect the identities of individuals, where appropriate and possible, to preclude potential retaliation by employers against individuals raising concerns to the NRC.

Only through the consistent application of this masked response to third-party requests, regardless of whether responsive records do actually exist, can the privacy of those who are in fact mentioned in such files be protected. Therefore, the NRC will neither confirm nor deny the existence of records when it receives a third-party request under the FOIA for records regarding allegations by a named individual or records on named individuals who are the subject of investigations except:

- (1) when the third-party subject of a request has provided the requester with a written waiver of (either notarized or sworn under penalty of perjury) his or her privacy rights, which in turn is provided to the NRC with regard to the FOIA request; (2) when the NRC is aware of the third party subject's death, or
- (3) when the third-party subject has publicly disclosed his or her contacts with the NRC.

Since you have asked for records regarding a specifically named individual without providing satisfactory consent of the named individual, we neither confirm nor deny the existence of such records within the US. Nuclear Regulatory Commission (NRC) pertaining to the person you have named. This response constitutes a denial under FOIA exemption (b)(7)(C); disclosure of any responsive records, to the extent they exist, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

Signature - Freedom of Information Act Officer or Designee

Stephanie A. Blaney

Digitally signed by Stephanie A. Blaney Date: 2019.01.28 07:09:26 -05'00'

### NRC FORM 464 Part I (OIG) U.S. NUCLEAR REGULATORY COMMISSION NRC RESPONSE NUMBER (09-2018) 2019-000161 2 RESPONSE TO FREEDOM OF **INFORMATION ACT (FOIA) REQUEST** RESPONSE INTERIM **FINAL** TYPE REQUESTER: DATE: 01/25/2019 DESCRIPTION OF REQUESTED RECORDS: All reports, investigations, and information regarding an anonymous concern about an NRC safety cleared nuclear engineer. This concern was expressed anonymously on the NRC Office of the Inspector General website made about [a named individual]. The date of initial anonymous tip was 08/21/2017. 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 Since the minimum fee threshold was not You will be billed by NRC for the amount indicated. met, you will not be charged fees. **AMOUNT** You will receive a refund for the amount indicated. Due to our delayed response, you will not be charged search and/or duplication fees that Fees waived. would otherwise be applicable to your request. 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, <a href="https://foiaonline.regulations.gov/foia/action/public/home">https://foiaonline.regulations.gov/foia/action/public/home</a>. 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.

NRC FORM	464	Part	I (OIG)
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# RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

NRC	RESPONSE NUMBER
2019-000161	2
RESPONSE INTE	RIM / FINAL

#### **PART I.D -- COMMENTS**

It is the policy of the NRC to encourage individuals to come forward and identify safety concerns to their employers or to the NRC and to protect the identities of individuals, where appropriate and possible, to preclude potential retaliation by employers against individuals raising concerns to the NRC.

Only through the consistent application of this masked response to third-party requests, regardless of whether responsive records do actually exist, can the privacy of those who are in fact mentioned in such files be protected. Therefore, the NRC will neither confirm nor deny the existence of records when it receives a third-party request under the FOIA for records regarding allegations by a named individual or records on named individuals who are the subject of investigations except:

- (1) when the third-party subject of a request has provided the requester with a written waiver of (either notarized or sworn under penalty of perjury) his or her privacy rights, which in turn is provided to the NRC with regard to the FOIA request; (2) when the NRC is aware of the third party subject's death, or
- (3) when the third-party subject has publicly disclosed his or her contacts with the NRC.

Since you have asked for records regarding a specifically named individual without providing satisfactory consent of the named individual, we neither confirm nor deny the existence of such records within the US. Nuclear Regulatory Commission (NRC) pertaining to the person you have named. This response constitutes a denial under FOIA exemption (b)(7)(C); disclosure of any responsive records, to the extent they exist, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

Signature - Assistant Inspector General for Investigations or Designee

Rocco J. Pierri

Digitally signed by Rocco J. Pierri Date: 2019.01.31 17:19:55 -05'00'

### NRC NRC FORM 464 Part I (OIG) U.S. NUCLEAR REGULATORY COMMISSION RESPONSE NUMBER (09-2018) NRC-2019-000204 1 RESPONSE TO FREEDOM OF **INFORMATION ACT (FOIA) REQUEST** RESPONSE INTERIM **FINAL TYPE** REQUESTER: DATE: 04/05/2019 DESCRIPTION OF REQUESTED RECORDS: Copy of the investigative findings in OIG Case No. C18-020, regarding a named person. 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 Since the minimum fee threshold was not You will be billed by NRC for the amount indicated. met, you will not be charged fees. **AMOUNT** You will receive a refund for the amount indicated. Due to our delayed response, you will not be \$0.00 charged search and/or duplication fees that Fees waived. would otherwise be applicable to your request. 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

### PART I.C -- REFERENCES AND POINTS OF CONTACT

through FOIA Online, https://foiaonline.regulations.gov/foia/action/public/home. Please be sure to include on your submission that it

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.

is a "FOIA Appeal."

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# RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

NRC	RE	RESPONSE NUMBER	
NRC-2019-0	000204		1
RESPONSE TYPE	INTERIM	<b>√</b>	FINAL

PART I.D COMMENTS
Since you have asked for investigatory records regarding a specifically named individual without providing satisfactory authorization from the named individual to provide any records to you, we can neither confirm nor deny the existence of such records within the Office of the Inspector General pertaining to the person you have named. This response constitutes a denial under FOIA exemption 7(C).

