

GREENPEACE

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March 24, 2011

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

FREEDOM OF INFORMATION ACT REQUEST

Dear FOIA Officer:

Pursuant to the Freedom of Information Act, 5 U.S.C. 522, as amended and 10 C.F.R. 9.8 of the Commission's regulations Greenpeace requests that the Nuclear Regulatory Commission provide us with any and all documentation regarding the on going nuclear crisis in Japan, including but not limited to any and all information on the status of the damage to reactors & spent fuel pools the Fukushima Daiichi nuclear plant and the resulting release of radiation. The NRC was right to recommend evacuation of U.S. citizens out to 50 miles. And Greenpeace would like to better understand the NRC reasoning and perspective on this ongoing crisis and the spread of radiation from the crippled nuclear reactors and spent fuel pools.

Please consider "documents" to include reports, studies, test results, correspondence, memoranda, meeting notes, meeting minutes, working papers, graphs, charts, diagrams, notes from drop-in visits and summaries of conversations and interviews, computer records, e-mail and any other form of written communications including internal NRC memoranda.

Pursuant to and in compliance with 10 C.F.R. 9.41 of the Commission's regulations governing requests for fee waivers, Greenpeace provides the following information.

Greenpeace seeks the requested information solely to contribute to and help shape the public debate concerning NRC's role in the regulation of the nuclear industry. The information provided by the NRC will be analyzed and extracted for use in an analysis of the NRC's regulation of the nuclear industry in light of the crisis in Japan to ensure that any lessons learned from this tragedy are quickly implemented at U.S. nuclear plants.

Greenpeace is a nationally known non-profit public interest organization founded in 1971. We will use these documents in preparation of our analysis of the NRC's regulation of U.S. nuclear power plants in response to the Japanese meltdowns, fuel damage & spent fuel pool drainage & damage. As Greenpeace's nuclear policy analyst I have over two decades of experience deciphering NRC documents and making the information contained in them more understandable to the public.

The requested information and Greenpeace's analysis will greatly contribute to the public's understanding of the Commission's role in regulating the nuclear industry.

We plan to broadly disseminate the information contained in our analysis to the press and the general public. For several years now our publications, comments and press releases

FOIA/PA REQUEST

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Specialist: Blaney
Related Case: _____

have been made available free of charge on our web site. The requested information will significantly increase the public understanding of the issue and the NRC's role in regulating the nuclear industry.

Our past publications have attracted attention in the local, national and trade media. Copies of the reports have been distributed to members of the public, the nuclear industry, citizen groups, federal & state governments and members of Congress.

Greenpeace has no commercial or private interest in the agency records sought.

Since "disclosure of the information is in the public interest because it is likely to contribute significantly to the public understanding of the operation or activities of the government and is not primarily in the commercial interest of the requester" (5 U.S.C. 552 (a)(4)(A) (iii)), we request a complete waiver of any processing or duplicating costs you might incur in providing these records to us. If you rule otherwise, please notify us before filling the request.

If all or any parts of this request are denied, please cite the specific exemptions on which you rely in refusing to release the documents.

Further, since the Freedom of Information Act provides that the remainder of a file must be released if only portions are exempt from disclosure, we request that we be provided with all non-exempt portions that are reasonably segregable. Of course, we reserve our right to appeal the withholding or deletion of any information.

Greenpeace is requesting that the NRC expedite this request. The disparity in evacuations recommended by the U.S. government as compared with the Japanese government poses an imminent threat to an individual's physical safety. Under the Freedom of Information Act, the NRC may place a request at the front of the queue if:

- (1) Failure to obtain the requested records within an expedited time frame could reasonably be expected to pose an imminent threat to an individual's life or physical safety, or
- (2) You are "primarily engaged in disseminating information" and there is an urgent need to "inform the public concerning actual or alleged Federal Government activity."

If you have any questions about this request, please contact me at 202-319-2487.

Thank you for your attention to this expedited request.

Sincerely,

Jim Riccio
Greenpeace
702 H Street NW, Suite 300
Washington, DC 20001

FOIA Resource

From: Jim Riccio [jim.riccio@greenpeace.org]
Sent: Thursday, March 24, 2011 1:54 PM
To: FOIA Resource
Subject: Expedited Fukushima FOIA Request
Attachments: Fukushima Expedited NRC FOIA.pdf

Dear FOIA branch

Attached please find our FOIA request for an expeditious release of the documents requested.

I noticed your disclaimer on the NRC FOIA web page.

This is an expedited request due to the fact that the NRC recommended evacuation within a 50 mile radius of the Fukushima Daiichi nuclear plant and that failure to obtain the requested records within an expedited time frame could reasonably be expected to pose an imminent threat to an individual's life or physical safety.

Should you have any questions concerning this request please feel free to contact me @ 202-319-2487

Sincerely,

Jim Riccio
Greenpeace