



FOI/PA REQUEST

Case #/No: 2000-0231  
Date Rec'd: 5-8-00  
Action Off: [Signature]  
Related Case: \_\_\_\_\_

Buyers Up • Congress Watch • Critical Mass • Global Trade Watch • Health Research Group • Litigation Group  
Joan Claybrook, President

May 7, 2000

Ms. Carol Ann Reed  
FOIA / Privacy Act Officer  
U.S. Nuclear Regulatory Commission  
Mail Stop T-6 D8  
Washington, DC 20555-0001

**FREEDOM OF INFORMATION ACT REQUEST**

Dear Ms. Reed:

Pursuant to the Freedom of Information Act, 5 U.S.C. 522, as amended and 10 C.F.R. 9.8 of the Commission's regulations, Public Citizen's Critical Mass Energy Project requests that NRC provide us with copies of the following:

1. The NRC's Office of Investigation report concerning the alleged harassment and intimidation of Neil Aiken, an employee at Pacific Gas & Electric's Diablo Canyon nuclear plant.
2. Any and all attachments, interviews or other supporting documentation cited within the OI report.
3. Any other documentation NRC used in the preparation of the OI report on Neil Aiken.

Pursuant to and in compliance with 10 C.F.R. 9.41 of the Commission's regulations governing requests for fee waivers, Public Citizen's Critical Mass Energy Project provides the following information.

Public Citizen's Critical Mass Energy Project seeks the requested information solely to contribute to and help shape the public debate concerning NRC's role in the regulation of nuclear power plants.

Public Citizen's Critical Mass Energy Project is a nationally known non-profit public interest organization founded in 1974. We will use these documents in the preparation of a report on NRC's treatment of whistleblowers. We plan to broadly disseminate the information contained in this analysis to the press and the general public.

Ralph Nader, Founder

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Our past publications have attracted attention in the local, national and trade media. Thousands of copies of the reports have been sold or distributed to members of the public, industry, and citizen groups. Since "disclosure of the information is in the public interest because it is likely to contribute significantly to the public understanding of the operation or activities of the government and is not primarily in the commercial interest of the requester" (5 U.S.C. 552 (a)(4)(A) (iii)), we request a complete waiver of any processing or duplicating costs you might incur in providing these records to us. If you rule otherwise, please notify us before filling the request.

If all or any parts of this request are denied, please cite the specific exemptions on which you rely in refusing to release the documents.

If in some way this request requires clarification or additional detail, please contact us.

Furthermore, since the Freedom of Information Act provides that the remainder of a file must be released if only portions are exempt from disclosure, we request that we be provided with all non-exempt portions that are reasonably segregable. Of course, we reserve our right to appeal the withholding or deletion of any information.

As provided in the Freedom of Information Act Amendments, we will expect to receive the requested records or a final determination within twenty working days. If your office is unable to fully respond to this request in that time, please send us a written estimate of when the request will be completed.

If you have any questions about this request, please contact me at 202-546-4996.

Thank you for your attention to this request.

Sincerely,



James P. Riccio  
Senior Policy Analyst  
Public Citizen's Critical Mass Energy Project  
215 Pennsylvania Ave. SE  
Washington, DC 20003