



Friends of the Earth

April 1, 2011

U.S. Nuclear Regulatory Commission
FOIA/Privacy Act Officer
Mailstop: T-5 F09
Washington, DC 20555-0001

FOI/PA REQUEST

Case No.: 2011-0176
Date Rec'd: 4-6-11
Specialist: Christian
Related Case: _____

FOIA Request on AP1000 Shield Building Design and Safety

To Whom it Concerns:

This is a request being filed under the Freedom of Information Act (FOIA), as amended.

I am filing this request as a duly authorized employee of Friends of the Earth, a legally registered non-profit environmental organization, with which I hold the title Southeastern Nuclear Campaign Coordinator. All information gathered under this request will be used for non-profit, public education purposes only, both in South Carolina and nation-wide.

I request that all fees associated with this request be waived given the non-profit educational and scientific use which will be made of the information. My organization and I will disseminate the information obtained under this request to the benefit of public understanding of the Nuclear Regulatory Commission's review of the AP1000 reactor. I and my organization have a long-demonstrated ability to analyze and disseminate information to the public on the various nuclear programs, for non-profit, public interest use. I have recently been provided fee waivers in other FOIA requests to the NRC, thus establishing a basis for a similar fee waiver determination in this case.

The requested document is an integral part of better understanding of how the NRC is reviewing the licensing of the AP1000 reactor and it is thus essential that the information be released. A claim has been made that the information is proprietary but no justification for that claim has been presented.

If the NRC still maintains that the document is proprietary, I expect a full justification be made for such a claim and that applicable FOIA exemptions, Council on Environmental Quality regulations, as well as other applicable regulations be cited.

I maintain the right to appeal any aspect of your decisions regarding this request, particularly if a less than full justification is made concerning a claim that the document has a proprietary status.

A possible point of contact: Sikhindra K. Mitra, Project Manager, AP1000 Projects Branch 2, Division of New Reactor Licensing, Office of New Reactors

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The document below is mentioned in a March 23, 2011 letter from the NRC to Westinghouse and which was posted in ADAMS on March 31, 2011.

I hereby request the following document, in its full version:

EVALUATION OF THE EFFECT OF AP1000 ENHANCED SHIELD BUILDING DESIGN ON THE CONTAINMENT RESPONSE AND SAFETY ANALYSES (DCP_NRC_003128)

Thank you very much for your timely attention to this FOIA request, which is important to public interest groups monitoring developments related to spent fuel management and reprocessing in the United States.

If you have further questions or want to discuss this request, please contact me at your convenience via telephone at 803-834-3084 or via e-mail at tomclements329@cs.com.

Sincerely,

A handwritten signature in black ink that reads "Tom Clements". The signature is written in a cursive style with a long horizontal stroke at the end.

Tom Clements

Southeastern Nuclear Campaign Coordinator