



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

IN RESPONSE REFER TO:
NRC-2021-000234
Appealing: NRC-2021-000219

Mr. Bobby Vaughn Jr.

(b) (6)

Dear Mr. Vaughn,

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated August 24, 2021, in which you appeal the agency's decision related to your Freedom of Information Act (FOIA) request NRC-2021-000219, which sought: "All records available, including photographs, documents, memorandums, e-mails, reports, details etc., pertaining to the fire in the X-326 building at the Portsmouth Gaseous Diffusion Plant on December 9, 1998 for the timeframe December 9th, 1998 - May 31st, 2000."

On August 05, 2021, the FOIA Office provided you with the first partial response for NRC-2021-000219, consisting of two already publicly available records. On August 23, 2021, the NRC provided the second and final response to you, consisting of an additional, already publicly available record. In your appeal letter, you challenge the adequacy of the search.

Acting on your appeal, the Subject Matter Experts conducted new searches, and also undertook a new search in ADAMS. They identified additional records that are responsive to your request.

In light of the additional records located in ADAMS, your appeal has been granted. I am remanding this matter to the FOIA Office for their appropriate action. You may expect to hear from them shortly.

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

The Office of Government Information Services (OGIS), which offers mediation services to resolve disputes between FOIA requesters and Federal agencies, is available as a nonexclusive alternative to litigation; however, OGIS does not have the authority to handle requests made under the Privacy Act of 1974. Using OGIS services does not affect your right to pursue litigation.

You may contact OGIS as follows:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road (OGIS)
College Park, MD 20740-6001
Email: ogis@nara.gov
Telephone: 202-741-5770
Toll-free: 1-877-684-6448
Fax: 202-741-5769

Sincerely,

David J. Nelson

Digitally signed by David J.
Nelson
Date: 2021.09.08 07:39:43
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David J. Nelson
Chief Information Officer
Office of the Chief Information Officer