



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

JAN 24 2018

IN RESPONSE REFER TO:
NRC-2018-000294
(NRC-2018-000056)

Julian Tarver DOC885530
Washington State Penitentiary IMU South H-2
1313 N 13th Avenue
Walla Walla, WA 99362

Dear Mr. Tarver:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your January 6, 2018, letter, in which you appealed the agency's December 29, 2017, response related to your November 15, 2017, Freedom of Information Act (FOIA) request, NRC-2018-000056, which sought copies of all ethics waivers granted pursuant to Executive Order 13370 for staff within the NRC during the time period, January 28, 2017 to current date. You appealed the redactions made to the responsive records as well as the search performed.

Acting on your appeal, I have reviewed the records and I am upholding the application of the Exemption 6 redaction because the release of the redacted information would constitute a clearly unwarranted invasion of personal privacy. Your appeal letter does not discuss any public interest that might be served by the release of the redacted information, and I am unable to identify any legitimate public interest in the release of this information that would outweigh the personal privacy interests at stake. We will continue to withhold the items of information under Exemption 6 of the FOIA.

With respect to the adequacy of the search, I have reviewed the matter and confirmed that the NRC conducted an adequate search to locate the ethics waivers that you requested. The Office of the General Counsel (OGC) and the Office of the Secretary (SECY) of the Commission were tasked to conduct the search, as these offices were appropriately determined to most likely have the record(s) responsive to your request. The search conducted was proper and complete to identify any records responsive to your request. Therefore, I have denied your appeal.

This is the final agency decision. As set forth in the FOIA (5 U.S.C. 552(a)(4)(B)), you may seek judicial review of this decision in the district court of the United States in the district in which you reside or have your principal place of business. You may also seek judicial review in the district in which the agency's records are situated 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 nonexclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation.

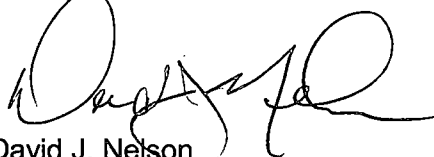
Tarver, J.

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You may contact OGIS in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
732 North Capitol Street, NW
Washington, D.C. 20401
Email: ogis@nara.gov
Telephone: 202-741-5770
Toll-free: 1-877-684-6448
Fax: 202-741-5769

Sincerely,

A handwritten signature in black ink, appearing to read "David J. Nelson", written over a horizontal line.

David J. Nelson
Chief Information Officer
Office of the Chief Information Officer