



STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

**FOI/PA REQUEST**  
Case No. 2008-0028  
Date Rec'd: 10-31-07  
Specialist: Sheppard  
Related Case: \_\_\_\_\_

ANDREW M. CUOMO  
ATTORNEY GENERAL

DIVISION OF SOCIAL JUSTICE  
ENVIRONMENTAL PROTECTION BUREAU

October 31, 2007

NRC FOIA/PA Officer  
U.S. Nuclear Regulatory Commission  
FOIA Officer Mail Stop T5-F11  
Washington, DC 20555-0001

Dear FOIA/PA Officer:

By letter dated October 11, 2007, USGS responded to a Freedom of Information Act ("FOIA") request made by the New York State Attorney General's Environmental Protection Bureau on September 19, 2007 by referring several documents to the Nuclear Regulatory Commission for review and direct response (see letters attached). The original letter requests a copy of "a 2004 letter report from the United States Geological Survey to the U.S. Nuclear Regulatory Commission regarding seismic reference probability value for Central and Eastern United States (CEUS) nuclear power plant sites" (this USGS letter is referred to on page one of NRC document ML051450456).

Pursuant to the above referenced review, the Freedom of Information Act and related regulations, (FOIA), I respectfully request that the Nuclear Regulatory Commission provide copies of the records USGS identified as responsive in its October 11, 2007 letter, specifically:

**Nine(9) letters to Dr. Andrew J. Murphy;  
Evaluation of 2002 USGS National Seismic Hazard Assessment - Final Report dated 4/2/2004;  
Evaluation of 2002 USGS National Seismic Hazard Assessment - marked Revised;  
USGS NRC Report (on CD);  
USGS report to NRC 11-30-04 (on CD)**

This information is requested by the Office of the New York State Attorney General in the course of its official duties on behalf of the People of the State of New York. Because disclosure of the requested information is in the public interest, we hereby request a fee waiver for copies of the above requested documents and CDs.

If you have any questions concerning this FOIA request, please telephone me directly at (518) 474-7175. Thank you for your attention to this matter.

Very truly yours,

Linda A. Friedman  
Legal Assistant  
Environmental Protection Bureau

cc: Assistant Attorney General John Sipos

The Capitol, Albany, NY 12224 ● (518) 474-8096 ● Fax (518) 473-2534 ● <http://www.oag.state.ny.us>



## United States Department of the Interior

U. S. GEOLOGICAL SURVEY  
Box 25286 M.S. 306  
Denver Federal Center  
Denver, Colorado 80225

IN REPLY REFER TO:

NRC FOIA/PA Officer  
U. S. Nuclear Regulatory Commission  
FOIA Officer Mail Stop T5-F11  
Washington DC 20555-0001

October 11, 2007

Dear FOIA/PA Officer,

While processing a Freedom of Information Act request from Linda Friedman at the New York Attorney General's Office dated September 19, 2007, the U. S. Geological Survey (USGS) located three reports and supporting documentation that were products of an Interagency Agreement between USGS and NRC. This FOIA request has been reviewed by Department of the Interior (DOI) Solicitor's Office. Attorney Margo Zalen in that office believes you may have substantial concerns about the release of these documents and recommends that we refer these documents to your office for a decision on release to the requestor. Documents are listed below:

Nine (9) letters to Dr. Andrew J. Murphy (hardcopy)  
Evaluation of 2002 USGS National Seismic Hazard Assessment – Final Report dated 4/2/2004  
Evaluation of 2002 USGS National Seismic Hazard Assessment – marked Revised  
USGS NRC Report (on CD)  
USGS report to NRC 11-30-04 (on CD)

Enclosed are copies of those documents. We have advised Linda Friedman that she will receive a direct response from your office.

If you have any questions concerning this matter, please contact Jan Simmons 303-202-4692 or [jmsimmons@usgs.gov](mailto:jmsimmons@usgs.gov).

Respectfully,



Jan Simmons  
U. S. Geological Survey  
Central Region FOIA Representative

Enclosures

cc: Linda Friedman  
State of New York Attorney General  
The Capitol  
Albany, NY 12224

Debbie Kimball



STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

ANDREW M. CUOMO  
ATTORNEY GENERAL

DIVISION OF SOCIAL JUSTICE  
ENVIRONMENTAL PROTECTION BUREAU

September 19, 2007

USGS FOIA Officer  
Mail Stop 807  
National Center  
Reston, VA 20192

Dear FOIA Officer:

Pursuant to the provisions of the Freedom of Information Act (F.O.I.A.), 5 U.S.C. § 552, I am writing to request a copy of the following document:

**a 2004 letter report from the United States Geological Survey to the U.S. Nuclear Regulatory Commission regarding seismic reference probability value for Central and Eastern United States (CEUS) nuclear power plant sites**

This information is requested by the Office of the New York State Attorney General in the course of its official duties on behalf of the People of the State of New York. Because disclosure of the requested information is in the public interest, we hereby request a fee waiver for a copy of the above requested document.

If you have any questions concerning this FOIA request, please telephone me at (518) 474-7175. Thank you for your attention to this matter.

Very truly yours,

Linda A. Friedman  
Legal Assistant  
Environmental Protection Bureau

cc: Assistant Attorney General John Sipos

**From:** "Linda Friedman" <Linda.Friedman@oag.state.ny.us>  
**To:** <foia@nrc.gov>  
**Date:** Wed, Oct 31, 2007 10:40 AM  
**Subject:** FOIA REQUEST

Dear FOIA/PA Officer-

Please see the attached FOIA request. This request is also being today sent via telecopier. If you have any questions, please contact me.

Thank you,

Linda A. Friedman  
Legal Assistant  
Office of the NYS Attorney General  
Environmental Protection Bureau  
The Capitol  
Albany, New York 12224  
tel - 518-474-7175  
fax- 518-473-2534  
linda.friedman@oag.state.ny.us

**CC:** "John Sipos" <John.Sipos@oag.state.ny.us>