

**FOIA/PA REQUEST**

Case No.: 2011-0089  
Date Rec'd: 2-16-11  
Specialist: Alexis  
Related Case: \_\_\_\_\_

Samantha Joule Fow  
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February 7, 2011

FOIA/PA Officer  
U.S. Nuclear Regulatory Commission  
Mail Stop T6-D8  
Washington, DC 20555-0001

**FOIA REQUEST**

Dear FOIA Officer:

Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, I am requesting the specific "communications and reports considered by Entergy in reaching its conclusions" that the company had "no evidence of incomplete or inaccurate information material to NRC-regulated activities provided . . . to the NRC in the past five years."<sup>1</sup> These records<sup>2</sup> are currently being held by the NRC as data relevant to an independent assessment of the adequacy of these claims, which Entergy attested to in response to an NRC demand for information.<sup>3</sup>

The NRC is required to disclose this information pursuant to 5 U.S.C. § 552(a). If my request is denied, I ask that you justify withholding the information by reference to the relevant FOIA exemptions articulated in 5 U.S.C. § 552(b).<sup>4</sup> Furthermore, I expect the NRC to release all

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<sup>1</sup> Entergy Nuclear Operations Response To NRC Demand For

Information Issued On March 1, 2010, letter from the U.S. Nuclear Regulatory Commission to Mr. John Herron, President, CEO and CNO of Entergy Nuclear Operations (April 9, 2010). Available at [http://adamswebsearch2.nrc.gov/idmws/DocContent.dll?library=PU\\_ADAMS^pbntad01&LogonID=1e46e3d2b2f411dc1731d2247535612c&id=101020106](http://adamswebsearch2.nrc.gov/idmws/DocContent.dll?library=PU_ADAMS^pbntad01&LogonID=1e46e3d2b2f411dc1731d2247535612c&id=101020106).

<sup>2</sup> "Record" is defined as: "information that would be an agency record subject to the requirements of this section when maintained by an agency in any format, including electronic format." 5 U.S.C. § 552(f)(2).

<sup>3</sup> In the Matter of Entergy Nuclear Operations; Vermont Yankee Nuclear Power Station; Demand for Information, 75 FR 10833 (March 9, 2010). Available at <http://federalregister.gov/a/2010-4934>.

<sup>4</sup> See 5 U.S.C. § 552(a)(6)(a).

segregable portions of the otherwise-exempt requested material. *Id.* I reserve the right to appeal and, upon exhaustion of my administrative remedies, the right to judicial review of any withheld information.

As I am making this request as a student of nuclear policy, and in order to facilitate a timely response to this request I would be glad to communicate by email, rather than by mail, if you need any further information to follow-up on this request. I also agree to pay reasonable copying and processing fees. I look forward to your reply within 20 business days of receipt, in accordance with statutory guidelines, 5. U.S.C. § 552(a)(6)(a), and I thank you kindly for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Fow', written over a horizontal line.

Samantha Joule Fow