



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

April 3, 2012

Ms. Judy Treichel
4587 Ermine Court
Las Vegas, NV 89147-5178

IN RESPONSE REFER TO
FOIA/PA-2012-0002A
(FOIA/PA-2011-0363)

Dear Ms. Treichel:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated February 10, 2012, to the Freedom of Information Act (FOIA)/Privacy Act Officer in which you appealed the agency's January 12, 2012 decision on your September 26, 2011 FOIA request, (FOIA-2011-0363), for any and all interviews on videotape of departing and senior technical staff members for knowledge capture and as a future training resource. Specifically, you are appealing the edited version of Mr. Brett Leslie's interview where segments were determined to be exempt from disclosure under FOIA Exemption 5. Also, you believe that all interviews have not been provided because the NRC Statement of Estimate Fees indicated there were 10 DVDs and you only received 5 DVDs.

Acting on your appeal, the Office of Nuclear Material Safety and Safeguards has reviewed the content of Mr. Leslie's interview once again and determined there is no foreseeable harm in releasing the entire interview. Therefore, I am granting that portion of your appeal. The record is enclosed.

Finally, the NRC Statement of Estimated Fees was incorrect. During the planning phase of the knowledge capture efforts, 10 interviews were tentatively planned; 5 of senior staff members and 5 of departing technical senior staff members; however, only 5 interviews were conducted. The initial estimate was based upon a presumption that 10 interviews were conducted. Therefore, you will be issued a full refund in the amount of \$467.38.

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

The 2007 FOIA amendments created the Office of Government Information Services (OGIS) to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, MD 20740
E-mail: ogis@nara.gov
Telephone: 202-741-5770
Fax: 202-741-5769
Toll-free: 1-877-684-6448

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Ash', with a stylized flourish extending from the end.

Darren B. Ash
Deputy Executive Director
for Corporate Management
Office of the Executive Director for Operations

Enclosure
As stated