Signature - Assistant Inspector General for Investigations or Designee

Rocco J. Pierri

Digitally signed by Rocco J. Pierri Date: 2019.04.05 07:11:10 -04'00'

### NRC FORM 464 Part I U.S. NUCLEAR REGULATORY COMMISSION NRC RESPONSE NUMBER (04-2018)2019-000254-261 1 RESPONSE TO FREEDOM OF **INFORMATION ACT (FOIA) REQUEST** RESPONSE INTERIM **FINAL TYPE** REQUESTER: DATE: 04/08/2019 DESCRIPTION OF REQUESTED RECORDS: Any complaints, complaints under 41 USC § 4712, or other material regarding any complaint or allegation made by [a named individual] against the following entities: CB&I Co. (254); Lutech Resources, Inc. (255), McDermott Int'l. (256), Shaw Porter (257); CB&I, Inc. (258), CB&I Power (259), CB&I, LLC (260), or CB&I, LLC (261). 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** Since the minimum fee threshold was not met, You will be billed by NRC for the amount indicated. **AMOUNT** you will not be charged fees. You will receive a refund for the amount indicated. Due to our delayed response, you will not be charged search and/or duplication fees that Fees waived. would otherwise be applicable to your request. 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, <a href="https://foiaonline.regulations.gov/foia/action/public/home">https://foiaonline.regulations.gov/foia/action/public/home</a>. 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 <a href="https://www.nrc.gov/reading-rm/foia/contact-foia.html">https://www.nrc.gov/reading-rm/foia/contact-foia.html</a>, or by calling the FOIA Public Liaison at (301) 415-1276.

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RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

NRC	RES	PONSE	NUMBER
2019-000254	1-261	1	
RESPONSE TYPE	INTERIM	<b>√</b>	FINAL

#### **PART I.D -- COMMENTS**

This response also serves to acknowledge receipt of your eight FOIA requests submitted on . As permitted by the FOIA, 5 U.S.C. 552(a)(6)((B)(iv), and NRC's FOIA regulations, 10 CFR 9.39(e), we have aggregated these eight requests for purposes of assessing fees, as we believe that your requests, all of which were submitted on the same day, and seeking records that involve a clearly-related matter, actually constitute a single request.

Since you have asked for records regarding a specifically named individual without providing a satisfactory waiver of that named individual's privacy interests, we neither confirm nor deny the existence of any such records within the U.S. Nuclear Regulatory Commission (NRC) pertaining to the person you have named. This response constitutes a denial under FOIA exemption 7(C). The reason for this is explained below.

It is the policy of the NRC to encourage individuals to come forward and identify safety concerns to their employers to to the NRC and to protect the identities of individuals, where appropriate and possible, to preclude potential retaliation by employers against individuals raising concerns to the NRC. Only through the consistent application of this masked responses to third-party requests, regardless of whether responsive records do actually exist, can the privacy of those who are in fact mentioned in such files be protected. Therefore, the NRC will neither confirm nor deny the existence of records when it receives third-party requests under the FOIA for records regarding allegations by a named individual or for records on named individuals who are the subject of investigations unless (1) the third-party subject of a request has provided the requester with a written waiver (either under penalty of perjury or notarized) of his or her privacy rights, which in turn is provided to the NRC with regard to the FOIA request; (2) the NRC is made aware of the third-party subject's death, or (3) the third-party subject has publicly disclosed his or her contacts with the NRC.

Signature - Freedom of Information Act Officer or Designee

Stephanie A. Blaney

Digitally signed by Stephanie A. Blaney Date: 2019.04.08 13:23:39 -04'00'

(04-2018)

# RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

	NRC
	2019-000254-261
١	DATE:

	INFORMATION ACT (FOIA) RE	QUEST	DATE:		
****			04	/08/201	19
	PART II.A APPLICABLE EXEM	MPTIONS			
Records subject to the	request are being withheld in their entirety or in part under the	FOIA exemption(s) as indica	ited below	(5 U.S.C	. 552(b)).
Exemption 1: The	withheld information is properly classified pursuant to an Executive Orc	der protecting national security in	formation.		
Exemption 2: The	withheld information relates solely to the internal personnel rules and p	ractices 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 Restrict	ed Data or Formerly Restricted D	ata (42 U.S	s.C. 2161-2	2165).
Section 147 of	the Atomic Energy Act, which prohibits the disclosure of Unclassified S	Safeguards Information (42 U.S.C	C. 2167).		160
41 U.S.C. 470	2(b), which prohibits the disclosure of contractor proposals, except whe	n incorporated into the contract t	between the	agency a	nd the
Other:					0.0000000000000000000000000000000000000
	withheld information is a trade secret or confidential commercial or final	ncial information that is being wit	hheld for th	e reason(s	s)
	ion is considered to be proprietary because it concerns a licensee's rogram for special nuclear material pursuant to 10 CFR 2.390(d)(1		tion or mate	erial contr	ol and
The informat	ion is considered to be another type of confidential business (propr	ietary) information.			
The informat	ion 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	t are normally privileged in civil li	tigation.		
Deliberative pr	rocess privilege.				
Attorney work	product privilege.				
Attorney-client	privilege.				
	withheld information from a personnel, medical, or similar file, is exempanted invasion of personal privacy.	oted from public disclosure becau	ise its disclo	osure would	d result
Exemption 7: The	withheld information consists of records compiled for law enforcement	purposes and is being withheld for	or the reaso	n(s) indica	ted.
(A) Disclosure	e could reasonably be expected to interfere with an open enforcement p	proceeding.			
√ (C) Disclosure	e could reasonably be expected to constitute an unwarranted invasion of	of personal privacy.			
(D) The inform sources.	nation consists of names and other information the disclosure of which	could reasonably be expected to	reveal iden	tities of co	nfidential
(E) Disclosure	e would reveal techniques and procedures for law enforcement investigator isk circumvention of the law.	ations or prosecutions, or guideling	nes that cou	uld reasona	ably be
(F) Disclosure	could reasonably be expected to endanger the life or physical safety of	f any individual.			
Other:					
	PART II.B DENYING OFFIC	CIALS			
	10 CFR 9.25(g) and 9.25(h) of the U.S. Nuclear Regulatone determination to withhold certain information respon		ns, the of	fficial(s)	listed
DENYING OFFICIAL	TITLE/OFFICE	RECORDS DENIED	-	APPELLATI EDO	E OFFICIAL SECY
Stephanie A. Blaney	FOIA Officer	any allegations/complaints filed be individual, to the extent they exis		<b>✓</b>	
	Colort Till (Office from door down list				

