

Project On Government Oversight

Watchdog since 1981

October 27, 2003

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

FOI/PA REQUEST
Case No. 2004-0042
Date Rec'd: 11-4-03
Action Off: Brown
Related Cases: _____

Dear FOIA Officer:

I am making this request under the Freedom Of Information Act ("FOIA"), 5 U.S.C. § 552. Please provide the following records:

- All correspondence or external communications among the NRC and Entergy, Congress, or other third parties regarding the NRC's security tests at the Indian Point nuclear power plant.

I request a waiver of all costs associated with fulfilling this submission pursuant to 5 U.S.C. § 552(a)(4)(A)(iii). Disclosure of the requested records will further the "public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest" of POGO. Specifically, POGO intends to use the requested records to highlight nuclear power plant safety and drills that are designed to highlight safety concerns. This request will contribute to the public's understanding of the operations and activities of the NRC and the nuclear industry.

POGO investigates, exposes, and seeks to remedy systemic abuses of power, mismanagement, and subservience by the federal government to powerful special interests. Founded in 1981, POGO is a politically-independent, nonprofit watchdog that promotes a government that is accountable to the citizenry. POGO disseminates information about its activities to thousands of concerned citizens, policymakers, and the media via email, direct mail, and its web site <http://www.pogo.org>, which receives over 500,000 hits monthly. The information provided by the agency will be used for the following activities: publication by email and on our website; publication in reports and newsletters issued by POGO; publication in the newsletters of affiliated nonprofit organizations; efforts to educate Congress, the Executive Branch, and other policymakers in Washington, DC; or investigational projects conducted in conjunction with the news media.

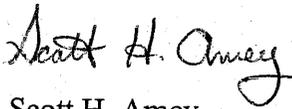
If this request is denied in full or in part, please cite the exemptions pursuant to 5 U.S.C. § 552(b) that justify the denial. If an exemption applies, however, please consider

exercising the agency's discretionary release powers to disclose the records. Additionally, please release all reasonably segregable portions of the records that do not meet an exemption.

I look forward to your response within 20 days of the receipt of this request, unless, in the case of "unusual circumstances," the time limitation is "extended by written notice." I am aware that I have a right to appeal if this request is wholly or partially denied or if the agency fails to respond within 20 days, and that, if successful, a federal district court may assess "reasonable attorney fees and other litigation costs." 5 U.S.C. § 552(a)(4)(E).

Please contact me if this request requires further clarification. Thank you for your prompt attention to this matter.

Sincerely,



Scott H. Amey
Senior Investigator
Project On Government Oversight
666 11th St., NW, Suite 500
Washington, DC 20001
(202) 347-1122
scott@pogo.org