



# RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

FOIA or Reference Number

FOIA-2025-000137

Response Number

1

Response Type

Interim

Final

Requester:

David Slaughter, Aerotest Operations

Date:

12/16/2024

Description of Requested Records:

Documentation reflecting the apparent decision not to copy anyone on the 5/4/24 Zobler to Slaughter letter, which is contrary to what is said in a 5/4/23 2:49 email that was released in FOIA-2025-000173-175.

## 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               | <input type="checkbox"/> You will be billed by NRC for the amount indicated. | <input type="checkbox"/> Since the minimum fee threshold was not met, you will not be charged fees.  |
| <input type="text"/> | <input type="checkbox"/> You will receive a refund for the amount indicated. | <input type="checkbox"/> Due to our delayed response, you will not be charged search and/or duplication fees that would otherwise be applicable to your request. |
|                      | <input type="checkbox"/> Fees waived.  |  |

## 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>.



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#### PART I.D -- COMMENTS

With respect to FOIA-2025-000137, you noted that Marian Zobler's email to Theresa Mayberry, dated May 4, 2023 at 2:49 PM, directs Ms. Mayberry to send copies of Ms. Zobler's May 4, 2024 letter to the Offices of the Chief Financial Officer (OCFO) and the Executive Director for Operations (OEDO). However, you stated that, in the records released in response to your requests, FOIA-2025-000173-175, you did not find evidence that Ms. Mayberry sent copies of the letter to the OCFO and OEDO. This is incorrect. We call to your attention pages 178-179 of the Released Set, <https://adamswebsearch2.nrc.gov/webSearch2/main.jsp?AccessionNumber=ML24278A177>, which includes an email that Ms. Mayberry sent to Howard Osborne and James Corbett, both of whom were staff in the OCFO, and to a resource mailbox for the OEDO on 5/4/23 at 3:30 pm forwarding a link containing a copy of the May 4th letter.

This completes our processing of FOIA-2025-000137.

Signature - Freedom of Information Act Officer or Designee

**LEZLIE COLBERT**

Digitally signed by LEZLIE COLBERT  
Date: 2024.12.16 09:37:07 -05'00'