

**FOIA/PA REQUEST**

Case No.:

2009-0127

Date Rec'd:

4-1-09

Specialist:

Dennis Raphael

Related Case: \_\_\_\_\_

*Exposing Corruption Exploring Solutions***Project On Government Oversight**

March 31, 2009

U.S. Nuclear Regulatory Commission  
FOIA/Privacy Officer Mailstop: T-5 F09  
Washington, DC 20555-0001  
[FOIA.resource@nrc.gov](mailto:FOIA.resource@nrc.gov)

Re: Freedom of Information Act Request

To Whom It May Concern:

I am making this request under the Freedom Of Information Act ("FOIA"), 5 U.S.C. § 552.  
Please provide the following:

1. Allegation RIV-2007-A-0028
2. Allegation RIV-2007-A-0093
3. Allegation RIV-2007-A-0096
4. Allegation RIV-2007-A-0130
5. Allegation RIV-2006-A-0033
6. NRC's Office of Investigation, Report of Investigation 4-2007-183
7. OI Case #4-2006-0025
8. OI Case #4-2006-0035
9. Case No. 2007-ERA-00006

I request a waiver of all costs associated with fulfilling this submission pursuant to 5 U.S.C. § 552(a)(4)(A)(iii). Disclosure of the requested records will further 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 commercial interest" of the requester, the Project On Government Oversight (POGO). Please see attached fee waiver for more information.

Specifically, POGO intends to use the requested records in its ongoing research into U.S. nuclear weapons sites. There have been numerous media accounts and Inspector Generals' reports on cost overruns and security concerns within the U.S. nuclear complex. POGO seeks to find out what exactly has been done by the DOE to resolve these matters. POGO will publish these findings in a report. POGO provides a valuable public service by taking an independent look at how the government spends taxpayer dollars and what can be done to make the system more effective, efficient, accountable, and honest.

All POGO reports include government reports, documents, and other resources to allow the public better understand how the federal government operates. POGO has established a niche in

informing the general public, either through its own publications and web site or through media outlets. The insights gained from this request will be available to the public so that they can see how the government is meeting its mission to provide essential services to the American public and thereby substantially increase the public's knowledge of the operations or activities of the government.

POGO investigates, exposes, and seeks to remedy systemic abuses of power, mismanagement, and subservience by the federal government to powerful special interests. Founded in 1981, POGO is a politically-independent, nonprofit watchdog that promotes a government that is accountable to the citizenry. POGO disseminates information about its activities to thousands of concerned citizens, policymakers, and the media via email, direct mail, and its web site <http://www.pogo.org>, which receives over 500,000 hits monthly. The records provided by the agency will be used for the following activities: publication by email and on our website; publication in reports and newsletters issued by POGO; publication in the newsletters of affiliated nonprofit organizations; efforts to educate Congress, the Executive Branch, and other policymakers in Washington, DC; or investigational projects conducted in conjunction with the news media.

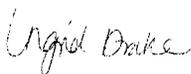
If this request is denied in full or in part, please cite each exemptions pursuant to 5 U.S.C. § 552(b) that justifies each denial. If an exemption applies, however, please consider exercising the agency's discretionary release powers to disclose the records. Any such action supports the presumption of "openness" on which FOIA is based upon. Additionally, please release all reasonably segregable portions of the records that do not meet an exemption. 5 U.S.C. § 552(b).

I look forward to your response, including an individualized tracking number, within 20 days of the receipt of this request, unless, in the case of "unusual circumstances," the time limitation is "extended by written notice." 5 U.S.C. § 552(a)(6)(B). I am aware that all fees will be waived if specified time limits are not met. 5 U.S.C. § 552(a)(4)(A)(viii). I have a right to appeal if this request is wholly or partially denied or if the agency fails to respond within 20 days, and that, if successful, a federal district court may assess "reasonable attorney fees and other litigation costs." 5 U.S.C. § 552(a)(4)(E).

I can receive these materials digitally and/or paper copies at the following addresses: [idrake@pogo.org](mailto:idrake@pogo.org), or by mail Ingrid Drake at the Project On Government Oversight, 1100 G St. NW, #900, Washington, DC 20001.