Select Title/Office from drop-down list

Select Title/Office from drop-down list

### NRC FORM 464 Part I U.S. NUCLEAR REGULATORY COMMISSION NRC RESPONSE NUMBER (04-2018)2019-000283 1 RESPONSE TO FREEDOM OF **INFORMATION ACT (FOIA) REQUEST** RESPONSE INTERIM **FINAL TYPE** REQUESTER: DATE: 05/28/2019 DESCRIPTION OF REQUESTED RECORDS: Any complaints, complaints under 41 U.S.C.A. section 4712, reports, records, talking points or other responsive materials regarding any complaint or allegation made by any individual against several corporations confined to the following geographical sites: Vancouver, WA; Lake Charles, LA; and Waynesboro, GA since May 1, 2015. 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 Since the minimum fee threshold was not met, You will be billed by NRC for the amount indicated. **AMOUNT** you will not be charged fees. You will receive a refund for the amount indicated. Due to our delayed response, you will not be charged search and/or duplication fees that Fees waived. would otherwise be applicable to your request. 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

### PART I.C -- REFERENCES AND POINTS OF CONTACT

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, <a href="https://foiaonline.regulations.gov/foia/action/public/home">https://foiaonline.regulations.gov/foia/action/public/home</a>. Please be sure to include on your submission that it

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

the responses we have issued in response to your request when we issue our final determination.

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is a "FOIA Appeal."

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# RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

NRC	RESPONSE NUMBER
2019-000283	1
RESPONSE IN	TERIM / FINAL

#### **PART I.D -- COMMENTS**

On April 3, 2019 you submitted several requests regarding any complaints (allegations) submitted to the NRC by a specifically named individual without providing a satisfactory waiver of that individual's privacy interests. After ascertaining from you that such a waiver would not be forthcoming, we issued our response to those requests on May 8, 2019, asserting exemption 7(C) as a basis for our denial, having determined that we could neither confirm nor deny the existence of any such records within the U.S. Nuclear Regulatory Commission (NRC) as to do so would constitute an unwarranted invasion of the privacy of the named individual.

Although this request does not specifically name any individual, in light of your previous requests, and any records that the NRC may have in its possession that would be responsive to this request, we have once again determined that we cannot confirm nor deny the existence of any such records, relying on the NRC's policy with respect to allegers (see https://www.nrc.gov/docs/ML1720/ML17208A272), and citing again to FOIA exemption 7(C).

Signature - Freedom of Information Act Officer or Designee

Stephanie A. Blaney

Digitally signed by Stephanie A. Blaney Date: 2019.05.28 09:05:46 -04'00'

# NRC FORM 464 Part I U.S. NUCLEAR REGULATORY COMMISSION (06-2019) EAR HEGU

NRC	RESPONSE NUMBER
2019-000440	1
RESPONSE INT	ERIM / FINAL
	DATE:

RESPONSE TO FREEDOM OF	2019-0	00440	1
INFORMATION ACT (FOIA) REQUEST	RESPONSE TYPE	INT	ERIM V FINAL
REQUESTER:			DATE:
			10/22/2019
DESCRIPTION OF REQUESTED RECORDS:			
Any and all investigations, inspections, complaints, witness statements, reports, finformation or public document in your possession regarding the incident of a nat Light St. Lucie Nuclear Power Plant		J	
PART I INFORMATION RELEASE	ED		
The NRC has made some, or all, of the requested records publicly available through <a href="https://www.nrc.gov/reading-rm/adams.html">www.nrc.gov</a> ; (2) public ADAMS, <a href="https://www.nrc.gov/reading-rm/adams.html">https://www.nrc.gov/reading-rm/adams.html</a> ; (3) m Room; or FOIA Online, <a href="https://foiaonline.gov/foiaonline/action/public/home">https://foiaonline.gov/foiaonline/action/public/home</a> .			
Agency records subject to the request are enclosed.			
Records subject to the request that contain information originated by or of interest to that agency (See Part I.D Comments) for a disclosure determination and direct res			y have been referred to
We are continuing to process your request.			
See Part I.D Comments.			
PART I.A FEES			
You will receive a refund for the amount indicated.  Fees waived.	you will not bue to our dicharged sea	be charged lelayed res arch and/or	threshold was not met, lees.  ponse, you will not be duplication fees that blicable to your request.
PART I.B INFORMATION NOT LOCATED OR WITHHEL	D FROM	DISCLO	SURE
We did not locate any agency records responsive to your request. <i>Note</i> : Agencies n enforcement and national security records as not subject to the FOIA ("exclusions"). notification given to all requesters; it should not be taken to mean that any excluded	See 5 U.S.	C. 552(c). 7	This is a standard
✓ We have withheld certain information pursuant to the FOIA exemptions described, an	nd for the rea	asons state	d, in Part II.
Because this is an interim response to your request, you may not appeal at this time the responses we have issued in response to your request when we issue our final of			our right to appeal any of
You may appeal this final determination within 90 calendar days of the date of this readdress it to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Mail Stop T-may submit an appeal by e-mail to <a href="FOIA.resource@nrc.gov">FOIA.resource@nrc.gov</a> . You may fax an appeal your submission that it is a "FOIA Appeal." Only a pre-registered user may file an appeal submit submit their appeal by one of the above mentioned options.	6 A60M, Wa to (301) 415 opeal through	shington, D 5-5130. Plea n FOIA Onl	O.C. 20555-0001. You ase be sure to include on ine, https://

### 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 <a href="https://www.nrc.gov/reading-rm/">https://www.nrc.gov/reading-rm/</a> foia/contact-foia.html, or by calling the FOIA Public Liaison at (301) 415-1276.

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# RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

NRC	RESPONSE NUMBER	
2019-000440	1	
RESPONSE IN	TERIM V FINAL	

#### **PART I.D -- COMMENTS**

On September 24, 2019 you submitted a request seeking any and all records of contact with a named individual, without providing a satisfactory waiver of that individual's privacy interests.

Since you have asked for records regarding a specifically named individual without providing a satisfactory waiver of that named individual's privacy interests, we neither confirm nor deny the existence of any such records within the U.S. Nuclear Regulatory Commission (NRC) pertaining to the person you have named. Please refer to Part II.

