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Subject: WWW Form Submission

FOIA/PA REQUEST

Case No.: 2006-0236
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Specialist: POOL
Related Case:

Below is the result of your feedback form. It was submitted by

() on Friday, June 30, 2006 at 18:14:56

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Desc: All internal memoranda and correspondence dealing with the NRC's environmental justice policy, specifically all memoranda and correspondence dealing with the Policy Statement on the Treatment of Environmental Justice Matters in NRC Regulatory and Licensing Actions found at 69 Fed. Reg. 52040.

FeeCategory: Educational

MediaType:

FeeCategory_Description:

Expedite_ImminentThreatText:

Expedite_UrgencyToInformText:

Waiver_Purpose: The requested information will be used for an article for publication that will analyze the Nuclear Regulatory Commission's policy on environmental justice. The details of the NRC's deliberations on its environmental justice policy have not been publicly available (except to the limited responses to comments submitted pursuant to the Federal Register notice of the NRC's environmental justice policy), and this information will greatly help public the understanding of the determination of the environmental justice policy within the government operations at the NRC.

Waiver_ExtentToExtractAnalyze: The New Mexico Environmental Law Center does work "to protect New Mexico's water, land, and air from toxic pollution, and to assist the many and diverse communities of the state to protect their environment." www.nmenvirolaw.org. The Law Center has a strong focus on Environmental Justice issues in New Mexico. The NM Environmental Law Center also has four attorneys with extensive experience in NRC litigation and policy analysis. Specifically, Eric Jantz, the attorney working on the law review article, has six years of experience working on NRC issues and has sufficient expertise to extract and analyze the requested records dealing with the creation of the environmental justice policy at the NRC. Eric Jantz will extract and analyze the requested information in order to put together an article for publication examining the process and outcome of the NRC's environmental justice policy for the purpose of public understanding.

Waiver_SpecificActivityQuals: The NM Environmental Law Center is the premier law firm in the state dealing with NRC issues. People in the state of New Mexico come to this firm for NRC related information because they know we work on NRC issues. Eric Jantz, an attorney for the Law Center, with 6 years of experience working on NRC issues with sufficient expertise to extract and analyze the information, as mentioned above, will be using the information to write an article for publication that will be disseminated to the public. Should the article be published in a law review, it will be readily available in most law libraries throughout the United States.

Waiver_ImpactPublicUnderstanding: The current level of public understanding about how the NRC came up with its environmental justice policy is negligible, given the paucity of information publicly available on the NRC's formation of its environmental justice policy. The likely impact on the public's understanding once this information is released will be very great, as the purpose and use of this information is for the creation of a published article. . The comparison of the impact of the information on public understanding before and after disclosure is a comparison between very little understanding currently and a much greater understanding of the public after the release and analysis of the information in a published article that will be disseminated on a large scale, potentially nationally and internationally.

Waiver_NatureOfPublic: The size and nature of the public to whose understanding of this topic a contribution will be made will be very great. The article will likely be published in an academic publication, most likely a law review. If published in a law review, the information disclosed will be available in law schools throughout the country, of which there are over 200, and available to all law students, professors, academics, and the public in law libraries. The article will also be available to internationally via the Internet, either through the publication itself or through the New Mexico Environmental Law Center's website, for those people interested in the environmental justice policy at the NRC, which would include a large number of environmentalists and community members. Overall, the size of the public who will gain an understanding of this topic will be great, justifying a fee waiver.

Waiver_MeansOfDissemination: The information used from this request will be used to write an article for publication in a law review or other publication of general circulation that will be widely disseminated to the public on a national and international level. The article will be sent to subscribers of the publication and made available in law libraries throughout the country and internationally and most likely available on the internet. Once this information becomes available in the form of an article, everyone and anyone who has an interest in environmental justice at the NRC will be able to access the information at their local law library, through subscription to the law review, or on the internet.

Waiver_FreeToPublicOrFee: The information will be used to write an article that will be available to the public through libraries and/or the internet.

Waiver_PrivateCommericalInterest: The interest of the NM Environmental Law Center and Eric Jantz, the attorney at the Law Center who will be putting together an article for publication, in obtaining this information regarding the creation of the environmental justice policy at the NRC is not for commercial or private interest. The purpose of the requested information and the interest of the Law Center and Eric Jantz are solely educational, for the benefit of the public's understanding on the issue.
