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March 27, 2006

Advance Copy Via Facsimile to (301) 415-5130

Freedom of Information Act and Privacy Act Officer
U.S. Nuclear Regulatory Commission
Mail Stop T6-D8
Washington, DC 20555-0001

FOIA/PA REQUEST
Case No.: 2006-0159
Date Rec'd: 3-27-06
Specialist: Kennedy
Related Case:

Re: Freedom of Information Act Request of the
Utility Workers Union of America, Local 369

Dear Sir or Madam:

Pursuant to the Freedom of Information Act, 5 U.S.C. 552, *et seq.* ("FOIA"), the Utility Workers Union of America, Local 369 ("UWUA Local 369")¹ hereby requests that the Nuclear Regulatory Commission ("Commission") produce certain records related to communications between the Commission and Entergy Nuclear Operations Company ("Entergy Nuclear") concerning the Pilgrim Nuclear Power Station, as described immediately below.

Description of Documents Requested

UWUA Local 369 respectfully requests copies, either in electronic or hard copy format, of the following:

1. All communications or records of communications, including, but not limited to, letters, e-mails, memoranda, notes of conversations, and calendars that include entries concerning or related to the "force-on-force" inspection and exercise activities conducted at the Pilgrim Nuclear Power Station in 2005. Please include in response to this request all communications on this subject (1) from Entergy Nuclear or any of its employees or agents, including, but not limited to, Michael A. Balduzzi, to the Commission or any of its employees or

¹ UWUA Local 369 is the collective bargaining representative of approximately 340 operational, technical, and administrative staff at the Pilgrim Nuclear Power Station.

agents; and (2) from the Commission or any of its employees or agents, including, but not limited to, Scott A. Morris or any other member of the Reactor Security Section, Division of Nuclear Security, or Office of Nuclear Security and Incident Response, to Entergy Nuclear or any of its employees or agents. To the extent that documents responsive to this request are withheld by the Commission on grounds of security or other concerns, UWUA Local 369 requests that the withheld documents be identified in the response to this request. If only portions of the responsive documents contain sensitive information, UWUA Local 369 requests that the documents be provided in redacted form.

2. All communications or records of communications, including, but not limited to, letters, e-mails, memoranda, notes of conversations, deficiency determinations, and calendars that include entries concerning or related to the January 2006 proposal by Entergy Nuclear to amend the minimum staffing requirements under the Pilgrim Nuclear Power Station Emergency Plan. Please include in response to this request all communications on this subject (1) from Entergy Nuclear or any of its employees or agents, to the Commission or any of its employees or agents; and (2) from the Commission or any of its employees or agents, including, but not limited to, Don Johnson or any other member of the Office of Nuclear Security and Incident Response, Licensing and Regulatory Improvements Branch, to Entergy Nuclear or any of its employees or agents. To the extent that documents responsive to this request are withheld by the Commission on grounds of security or other concerns, UWUA Local 369 requests that the withheld documents be identified in the response to this request. If only portions of the responsive documents contain sensitive information, UWUA Local 369 requests that the documents be provided in redacted form.

Fees

UWUA Local 369 is willing to pay up to \$250 in applicable fees, if any, associated with the processing of this request. Please contact the undersigned if the Commission estimates that the total fees for processing this request will exceed \$250.

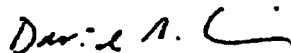
Communications

The records responsive to this request, and any questions or other communications related to this request, should be directed to the undersigned, who can be reached by phone at (202) 879-4000, or in writing to Spiegel & McDiarmid, 1333 New Hampshire Avenue, NW, Washington, D.C. 20036.

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March 27, 2006
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Thank you for your attention to this matter. Please do not hesitate to contact us if you have any questions.

Yours truly,

A handwritten signature in black ink, appearing to read "David B. Lieb". The signature is written in a cursive style with a long horizontal stroke at the end.

Scott H. Strauss
David B. Lieb
Attorneys for the Utility Workers Union
of America, Local 369

SPIEGEL & McDIARMID

1333 New Hampshire Avenue, NW
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FACSIMILE TRANSMITTAL FORM

This communication is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you have received this communication in error, please notify us immediately by telephone at 202.879.4062 and return the original message to us at the above address via the U.S. Postal Service. Thank you.

Date: 3/27/06 Time: 1:23 PM Client No: 05004.014

FROM: David B. Lieb
TELEPHONE #: 202.879.3173
TO: Freedom of Information Act and Privacy Act Officer
ORGANIZATION: U.S. Nuclear Regulatory Commission
FACSIMILE #: 301.415.5130

COMMENTS:

Please see attached.

NO. OF PAGES, INCLUDING COVER: 4