It is the policy of the NRC to encourage individuals to come forward and identify safety concerns to their employers or to the NRC, and to protect the identities of individuals, where appropriate and possible, to preclude potential retaliation by employers against individuals raising concerns to the NRC. Only through the consistent application of this masked response to third-party requests, regardless of whether responsive records do actually exist, can the privacy of those who are in fact mentioned in such files be protected. Therefore, the NRC will neither confirm nor deny the existence of records when it receives a third-party request under the FOIA for records regarding allegations by a named individual or records on named individuals who are the subject of investigations except: (1) when the third-party subject of a request has provided the requester with a written, notarized waiver of his or her privacy rights, which in turn is provided to the NRC with regard to the FOIA request; (2) when the NRC is aware of the third-party subject's death, or (3) when the third-party subject has publicly disclosed his or her contacts with the NRC.

Signature - Freedom of Information Act Officer or Designee

Stephanie A. Blaney

Digitally signed by Stephanie A. Blaney Date: 2019.10.22 07:05:11 -04'00'



# RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

NRC	
2019-000440	
DATE:	

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	PART II.A APPLICABLE EXEM	/IPTIONS		
Records subject to the re-	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 with	thheld information relates solely to the internal personnel rules and p	ractices of NRC.		
Exemption 3: The with	thheld information is specifically exempted from public disclosure by	the statute indicated.		
Sections 141-145	5 of the Atomic Energy Act, which prohibits the disclosure of Restricte	ed Data or Formerly Restricted D	ata (42 U.S.C. 2161-	2165).
Section 147 of the	e Atomic Energy Act, which prohibits the disclosure of Unclassified S	Safeguards Information (42 U.S.C	. 2167).	
41 U.S.C. 4702(b	o), which prohibits the disclosure of contractor proposals, except whe	n incorporated into the contract b	etween the agency a	ind the
Other:				
Exemption 4: The with indicated.	thheld information is a trade secret or confidential commercial or fina	ncial information that is being wit	hheld for the reason(	s)
The information	n is considered to be proprietary because it concerns a licensee's gram for special nuclear material pursuant to 10 CFR 2.390(d)(1		ion or material cont	rol and
The information	n is considered to be another type of confidential business (propr	ietary) information.		
The information	was submitted by a foreign source and received in confidence	oursuant to 10 CFR 2.390(d)(2)	).	
Exemption 5: The with	thheld information consists of interagency or intraagency records that	t are normally privileged in civil lit	tigation.	
Deliberative proce	ess privilege.			
Attorney work pro	oduct privilege.			
Attorney-client pri	ivilege.			
	thheld information from a personnel, medical, or similar file, is exempted invasion of personal privacy.	ted from public disclosure becau	se its disclosure wou	ld result
	thheld information consists of records compiled for law enforcement	purposes and is being withheld fo	or the reason(s) indic	ated.
(A) Disclosure co	ould reasonably be expected to interfere with an open enforcement p	roceeding.		
(C) Disclosure co	ould reasonably be expected to constitute an unwarranted invasion of	of personal privacy.		
(D) The informati sources.	ion consists of names and other information the disclosure of which	could reasonably be expected to	reveal identities of co	onfidential
(E) Disclosure we	ould reveal techniques and procedures for law enforcement investigations for the law.	ations or prosecutions, or guideling	nes that could reason	ably be
	ould reasonably be expected to endanger the life or physical safety o	f any individual.		
Other:				
	NAMES OF THE PARTY	our years as		
	PART II.B DENYING OFFIC			
	CFR 9.25(g) and 9.25(h) of the U.S. Nuclear Regulato determination to withhold certain information respon		ns, the official(s)	listed
DENYING OFFICIAL	TITLE/OFFICE	RECORDS DENIED	APPELLA' EDO	SECY
Stephanie Blaney	FOIA Officer	Any allegations/investigations to extent they exist	the	
	Select Title/Office from drop-down list			
	Select Title/Office from drop-down list			
	Select Title/Office from drop-down list			

### NRC FORM 464 Part I U.S. NUCLEAR REGULATORY COMMISSION NRC RESPONSE NUMBER (06-2019)2020-000072 1 RESPONSE TO FREEDOM OF **INFORMATION ACT (FOIA) REQUEST** RESPONSE INTERIM **FINAL TYPE** REQUESTER: DATE: 12/16/2019 DESCRIPTION OF REQUESTED RECORDS: [1] Report of Investigation (ROI) in OI 2-2018-023; [2] transcripts of all interviews conducted with a named individual; [3] transcripts, notes, reports and summaries of all interviews; [4] all documents and exhibits submitted by that named individual; and [5] all documents reflecting oral discussions between the named individual and any NRC staff. 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.gov/foiaonline/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** Since the minimum fee threshold was not met, You will be billed by NRC for the amount indicated. **AMOUNT** you will not be charged fees. You will receive a refund for the amount indicated. Due to our delayed response, you will not be charged search and/or duplication fees that Fees waived. would otherwise be applicable to your request. 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-6 A60M, 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. Please be sure to include on your submission that it is a "FOIA Appeal." Only a pre-registered user may file an appeal through FOIA Online, https:// foiaonline.gov/foiaonline/action/public/home. A user who has not registered an account prior to filing the initial FOIA request may still submit their appeal by one of the above mentioned options.

#### 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.

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RESPONSE	TC
INFORMATION A	10

### O FREEDOM OF T (FOIA) REQUEST

NRC	RESPONSE NUMBER
2020-000072	1
RESPONSE INTE	RIM / FINAL

#### **PART I.D -- COMMENTS**

Since items 2, 4, and 5 of your request explicitly ask for certain records compiled and/or generated during OI's investigation 2-2018-023 that pertain to a specifically named individual with respect to whom you have not provided a satisfactory waiver of that named individual's privacy interests, we can neither confirm nor deny the existence of any such records within the U.S. Nuclear Regulatory Commission (NRC) pertaining to the person you have named. Moreover, even to process any records responsive to items 1 and 3 could be construed as an implicit confirmation that this named individual had some involvement in this investigation. According, this response constitutes a denial under FOIA exemption 7(C). The reason for this is explained below.

