

FOIA Resource

From: Sanford C. Gordon [sanford.gordon@nyu.edu]
Sent: Friday, May 29, 2009 11:27 AM
To: FOIA Resource
Cc: Armando Masciantonio
Subject: RE: Information on plant inspection and violations
Attachments: Regulatory violations by plant.xls; Hours by plant.xls

FOIA/PA REQUEST
Case No.: 2009-0179
Date Rec'd: 5-29-09
Specialist: Alennis
Related Case: _____

Ladies and Gentlemen,

I write to solicit your assistance, pursuant to the Freedom of Information Act (FOIA) and the Nuclear Regulatory Commission's disclosure policy, in obtaining electronic, tabular-format data on inspection activities conducted and regulatory violations detected at all nuclear power plants by the NRC from 1994 through 2008. This request is a follow-up to a prior FOIA request made, by me, in 2003. The text of that earlier request, which includes a justification and a description of compliance with FOIA and NRC policy, is reproduced below.

In response to my original request, NRC personnel provided me with two spreadsheets. The first, entitled "Hours by plant," contains three columns/fields: the plant name (e.g., "ARKANSAS NUCLEAR ONE" or "INDIAN POINT 3"); the year (e.g., 1994), and the total number of hours the plant was inspected (e.g., 4033.2, for Arkansas Nuclear One in 1994). The second spreadsheet is entitled "Regulatory violations by plant." Its first two columns are identical to those in the "Hours by Plant" file, while the third column lists "Instances." For your inspection and records and for purposes of clarification, I have attached copies of the two original spreadsheets.

My current interest is in obtaining updated versions of these spreadsheets so that trends in regulatory inspections and violations may be examined with more contemporary data. As 2008 is the last full year completed, I would be interested in data through that point.

If you have any questions, please do not hesitate to contact me at this e-mail address or at the telephone number and address listed at the end of this e-mail. Thank you for your time and help.

Sincerely yours,

-Sanford Gordon

TEXT OF ORIGINAL (2003) FOIA REQUEST FOLLOWS...

FOIA/Privacy Act Officer
U.S. Nuclear Regulatory Commission
Mail Stop T-6 D8
Washington, DC 20555-0001

Ladies and Gentlemen:

I write to solicit your assistance, pursuant to the Freedom of Information Act (FOIA) and the Nuclear Regulatory Commission's disclosure policy, in obtaining electronic, tabular-format data on inspection activities conducted and regulatory violations detected at nuclear power plants by the NRC from 1990 to the present. My understanding is that these data are compiled in the Commission's "Regulatory Information Tracking System" (RITS) database.

This request is divided into four sections. In the first, I provide a general explanation for the request. In the second, I provide a more precise statement regarding the information that I am requesting. Given the volume of information that a response to this request might entail, I also discuss the appropriate format for the records requested. This format will minimize difficulties to me in analyzing the data, and more importantly, reduce the Commission resources that would be needed to meet the request. In the third section, I provide a discussion of how a response to the request would comply fully with FOIA and NRC policy. The final section concludes.

As I am conducting scholarly research at an educational institution, I would request a fee waiver in this instance. If this is not possible, I would be happy to discuss this further at a later date.

Nature of the Request

My name is Sanford C. Gordon; I am an assistant professor of politics at New York University. I am engaged in a study of how several government agencies with enforcement responsibilities make strategic choices about monitoring and enforcement. Most important at this stage of the analysis is the collection of case-level data on NRC monitoring activity. I am interested in obtaining said data for the agency's "Reactor Oversight Process" (ROP).

Currently, the agency provides a wealth of information on inspection activities and findings on its website. For example, from the ROP web page, www.nrc.gov/NRR/OVERSIGHT/ASSESS, one can access detailed records and analyses of plant performance by linking to numerous plant assessment and inspection plans. Likewise, one can ascertain how frequently plants were subject to non-baseline inspections by linking to the text of inspection reports dating back to 2000.

While the information provided on the website is voluminous, unfortunately it is not available in a format conducive for statistical analysis, and is only available for an abbreviated time-frame (approximately 2000-present). To obtain the same information in a more appropriate format, I am requesting access to the agency's Regulatory Information Tracking System.

Specifics of the Request

The ideal response to this request would be an electronic version (e.g. recorded on CD-R) of machine-readable raw data tables with records corresponding to 1) instances of monitoring activity at active nuclear power plants and 2) detected regulatory violations at those plants. Presumably, unique identifying information within the dataset would permit an analyst to link the two. Although the volume of information I am requesting may seem formidable at first, modern computer technology has made handling this amount of data far easier than it was even just a few years ago. Please note that in order to facilitate statistical analysis, the most appropriate format for the data is *tabular*. Detailed narrative reports generated from the database, while useful for evaluating an individual plant's safety and inspection record, are less appropriate for large-scale data analysis. Fortunately, the resources needed to assemble such data will almost certainly be *less* than if I were to request detailed report printouts. The tabular data I am requesting can be assembled quickly with a "Make Table" query using the most common database applications with appropriate search criteria to narrow the request (for example, to a particular time period) and data fields requested (for example, total number of hours spent inspecting a particular plant in a particular fiscal year). At this stage in the request process, my unfamiliarity with the structure of the database prevents me from being more specific about the criteria and fields.

Compliance with FOIA

My intention is to structure this request so as to comply fully with the Freedom of Information Act and NRC disclosure policy. It is my understanding that because the NRC already publicizes effectively all the information I am requesting on its website, compliance is assured. Also, my understanding is that pre-2000 inspection reports and performance information are available in the NRC's public documents room.

Conclusion

If you have any questions concerning this request, I may be reached at the above address, telephone number, or fax number; or via e-mail at sanford.gordon@nyu.edu. Thank you very much for your time and consideration. I look forward to hearing from you.

Sincerely yours,

Sanford C. Gordon

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