U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Office of the Chief Information Officer
High Performance Computing and Communications

September 30, 2020

Michael L. Johnson
3 Oak Ridge Road
Kensington, NH 03833

Re: FOIA Request DOC-NOAA-2018-000302

Dear Mr. Johnson:

This letter is in response to your Freedom of Information Act (FOIA) request which was received by our office on 11/17/2017, in which you requested:

A copy of the Notice of Violation and Assessment (NOVA), Case NE9803IA, be provided to me. NOVA Case NE98031A was issued on 14 June 2000 by Charles R. Juliand of the Gloucester, MA, Office of the General Counsel, Enforcement and Litigation (GCEL). I also request a copy of the Notice of Permit Sanction (NOPS) associated with the NOVA for Case NE9803IA .

We have located one (1) document responsive to your request that is partially redacted under Exemption Citation 5 U.S.C. 552(b)(6), which prohibits from disclosure of records as would invade another individual's personal privacy and under Exemption Citation 5 U.S.C. 552(b)(7)(C), which prohibits from disclosure of records or information compiled for law enforcement purposes. The NOVA and NOPS are for Case NE980310.

You have the right to file an administrative appeal if you are not satisfied with our response to your FOIA request. All appeals should include a statement of the reasons why you believe the FOIA response was not satisfactory. An appeal based on documents in this release must be received within 90 calendar days of the date of this response letter at the following address:

Assistant General Counsel for Litigation, Employment, and Oversight
U.S. Department of Commerce
Office of General Counsel
Room 5875
14th and Constitution Avenue, N.W.
Washington, D.C. 20230

An appeal may also be sent by e-mail to FOIAAppeals@doc.gov or by FOIAonline at https://foiaonline.regulations.gov/foia/action/public/home# .

For your appeal to be complete, it must include the following items:

- a copy of the original request,
- our response to your request,
- a statement explaining why the withheld records should be made available, and why the denial of the records was in error.
- "Freedom of Information Act Appeal" must appear on your appeal letter. It should also be written on your envelope, e-mail subject line, or your fax cover sheet.

FOIA appeals posted to the e-mail box, FOIAonline, or Office after normal business hours will be deemed received on the next business day. If the 90th calendar day for submitting an appeal falls on a Saturday, Sunday or legal public holiday, an appeal received by 5:00 p.m., Eastern Time, the next business day will be deemed timely.

FOIA grants requesters the right to challenge an agency's final action in federal court. Before doing so, an adjudication of an administrative appeal is ordinarily required.

The Office of Government Information Services (OGIS), an office created within the National Archives and Records Administration, offers free mediation services to FOIA requesters. They may be contacted in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
Room 2510
8601 Adelphi Road
College Park, MD 20740-6001

Email: ogis@nara.gov

Phone: 301-837-1996
Fax: 301-837-0348
Toll-free: 1-877-684-6448

If you have questions regarding this correspondence please contact Stephen Lipps at stephen.lipps@noaa.gov, or the NOAA FOIA Public Liaison Robert Swisher at (301) 628-5755. Please refer to your FOIA request tracking number DOC-NOAA-2018-000302, when contacting us.

Sincerely,