It is the policy of the NRC to encourage individuals to come forward and identify safety concerns to their employers to to the NRC and to protect the identities of individuals, where appropriate and possible, to preclude potential retaliation by employers against individuals raising concerns to the NRC. Only through the consistent application of this masked responses to third-party requests, regardless of whether responsive records do actually exist, can the privacy of those who are in fact mentioned in such files be protected. Therefore, the NRC will neither confirm nor deny the existence of records when it receives third-party requests under the FOIA for records regarding allegations by a named individual or for records on named individuals who are the subject of investigations unless (1) the third-party subject of a request has provided the requester with a written waiver (either under penalty of perjury or notarized) of his or her privacy rights, which in turn is provided to the NRC with regard to the FOIA request; (2) the NRC is made aware of the third-party subject's death, or (3) the third-party subject has publicly disclosed his or her contacts with the NRC.

Signature - Freedom of Information Act Officer or Designee

Stephanie A. Blaney

Digitally signed by Stephanie A. Blaney Date: 2019.12.16 13:07:26 -05'00'

(04-2018)

# RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

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t	DATE:	

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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 141-1	45 of the Atomic Energy Act, which prohibits the disclosure of Restricted Data or Formerly Restricted D	ata (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	C. 2167).	
41 U.S.C. 4702	2(b), which prohibits the disclosure of contractor proposals, except when incorporated into the contract	between the agency	and the
Other:	withhold information is a trade correct or confidential commercial or financial information that is being withhold	thhold for the recent	v(a)
indicated. The informati	withheld information is a trade secret or confidential commercial or financial information that is being wi on is considered to be proprietary because it concerns a licensee's or applicant's physical protec		75.00 er romanden en de
	ogram for special nuclear material pursuant to 10 CFR 2.390(d)(1).  on is considered to be another type of confidential business (proprietary) information.		
	on was submitted by a foreign source and received in confidence pursuant to 10 CFR 2.390(d)(2	Y).	
	withheld information consists of interagency or intraagency records that are normally privileged in civil li	1945 - 17	
	ocess privilege.		
Attorney work	product privilege.		
Attorney-client	privilege.		
	withheld information from a personnel, medical, or similar file, is exempted from public disclosure because the invariant of personnel stitutes.	use its disclosure wo	uld result
	inted invasion of personal privacy. withheld information consists of records compiled for law enforcement purposes and is being withheld f	or the reason(s) indi-	cated.
(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.		
5 % SCHOOL SCHOOL	nation consists of names and other information the disclosure of which could reasonably be expected to	reveal identities of o	confidential
	would reveal techniques and procedures for law enforcement investigations or prosecutions, or guideli o risk circumvention of the law.	nes that could reaso	nably be
(F) Disclosure	could reasonably be expected to endanger the life or physical safety of any individual.		
Other:			
9. 640	PART II.B DENYING OFFICIALS		
In accordance with	10 CFR 9.25(g) and 9.25(h) of the U.S. Nuclear Regulatory Commission regulatio	ns, the official(s	) listed
	e determination to withhold certain information responsive to your request.	- A	
DENYING OFFICIAL	TITLE/OFFICE RECORDS DENIED	APPELL/ EDO	SECY
Stephanie A. Blaney	FOIA Officer any records to the extent they ex	xist	
	Select Title/Office from drop-down list		
	Select Title/Office from drop-down list		
	Select Title/Office from drop-down list		

### NRC FORM 464 Part I U.S. NUCLEAR REGULATORY COMMISSION NRC RESPONSE NUMBER (06-2019)2020-000222 1 RESPONSE TO FREEDOM OF **INFORMATION ACT (FOIA) REQUEST** RESPONSE INTERIM **FINAL TYPE** REQUESTER: DATE: 04/28/2020 DESCRIPTION OF REQUESTED RECORDS: A copy of the document provided to the Watts Bar Nuclear Plant Senior Resident Inspector [SRI] on December 14, 2015, containing written answers to questions posed by the SRI about events that occurred on November 11, 2015 during a Unit 1 startup. This document is in reference to NRC OI Report No. 2-2016-042. 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.gov/foiaonline/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** Since the minimum fee threshold was not met, You will be billed by NRC for the amount indicated. **AMOUNT** you will not be charged fees. You will receive a refund for the amount indicated. Due to our delayed response, you will not be charged search and/or duplication fees that Fees waived. would otherwise be applicable to your request. 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.

#### PART I.C -- REFERENCES AND POINTS OF CONTACT

foiaonline.gov/foiaonline/action/public/home. A user who has not registered an account prior to filing the initial FOIA request may

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-6 A60M, 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. Please be sure to include on

your submission that it is a "FOIA Appeal." Only a pre-registered user may file an appeal through FOIA Online, https://

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.

still submit their appeal by one of the above mentioned options.

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

NRC FORM	1 464 Part I
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RESPONSE TO F	REED	OM OF
NFORMATION ACT (	FOIA	REQUEST

NRC	RESPONSE NUMBER
2020-000222	1
RESPONSE INTE	RIM FINAL

#### **PART I.D -- COMMENTS**

This response also acknowledges receipt of this FOIA request, which you submitted through FOIAonline on April 27, 2020.

We note that your request refers to two individuals (one of whom is named) for whom you have not provided identity verifications and third party authorizations. As such, we neither confirm nor deny those individuals' involvement in the matter that is the subject of your request. In any event, given the pendency of investigation and enforcement activities

matter that is the subject of your request. In any event, given the pendency of investigation and enforcement activities relating to OI Report No. 2-2016-042, any records in the possession of the Offices of Investigation, Enforcement, and Region II relating to these activities are withheld in their entirety on the basis of FOIA exemption 7(A) at this time. (See Part

Signature - Freedom of Information Act Officer or Designee

Stephanie A. Blaney

Digitally signed by Stephanie A. Blaney

Date: 2020.04.28 07:16:54 -04'00'

# **RESPONSE TO FREEDOM OF**

ı	NRC
	2020-000222
	DATE:

