

From: "Squires, Susan" <Susan.Squires@montgomerycountymd.gov>
To: <foia@nrc.gov>
Date: Mon, Mar 21, 2005 5:32 PM
Subject: FOIA request

FOIA/PA REQUEST

Case No.: 2005-0181
Date Rec'd: 3-22-05
Specialist: Hamming
Related Case: _____

OFFICE OF THE COUNTY ATTORNEY

March 21, 2005

Nuclear Regulatory Commission <<http://www.nrc.gov/reading-rm/foia/foia-privacy.html>>
Carol Ann Reed
FOIA/PA Officer
Washington, D.C. 20555
telephone number: (301) 415-7169
fax number: (301) 415-5130
e-mail address: foia@nrc.gov

Re: FOIA Request For Records Related to Agency's Disposal of Solid Waste for Land Owned Within
Montgomery County, Maryland

Dear FOIA Contact:

This is a request under the Freedom of Information Act (FOIA), 5 U.S.C. § 552. I am making this request on behalf of my client, Montgomery County, Maryland. In this capacity, I wish to obtain copies of all records in your custody and control pertaining to the following request.

Your agency has been identified as the owner of certain property within Montgomery County, Maryland. For each such property within Montgomery County, Maryland at which solid waste is generated, we are requesting all records which show:

1. The amount of solid waste generated at each such site and where it was disposed of for the period from January 1, 2003 up to and including December 31, 2004. This request includes: waste collection invoices for solid waste collection services, waste collection contracts and any other documents that may demonstrate the fees paid for solid waste collection services, including the volumes (e.g. cubic yards) of solid waste storage containers serviced and the frequency (e.g. number of time per week) of collection service actually invoiced for each federally owned location, the location where the solid waste was disposed of, and, for any solid waste self-hauled by the agency for disposal, all weigh tickets, bills, invoices, and accounts information, including information on where it was disposed of.

For purposes of this request, "solid waste" is meant to include all waste materials and debris, including any garbage, sludge, medical pathological waste, debris from building construction, ashes, junk, bottles, cans, waste paper, or other similar waste that may be properly disposed of at a solid waste facility. It also includes any recyclable solid waste. It is not meant to include wastes subject to special regulations such as hazardous waste.

2. All records demonstrating federal ownership for each location within Montgomery County, Maryland, and records demonstrating that the State of Maryland consented to such acquisition or ownership.

The following property appears to be owned in the name of your department or agency: 11555 Rockville Pike, Rockville, Maryland 20852. However, the identification of this property is not meant to limit the request to the property listed, but to aid you in fulfilling this request. If there are other properties owned by your department, we request documents for those as well.

If you are not the custodian of these records, or if there are other custodians of other records responsive to this request, please identify the other custodian(s).

If all or any part of this request is denied, please provide me with a written statement of the grounds for the denial, citing the law or regulation under which you believe you may deny access. I also request that you inform me of the available remedies for review of the denial.

If you determine that some portions of the requested documents are exempt from disclosure, I will expect, as the Act provides in § 552(b), that you provide me with "[a]ny reasonably segregable portion" of the records sought.

Montgomery County requests that you waive all search, review and duplicating fees that might be associated with this request. Disclosure of this information is in 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 County's commercial interest. If you deny the County's fee waiver request please advise me as to the cost, if any, for obtaining a copy of the records and the total cost, if any, for all the records described above in advance. Please also send me a copy of your fee schedule for obtaining copies of records and a copy of any rules or regulations you have which implement the Act.

If you have any questions regarding this request, please telephone me at the number below. Thank you for your prompt attention to this matter.

Very truly yours,

CHARLES W. THOMPSON, JR.

COUNTY ATTORNEY

Susan B. Squires

Assistant County Attorney

cc: SBS

Susan B. Squires

Assistant County Attorney

240-777-6741

101 Monroe Street

Rockville, MD 20850-2580