

GREENPEACE

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April 11, 2002

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

FOIA/PA REQUEST

Case No: 2002-0231
Date Rec'd: 4/19/02
Action Off: _____
Related Case: _____

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, Greenpeace requests that NRC provide us with any and all documents regarding the Arbeitsgemeinschaft Versuchsreaktor or AVR.

Please consider "documents" to include reports, studies, test results, correspondence, memoranda, meeting notes, meeting minutes, working papers, graphs, charts, diagrams, notes and summaries of conversations and interviews, computer records, e-mail and any other form of written communications including internal NRC memoranda.

Pursuant to and in compliance with 10 C.F.R. 9.41 of the Commission's regulations governing requests for fee waivers, Greenpeace provides the following information.

Greenpeace seeks the requested information solely to contribute to and help shape the public debate concerning NRC's role in the regulation of the nuclear industry. The information provided by the NRC will be analyzed and extracted for use in our presentation to the Commission on the Status of New Reactor Licensing Activities, scheduled for May 29, 2002.

Greenpeace is a nationally known non-profit public interest organization founded in 1971. We will use these documents in preparation of our presentation to the Commissioners. As Greenpeace's nuclear policy analyst I have over a decade of experience deciphering NRC documents and making the information contained in them more understandable to the public.

The requested information and Greenpeace's analysis will greatly contribute to the public's understanding of the new reactor designs currently under consideration by the NRC and the nuclear industry. Currently, there is little or no information concerning the operation of the AVR available to the public. Since the AVR is one of the reactors similar in concept to the Pebble Bed Modular Reactor (PBMR) information on its operating history would be of interest to the public at large as well as any community that may be targeted for an Early Site Permit. Four corporations that possess numerous NRC licenses to operate reactors in several states have already expressed interest in applying for early site permits.

We plan to broadly disseminate the information contained in this analysis to the press and the general public. For several years now our publications, comments and press releases have been made available free of charge on our web site. The requested information will significantly increase the public understanding of the issue and the NRC's role in regulating the nuclear industry.

Our past publications have attracted attention in the local, national and trade media. Copies of the reports have been distributed to members of the public, the nuclear industry, citizen groups, federal & state governments and members of Congress.

Greenpeace has neither a commercial nor a private interest in the agency records sought.

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.

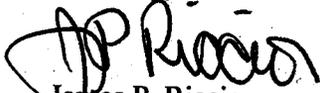
Further, since the Freedom of Information Act provides that the remainder of a file must be released if only portions are exempt from disclosure, we request that we be provided with all non-exempt portions that are reasonably segregable. Of course, we reserve our right to appeal the withholding or deletion 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 telephone me at 202-319-2487.

Thank you for your attention to this request.

Sincerely,



James P. Riccio
Nuclear Policy Analyst
Greenpeace
702 H Street NW, Suite 300
Washington, DC 20001