INFORMATION ACT (FOIA) REQUEST		DATE:			
****			04/28	8/202	20
	PART II.A APPLICABLE EXEM	MPTIONS			
Records subject to the	request are being withheld in their entirety or in part under the	FOIA exemption(s) as indica	ted below (5	U.S.C.	. 552(b)).
Exemption 1: The	withheld information is properly classified pursuant to an Executive Ord	der protecting national security in	formation.		
Exemption 2: The	withheld information relates solely to the internal personnel rules and p	ractices 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 Restricte	ed Data or Formerly Restricted D	ata (42 U.S.C.	2161-2	165).
Section 147 of	the Atomic Energy Act, which prohibits the disclosure of Unclassified S	Safeguards Information (42 U.S.C	2167).		
41 U.S.C. 470	2(b), which prohibits the disclosure of contractor proposals, except whe	en incorporated into the contract t	etween the ag	ency ar	nd the
Other:					
Exemption 4: The indicated.	withheld information is a trade secret or confidential commercial or fina	ncial information that is being wit	hheld for the re	eason(s	)
	ion is considered to be proprietary because it concerns a licensee's rogram for special nuclear material pursuant to 10 CFR 2.390(d)(1		ion or materia	l contro	ol and
The informat	ion is considered to be another type of confidential business (propr	rietary) information.			
The informat	ion 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	t are normally privileged in civil li	tigation.		
Deliberative pr	ocess 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.				d result
Exemption 7: The withheld information consists of records compiled for law enforcement purposes and is being withheld for the reason(s) indicated.				ted.	
(A) Disclosure	could reasonably be expected to interfere with an open enforcement p	proceeding.			
(C) Disclosure	e could reasonably be expected to constitute an unwarranted invasion of	of personal privacy.			
(D) The inform	nation consists of names and other information the disclosure of which	could reasonably be expected to	reveal identities	s of cor	nfidential
	e would reveal techniques and procedures for law enforcement investigatorisk circumvention of the law.	ations or prosecutions, or guideling	nes that could r	easona	ıbly be
(F) Disclosure	could reasonably be expected to endanger the life or physical safety of	of any individual.			
Other:					
	PART II.B DENYING OFFIC	CIAI S			
	10 CFR 9.25(g) and 9.25(h) of the U.S. Nuclear Regulato	ory Commission regulation	ns, the offic	ial(s)	listed
below have made th	e determination to withhold certain information respon	sive to your request.			
DENYING OFFICIAL	TITLE/OFFICE	RECORDS DENIED		EDO EDO	SECY
Stephanie A. Blaney	FOIA Officer	investigation and allegation reco	rds	<b>√</b>	
	Select Title/Office from drop-down list				

Select Title/Office from drop-down list

Select Title/Office from drop-down list

### NRC FORM 464 Part I U.S. NUCLEAR REGULATORY COMMISSION NRC RESPONSE NUMBER (06-2019) 2020-000266 1 RESPONSE TO FREEDOM OF **INFORMATION ACT (FOIA) REQUEST** RESPONSE INTERIM **FINAL TYPE** REQUESTER: DATE: 07/10/2020 DESCRIPTION OF REQUESTED RECORDS: Transcript of NRC interview(s) with named individual 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.gov/foiaonline/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 Since the minimum fee threshold was not met, You will be billed by NRC for the amount indicated. **AMOUNT** you will not be charged fees. You will receive a refund for the amount indicated. Due to our delayed response, you will not be charged search and/or duplication fees that Fees waived. would otherwise be applicable to your request. 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-6 A60M, 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. Please be sure to include on your submission that it is a "FOIA Appeal." Only a pre-registered user may file an appeal through FOIA Online, https://

#### PART I.C -- REFERENCES AND POINTS OF CONTACT

foiaonline.gov/foiaonline/action/public/home. A user who has not registered an account prior to filing the initial FOIA request may

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

still submit their appeal by one of the above mentioned options.

NRC FORM	464	Part I
(06-2019)		

<b>RESPONSE TO FREEDOM OF</b>
INFORMATION ACT (FOIA) REQUEST

NRC		RESPONSE NUMBER			_
2020-000266	5			1	
RESPONSE TYPE	INTE	RIM	<b>✓</b>	FINAL	

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$-\mu$	<b>I</b>				u	IVI II	/  _	IV	

On July 9, 2020, you submitted a request seeking the transcript of NRC interview(s) with a named individual without providing a satisfactory waiver of that individual's privacy interests.

Since you have asked for records regarding a specifically named individual without providing a satisfactory waiver of that named individual's privacy interests, we neither confirm nor deny the existence of any such records within the NRC, pertaining to the person you have named. Please refer to Part II.

Signature - Freedom of Information Act Officer or Designee

Stephanie A. Blaney

Digitally signed by Stephanie A. Blaney Date: 2020.07.10 14:14:11 -04'00'

(04-2018)

# RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

NRC	
2020-000266	
DATE:	

****	07/10/20	20					
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 141-1	45 of the Atomic Energy Act, which prohibits the disclosure of Restricted Data or Formerly Restricted Data	ata (42 U.S.C. 2161-	2165).				
Section 147 of	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	2(b), which prohibits the disclosure of contractor proposals, except when incorporated into the contract b	etween the agency a	and the				
Other:							
Exemption 4: The indicated.	withheld information is a trade secret or confidential commercial or financial information that is being with	hheld for the reason(	(s)				
	on is considered to be proprietary because it concerns a licensee's or applicant's physical protecti rogram for special nuclear material pursuant to 10 CFR 2.390(d)(1).	ion or material cont	rol and				
The informati	on is considered to be another type of confidential business (proprietary) information.		- 1				
The informati	on was submitted by a foreign source and received in confidence pursuant to 10 CFR 2.390(d)(2)	1.					
Exemption 5: The	withheld information consists of interagency or intraagency records that are normally privileged in civil lit	igation.	- 1				
Deliberative pr	ocess privilege.		- 1				
Attorney work	product privilege.		- 1				
Attorney-client							
	withheld information from a personnel, medical, or similar file, is exempted from public disclosure becaus anted invasion of personal privacy.	se its disclosure wou	ild result				
Exemption 7: The	withheld information consists of records compiled for law enforcement purposes and is being withheld fo	or the reason(s) indicate	ated.				
(A) Disclosure	could reasonably be expected to interfere with an open enforcement proceeding.		- 1				
(C) Disclosure	could reasonably be expected to constitute an unwarranted invasion of personal privacy.		- 1				
(D) The inform sources.	nation consists of names and other information the disclosure of which could reasonably be expected to	reveal identities of co	onfidential				
	would reveal techniques and procedures for law enforcement investigations or prosecutions, or guideling or risk circumvention of the law.	es that could reason	ably be				
(F) Disclosure	could reasonably be expected to endanger the life or physical safety of any individual.		- 1				
Other:			- 1				
p= 370	PART II.B DENYING OFFICIALS		-				
In accordance with	10 CFR 9.25(g) and 9.25(h) of the U.S. Nuclear Regulatory Commission regulation	ns. the official(s)	listed				
	e determination to withhold certain information responsive to your request.	,					
DENYING OFFICIAL	TITLE/OFFICE RECORDS DENIED	APPELLAT EDO	TE OFFICIAL SECY				
Stephanie Blaney	FOIA Officer Transcripts, to the extent they exi	ist					
	Select Title/Office from drop-down list						
	Select Title/Office from drop-down list						
	Select Title/Office from drop-down list						

