

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

FOIA or Reference Number

FOIA-2024-000107

Response Number

1

Response  
Type☐

Interim

☒

Final

Requester:

Lawrence Criscione

Date:

5/8/2024

## Description of Requested Records:

Recordings of the Office of the Executive Director for Operations [OEDO] Town Hall meetings held on November 9, 2022 and September 20, 2023.

**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 the NRC Public Access Link (PAL), at <https://foia.nrc-gateway.gov/app/Home.aspx>.
- ☐ Agency records subject to the request are enclosed.
- ☐ Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (See Part I.D -- Comments) for a disclosure determination and direct response to you.
- ☐ We are continuing to process your request.
- ☒ See Part I.D -- Comments.

**PART I.A -- FEES**

AMOUNT

☐

You will be billed by NRC for the amount indicated.

☐

You will receive a refund for the amount indicated.

☐

Fees waived.

☒

Since the minimum fee threshold was not met, you will not be charged fees.

☐

Due to our delayed response, you will not be charged search and/or duplication fees that 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 email to [FOIA.resource@nrc.gov](mailto: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." You may file an appeal through the NRC Public Access Link (PAL) at <https://foia.nrc-gateway.gov/app/Home.aspx>.

**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) 415-0717.

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



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

FOIA-2024-000107

1

Response  
Type

☐

Interim

☒

Final

**PART I.D -- COMMENTS**

Upon our receipt of your request on February 28, 2024, we tasked the Office of the Executive Director for Operations [OEDO] to search for, and provide disclosure recommendations as to, the audio recordings of the two Town Hall meetings.

After careful consideration, the NRC is withholding the audio recordings in their entirety. The November 9, 2022 and September 20, 2023 Town Hall Meetings, and by extension the recordings of these meetings, were wholly internal, intra-agency, predecisional dialogues related to agency personnel matters. Based upon the nature of these meetings, the requested records are being withheld, in full, in accordance with FOIA exemptions (b)(2) and (b)(5). Release of these records would be premature as the personnel matters remain unresolved and would cause harm by providing the public with erroneous and misleading information. Additionally, disclosure of the information in these recordings would inhibit and chill open communications and future exchanges of information among agency personnel and management, as well as discourage candid and effective discussions aimed at aiding in the agency's decision-making. Finally, with respect to the November 9th audio recording, there are portions of the recording that are also being withheld under the attorney-client privilege, which is subsumed within exemption (b)(5), and exemption (b)(6).

Signature - Freedom of Information Act Officer or Designee

**Alecia S. Sillah**

Digitally signed by Alecia S. Sillah  
Date: 2024.05.07 18:16:47 -04'00'