

FOIA/PA REQUEST

Case No.: 2004-0305
 Date Rec'd: 7-20-04
 Specialist: Paul
 Related Case:



IRRC

July 19, 2004

FOIA/Privacy Act Officer
 U.S. Nuclear Regulatory Commission
 Mail Stop T-6 D8
 Washington, DC 20555-0001
 E-mail: foia@nrc.gov

Dear FOIA Officer:

IRRC is a nonpartisan organization that compiles and analyzes information on business and social issues for institutional investors interested in corporate environmental stewardship. Pursuant to the Freedom of Information Act, IRRC requests that the Nuclear Regulatory Commission provide IRRC with all civil and administrative violations of the **Atomic Energy Act (AEA)** for which a monetary penalty was **assessed** for **calendar years 2003 and 2004** (where the **PROPOSED CP** field is greater than 12-31-02 and less than 1-1-05). And where the Action taken by NRC to close out this case (the **"ACTION"** field) is either: "NOV" or "NOV/CP" or "CP-Order" or "Order". IRRC respectfully requests the data be made available at the earliest possible date. IRRC respectfully requests information from the following fields (the field names are in **UPPER CASE** letters):

- full name of licensee ("**LICENSEE**" (also known as "LICENSEE_NAME"));
- **facility name** ("**FACILITY**");
- street address, city, and state of facility;
- enforcement action number (**EA#** (also known as "EA_CASE_#"));
- licensee type (the type of license held by the company) ("**TYPE**");
- license number;
- court docket number ("**DOCKET**");
- **proposed** amount of civil or administrative penalty ("**PROPOSED CP**");
- date in which the Notice of Violation was mailed by NRC ("**PROPOSED CP DATE**");
- imposed amount of civil or administrative penalty ("**IMPOSED CP**");
- date in which the imposed civil or administrative penalty was proposed through the sending of a letter notifying the licensee that the case is going to court ("**IMPOSED CP DATE**");
- amount paid by the licensee ("**AMT PAID**");
- date in which licensee made the payment ("**AMT PAID DATE**");
- Highest "Severity Level" (SL) of the violations for which the facility was cited by NRC ("**HIGHEST SL**");
- Number of Severity Level 1 violations received by the facility ("**SL I**");
- Number of Severity Level 2 violations received by the facility ("**SL II**");
- Number of Severity Level 3 violations received by the facility ("**SL III**");
- Number of Severity Level 4 violations received by the facility ("**SL IV**");
- Last day that an NRC inspector was on site investigating the incident pertinent to the Notice of Violation ("**INSP DATE**");
- Status of case (is the case open or closed?) ("**STATUS**");
- Action taken by NRC to close out this case ("**ACTION**");
- Date of the action taken by NRC to close out this case ("**ACTION DATE**");
- Relevant comments written by NRC enforcement officer ("**FACTS**");

Mary Jean Poole of the Nuclear Regulatory Commission Freedom of Information Act Office has assisted IRRC with this request in past years.

We respectfully request this data be made available to IRRC in Microsoft Access or Microsoft Excel format. If it is not feasible to have the data provided in this format, IRRC requests the data in either ASCII tab-delimited format or Microsoft FoxPro (any version). We also respectfully request the **most recent**

documenter report for this data. This documenter report should feature a list of field definitions, record layouts as well as all other relevant documenter report elements.

Please send the data by e-mail to **Jennifer.Hodge@irrc.com** or U.S. Post mail on PC-compatible 3.5 inch diskettes to Jennifer Hodge c/o IRRC (we prefer e-mail if possible since letters sent by the U.S. Post Service can sometimes be delayed). Please call me at (202) 833-7654 if you have any questions. IRRC has requested and received this data from the Nuclear Regulatory Commission for all years since 1988 for independent research purposes – **please notify me immediately if the requested data is not available this year**. Also please notify me if this data can now be attained over the Internet (instead of through a Freedom of Information Act request). Thank you in advance for your assistance.

PS: In January 2002 we conducted a request for this same data for the year 2000 (FOIA RIN #: "FOIA/PA 2002-0070"). In January 2002 Mary Jean Poole of the Nuclear Regulatory Commission Freedom of Information Act Office notified us that attaining this data electronically would cost between \$240 to \$400. She also told us that to attain this data by a detail report printed on paper would only cost \$40 – we chose to have it delivered by paper for \$40. If these costs are the same this year we also want it by paper again. Also, please refer to this year's prior request, reference number: FOIA/PA 2004-0165

IRRC's address for U.S. Post mail correspondence is:

Jennifer Hodge
1350 Connecticut Avenue, NW
Suite 700
Washington, DC 20036-1701

Sincerely,

Jennifer Hodge
Data Analyst