### NRC FORM 464 Part I U.S. NUCLEAR REGULATORY COMMISSION NRC RESPONSE NUMBER (06-2019) 2020-000269 1 RESPONSE TO FREEDOM OF **INFORMATION ACT (FOIA) REQUEST** RESPONSE INTERIM **FINAL TYPE** REQUESTER: DATE: 07/13/2020 DESCRIPTION OF REQUESTED RECORDS: The transcript(s) of the NRC's interview(s) of the Administrative Coordinator in the Maintenance Planning Group at Peach Bottom Atomic Power Station in connection with the referenced NRC investigation. Case No. 1-2014-027 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.gov/foiaonline/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 Since the minimum fee threshold was not met, You will be billed by NRC for the amount indicated. **AMOUNT** you will not be charged fees. You will receive a refund for the amount indicated. Due to our delayed response, you will not be charged search and/or duplication fees that Fees waived. would otherwise be applicable to your request. 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-6 A60M, 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. Please be sure to include on your submission that it is a "FOIA Appeal." Only a pre-registered user may file an appeal through FOIA Online, https:// foiaonline.gov/foiaonline/action/public/home. A user who has not registered an account prior to filing the initial FOIA request may still submit their appeal by one of the above mentioned options.

#### 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.

NRC	FORM	464	Part	I

RESPONSE TO FREEDOM OF
INFORMATION ACT (FOIA) REQUEST

NRC	RESPONSE NUMBER		
2020-000269	1		
RESPONSE INTE	ERIM V FINAL		

#### **PART I.D -- COMMENTS**

On July 10, 2020, we provided you with NRC's final response to your July 9, 2020 request seeking the transcript of NRC interview(s) with a named individual. We stated that, "since you have asked for records regarding a specifically named individual without providing a satisfactory waiver of that named individual's privacy interests, we neither confirm nor deny the existence of any such records within the NRC, pertaining to the person you have named.

On July 11, 2020, we received your request as described above, replacing the name of the individual with the individual's position. However, since this new request makes the connection to the individual in your previous request, we continue to uphold that we neither confirm nor deny the existence of any such records within the NRC. Please refer to Part II.

Signature - Freedom of Information Act Officer or Designee

Stephanie A. Blaney

Digitally signed by Stephanie A. Blaney Date: 2020.07.13 10:09:42 -04'00'

(04-2018)

# **RESPONSE TO FREEDOM OF**

NRC
2020-000269
DATE:

	INFORMATION ACT (FOIA) REQUEST	□	DATE:				
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	PART II.A APPLICABLE EXEMPTIONS						
Records subject to the	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	Exemption 1: The withheld information is properly classified pursuant to an Executive Order protecting national security information.						
Exemption 2: The	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 141-1	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. 2	167).				
41 U.S.C. 4702	2(b), which prohibits the disclosure of contractor proposals, except when incorporated into the	contract bety	ween the agency a	nd the			
Other:							
Exemption 4: The indicated.	withheld information is a trade secret or confidential commercial or financial information that is	s being withhe	eld for the reason(s	s)			
	on is considered to be proprietary because it concerns a licensee's or applicant's physic rogram for special nuclear material pursuant to 10 CFR 2.390(d)(1).	cal protection	n or material contr	ol and			
The informati	on is considered to be another type of confidential business (proprietary) information.						
The informati	on was submitted by a foreign source and received in confidence pursuant to 10 CFR 2	2.390(d)(2).					
Exemption 5: The	withheld information consists of interagency or intraagency records that are normally privilege	ed in civil litiga	ation.				
Deliberative pro	ocess privilege.						
Attorney work	product privilege.						
Attorney-client	privilege.						
	withheld information from a personnel, medical, or similar file, is exempted from public disclos anted invasion of personal privacy.	sure because	its disclosure woul	d result			
Exemption 7: The	withheld information consists of records compiled for law enforcement purposes and is being	withheld for t	he reason(s) indica	ated.			
(A) Disclosure	could reasonably be expected to interfere with an open enforcement proceeding.						
·	could reasonably be expected to constitute an unwarranted invasion of personal privacy.						
(D) The inform sources.	nation consists of names and other information the disclosure of which could reasonably be ex	rpected to rev	real identities of co	nfidential			
	would reveal techniques and procedures for law enforcement investigations or prosecutions, o risk circumvention of the law.	or guidelines	that could reasona	ably be			
(F) Disclosure	could reasonably be expected to endanger the life or physical safety of any individual.						
Other:							
	PART II.B DENYING OFFICIALS						
	10 CFR 9.25(g) and 9.25(h) of the U.S. Nuclear Regulatory Commission re e determination to withhold certain information responsive to your requ		, the official(s)	listed			
DENYING OFFICIAL	TITLE/OFFICE RECORDS	DENIED	APPELLAT EDO	E OFFICIAL SECY			
Stephanie Blaney	FOIA Officer Transcript(s), to the early	xtent that any	exists				
	Select Title/Office from drop-down list						
	Select Title/Office from drop-down list						

