

From: Julie Teel <jteel@earthjustice.org>
To: <foia@nrc.gov>
Date: Tue, Aug 7, 2001 2:26 PM
Subject: FOIA request

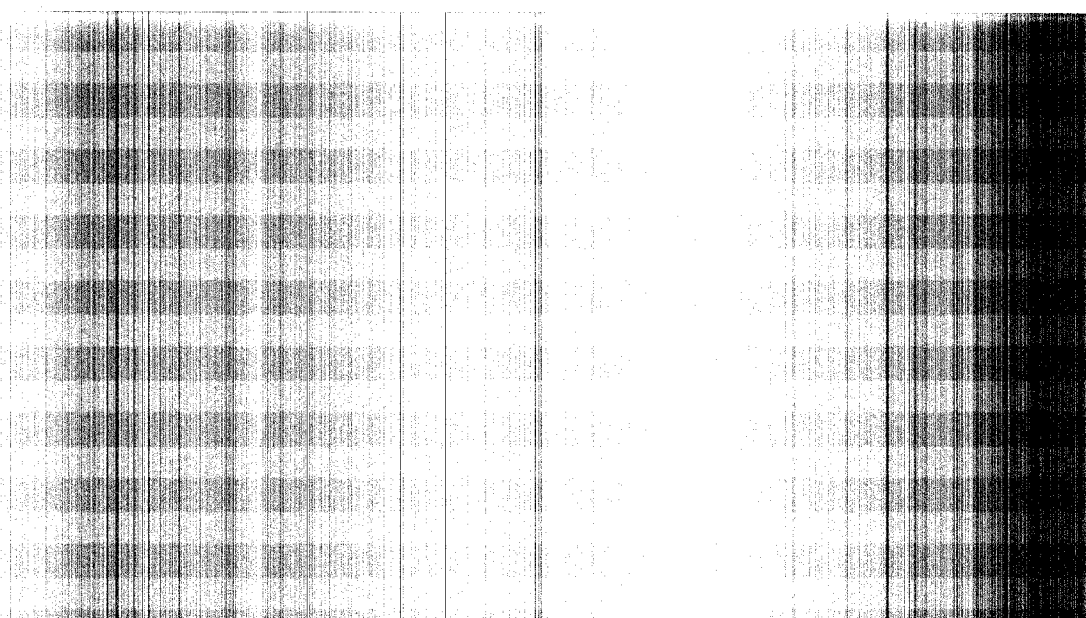
A hard copy of the attached FOIA request has been sent to your office certified mail return receipt requested today August 7, 2001. Thank you for your prompt attention to this matter.

Julie Teel
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FOIA/PA REQUEST

Case No: 2001-0336
Date Recd: 08-08-01
Action Off: Paul
Registered Case: _____

CC: <jteel@earthjustice.org>



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BY CERTIFIED MAIL
RETURN RECEIPT REQUESTED
and by email: foia@nrc.gov

August 7, 2001

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

Dear FOIA officer:

Please consider this a request in accordance with the provisions of the Freedom of Information Act (FOIA), 5 U.S.C. § 552, *et seq.*, for documents relating to the Nuclear Regulatory Commission's (NRC) compliance with the 1992 Energy Policy Act's federal fleet alternative fuel vehicle purchasing requirements and other provisions.

A. Request For Documents

This request for documents, records, and other information should be interpreted to include copies of all correspondence, including, but not limited to, internal memoranda or correspondence, publications, correspondence with other federal agencies or individuals, policies, evaluations, forms, papers, charts, data, field notes/reports, telephone logs, scientific studies, briefing documents, electronic mail, and notes documenting any communications, regardless of physical form or characteristics. Our request encompasses all documents and records in the possession of the agency, regardless of whether the documents or records were produced by employees of NRC. Please provide me a copy of the following documents:

- (1) Any and all information concerning NRC's compliance with the Energy Policy Act's federal fleet alternative fuel vehicle purchasing requirements for the past five (5) years (42 U.S.C. § 13252(b)(2));
- (2) Any and all information concerning NRC's compliance for the past five (5) years with the Energy Policy Act's requirement that it submit annual compliance reports to Congress (42 U.S.C. § 13218);
- (3) Any and all information concerning NRC's compliance for the past five (5) years with the Energy Policy Act's requirement that it make its annual compliance reports available to the public through a publicly accessible website **AND** that the agency publish the availability and location of these reports in the Federal Register (42 U.S.C. § 13218);

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- (5) Any other information concerning the NRC's compliance with the Energy Policy Act's alternative fuel vehicle requirements.

B. Request For A Fee Waiver

This request is made by Earthjustice on behalf of the Center for Biological Diversity (CBD). Earthjustice and CBD request a waiver of any fees associated with this FOIA request. Pursuant to 5 U.S.C. § 552(a)(4), documents are furnished free of charge when: (1) disclosure of the information is in the public interest because it is likely to contribute to public understanding of the operation of the government; and (2) disclosure of the information is not primarily in the commercial interest of the requester. Both elements are satisfied by this request.

Earthjustice is a non-profit, public interest environmental law firm committed to the enforcement of our nation's environmental laws. CBD is a non-profit organization dedicated to the protection of the environment and global biodiversity. CBD is concerned about the negative impacts of global warming on biodiversity and of nitrogen deposition on native flora. Disclosure of the requested information will be used to substantially increase the public's understanding of government activities related to the implementation of the Energy Policy Act's alternative fuel vehicle requirements. CBD will broadly disseminate the requested materials to the public via newsletters, action alerts, the Internet, and media outlets. Disclosure is not in CBD or Earthjustice's commercial interest. Furthermore, other agencies, including the U.S. Department of Interior, have granted CBD fee waivers in the past.

Pursuant to 5 U.S.C. § 552(a)(6), please respond within twenty working days of your receipt of this request. If it would help NRC process this response to have Earthjustice review an index of all of the documents requested above and select only those documents of particular interest for copying, Earthjustice would be happy to do so. Any such index should have a description of the documents, including date, author, title, and content, and can be faxed to (303) 871-6991. In the event that you have any questions concerning the type of materials I am interested in receiving, please contact me as soon as possible at (303) 871-6996. I appreciate the time and effort that goes into processing this request.

Sincerely,

Julie Teel
Attorney