Please contact me if this request requires further clarification. Thank you for your prompt attention to this matter.

Sincerely,



Ingrid Drake  
Investigator, Project On Government Oversight

**Describe the purpose for which you intend to use the requested information.**

POGO's use of the requested documents will be for gaining information that explores the NRC's handling of the ADR process, specifically with regard to its policy on subsequent investigations. We have heard various concerns regarding the NRC's use of this ADR process, and would like the opportunity to benefit the public by independently evaluating the validity of these concerns.

**Explain the extent to which you will extract and analyze the substantive content of the requested records.**

POGO will use any relevant information to gain a better understanding of the NRC'S ADR process, and if beneficial to the public, POGO will release appropriate portions to our website, blog, media outlets, and reports to further education about our government.

POGO provides a valuable public service by taking an independent look at how the government spends taxpayer dollars and what can be done to make the system more effective, efficient, accountable, and honest.

**Describe the nature of the specific activity or research in which you will use the requested records and the specific qualifications you possess to utilize information for the intended purpose in such a way that it will contribute to public understanding.**

POGO investigates, exposes, and seeks to remedy systemic abuses of power, mismanagement, and subservience by the federal government to powerful special interests. Founded in 1981, POGO is a politically-independent, nonprofit watchdog that promotes a government that is accountable to the citizenry.

All POGO reports include government reports, documents, and other resources to allow the public better understand how the federal government operates.

**Describe the likely impact on the public's understanding of the subject, compared to the level of public understanding of the subject before disclosure of the requested information.**

POGO has established a niche in informing the general public, either through its own publications and web site or through media outlets. POGO often testifies before Congress and works closely with Congressional committees on the findings of its reports.

Disclosure of the requested records will further 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 commercial interest" of the requester, the Project On Government Oversight (POGO).

POGO's reports are frequently the subject of news media article, outside blogs, and other public forums such as conferences and panel discussions.

The insights gained from this request will be available to the public so that they can see how the government is meeting its mission to provide essential services to the American public and thereby substantially increase the public's knowledge of the operations or activities of the government.

**Describe the means by which you intend to disseminate the requested information to the general public.**

POGO disseminates information about its activities to thousands of concerned citizens, policymakers, and the media via email, direct mail, and its web site <http://www.pogo.org>, which receives over 500,000 hits monthly. Additionally, POGO has a blog that receives approximately 10,000 page views each month. The information provided by NRC will be used for the following activities: publication by email, on our website, in reports, and newsletters issued by POGO and disseminated to POGO supporters, the public, the media, nonprofit organizations, Congress, Executive Branch officials, and other policymakers.

**Describe the size and nature of the public segment whose understanding will be increased by disclosing the requested information.**

POGO disseminates information about its activities to thousands of concerned citizens, policymakers, and the media via email, direct mail, and its web site <http://www.pogo.org>, which receives over 500,000 hits monthly. Additionally, POGO has a blog that receives approximately 10,000 page views each month.

**Indicate whether you will provide public access to the requested information free of charge or in return for an access or publication fee.**

POGO does not charge for access to its web site, reports, newsletters, or other publications.

**Describe any commercial or private interest that you or any other party may have in the requested records.**

POGO does not have a financial or commercial interest in the contracts sought in the attached FOIA request.

## FOIA Resource

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**From:** Ingrid Drake [idrake@pogo.org]  
**Sent:** Tuesday, March 31, 2009 5:12 PM  
**To:** FOIA Resource  
**Attachments:** 20090331\_NRC\_Region4\_Final.doc; 20090331\_NRC\_Fee Waiver.doc

Please confirm receipt. Thanks!

Ingrid N. Drake  
Investigator and Director of the Congressional Oversight Trainings Series (COTS)  
Project On Government Oversight (POGO)  
1100 G Street NW, Suite 900  
Washington, DC 20005-3806  
Phone 202-347-1122  
Fax 202-347-1116  
Web <http://www.pogo.org>

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Founded in 1981, the Project On Government Oversight is an independent nonprofit which investigates and exposes corruption and other misconduct in order to achieve a more accountable federal government.