Select Title/Office from drop-down list

### NRC -NRC FORM 464 Part I U.S. NUCLEAR REGULATORY COMMISSION RESPONSE NUMBER (06-2020) 2021-000133 1 RESPONSE TO FREEDOM OF **INFORMATION ACT (FOIA) REQUEST** RESPONSE INTERIM **FINAL TYPE** REQUESTER: DATE: 04/23/2021 DESCRIPTION OF REQUESTED RECORDS: Copy of allegation made against named individual at Comanche Peak Nuclear Power Plant on or about March 18-19, 2021. 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.gov/foiaonline/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 Since the minimum fee threshold was not met, You will be billed by NRC for the amount indicated. **AMOUNT** you will not be charged fees. You will receive a refund for the amount indicated. Due to our delayed response, you will not be charged search and/or duplication fees that Fees waived. would otherwise be applicable to your request. 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,

#### PART I.C -- REFERENCES AND POINTS OF CONTACT

your submission that it is a "FOIA Appeal." Only a pre-registered user may file an appeal through FOIA Online, https://

still submit an appeal by one of the above mentioned options.

address it to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Mail Stop T-6 A60M, 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. Please be sure to include on

foiaonline.gov/foiaonline/action/public/home. A user who has not registered an account prior to filing the initial FOIA request may

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

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RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

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#### **PART I.D -- COMMENTS**

Since you have asked for records regarding yourself, while naming an individual without providing satisfactory consent of the named individual, we neither confirm nor deny the existence of such records within the US. Nuclear Regulatory Commission (NRC) pertaining to the person you have named. This response constitutes a denial under FOIA Exemption b(7)(C): disclosure of which could reasonably be expected to constitute an unwarranted invasion of personal privacy. The reason for this response is further explained below.

It is the policy of the NRC to encourage individuals to come forward and identify safety concerns to their employers to to the NRC and to protect the identities of individuals, where appropriate and possible, to preclude potential retaliation by employers against individuals raising concerns to the NRC. Only through the consistent application of this masked responses to third-party requests, regardless of whether responsive records do actually exist, can the privacy of those who are in fact mentioned in such files be protected. Therefore, the NRC will neither confirm nor deny the existence of records when it receives third-party requests under the FOIA for records regarding allegations by a named individual or for records on named individuals who are the subject of investigations unless (1) the third-party subject of a request has provided the requester with a written waiver (either under penalty of perjury or notarized) of his or her privacy rights, which in turn is provided to the NRC with regard to the FOIA request; (2) the NRC is made aware of the third-party subject's death, or (3) the third-party subject has publicly disclosed his or her contacts with the NRC.

Signature - Freedom of Information Act Officer or Designee

Stephanie A. Blaney

Digitally signed by Stephanie A. Blaney Date: 2021.04.23 13:52:06 -04'00'

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2021-000133

## **RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST**

PART II	A APPI	ICARI F	EXEMPTIONS	3

	PART II.A APPLICABI	LE EXEMPTIONS				
Records subject to the	request are being withheld in their entirety or in part	under the FOIA exemption(s) as indica	ted below	(5 U.S.C.	. 552(b)).	
Exemption 1: The	withheld information is properly classified pursuant to an Ex	cutive Order protecting national security information.				
Exemption 2: The withheld information relates solely to the internal personnel rules and practices of NRC.						
Exemption 3: The	closure by the statute indicated.					
Sections 141-1	145 of the Atomic Energy Act, which prohibits the disclosure	of Restricted Data or Formerly Restricted D	ata (42 U.S	S.C. 2161-2	165).	
Section 147 of	the Atomic Energy Act, which prohibits the disclosure of Un	classified Safeguards Information (42 U.S.C	2. 2167).			
41 U.S.C. 4702 submitter of the	2(b), which prohibits the disclosure of contractor proposals, e proposal.	except when incorporated into the contract t	etween the	e agency ar	nd the	
Other:					.	
Exemption 4: The indicated.	withheld information is a trade secret or confidential comme	rcial or financial information that is being wit	hheld for th	e reason(s	)	
accounting p	ion is considered to be proprietary because it concerns a rogram for special nuclear material pursuant to 10 CFR	2.390(d)(1).	tion or mat	erial contro	ol and	
The informati	ion is considered to be another type of confidential busir	ness (proprietary) information.				
The informati	ion was submitted by a foreign source and received in co	onfidence 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 li	tigation.			
Deliberative pr	rocess privilege.					
Attorney work	product privilege.					
Attorney-client	privilege.					
	withheld information from a personnel, medical, or similar fil anted invasion of personal privacy.	e, is exempted from public disclosure becau	se its disclo	osure would	d result	
Exemption 7: The	withheld information consists of records compiled for law en	forcement purposes and is being withheld for	or the reaso	on(s) indica	ted.	
(A) Disclosure	e could reasonably be expected to interfere with an open enf	forcement proceeding.				
(C) Disclosure	e could reasonably be expected to constitute an unwarranted	d invasion of personal privacy.				
(D) The inform sources.	nation consists of names and other information the disclosur	e of which could reasonably be expected to	reveal iden	tities of cor	nfidential	
(E) Disclosure	e would reveal techniques and procedures for law enforcements to risk circumvention of the law.	ent investigations or prosecutions, or guideli	nes that cou	uld reasona	ably be	
(F) Disclosure	could reasonably be expected to endanger the life or physi	cal safety of any individual.				
Other:						
	PART II.B DENYIN	G OFFICIALS				
In accordance with	10 CFR 9.25(g) and 9.25(h) of the U.S. Nuclear	Regulatory Commission regulation	ns. the of	fficial(s)	listed	
	ne determination to withhold certain informatio		,	(-)		
DENYING OFFICIAL	TITLE/OFFICE	INFORMATION DENIED	APP EDO	SECY	IAL OIG	
Stephanie Blaney	FOIA Officer	any allegation records, to the extent they exist	✓			
	Select Title/Office from drop-down list					
	Select Title/Office from drop-down list					
	Select Title/Office from drop-down list					