

October 8, 2007

Chairman Dale E. Klein
U.S. Nuclear Regulatory Commission
11545 Rockville Pike,
Rockville, MD 20852

FOIA/PA REQUEST

Case No: 2008-0024
Date Rec'd: 10-23-07
Specialist: Gillen
Related Case: _____

Re: Freedom of Information Act Request

Dear Mr. Klein:

This is a request under the Freedom of Information Act.

I request that a copy of the following documents be provided to me: a log of all FOIA requests made to the Nuclear Regulatory Commission between October 8, 2006 and October 8, 2007.

In order to help to determine my status to assess fees, you should know that I affiliated with an educational or noncommercial scientific institution, and this request is made for a scholarly or scientific purpose and not for a commercial use.

Please note that 5 U.S.C. Section 552(a)(4)(A)(iv)(II) requires that you provide the first 100 copies to me at no charge.

However, I am requesting a waiver of all fees under 5 U.S.C. Section 552(a)(4)(A)(iii). The information I seek is in the public interest because it will contribute significantly to public understanding of the operations or activities of the government and is not primarily in my commercial interest.

I believe I meet the criteria for a fee waiver recognized by the U.S. Justice Department - in its policy guidance of April 1987 - and by the federal courts, See Project on Military Procurement v. Department of the Navy, 710 F. Supp. 362 363, 365 (D.C.D. 1989).

The information sought has informative value, or potential for contribution to public understanding. Please note the decision in Elizabeth Eudey v. Central Intelligence Agency, 478 F. Supp. 1175 1176 (D.C.D. 1979) (even a single document has the potential for contributing to public understanding).

In your deliberations, please take note of the following cases: Campbell v. U.S. Department of Justice, 334 U.S. App. D.C. (1998)(administrative and seemingly repetitious information is not exempt from fee-waiver consideration); Project on Military Procurement (agencies cannot reject a fee waiver based on the assumption that the information sought is covered by a FOIA exemption; and Landmark Legal Foundation v. Internal Revenue Service, 1998 U.S. Dist. LEXIS 21722 (D.C.D. 1998)(the fact that the information will soon be turned over to a public body does not exempt the material from fee-waiver consideration).

I look forward to your response within the 20 working days, as outlined by the statute. I also ask that I be notified in advance if there will be any costs to me in fulfilling my request.

Thank you for your consideration of this request.

Sincerely,



Jenny Song



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11/15/07 10:00 AM