

September 9, 2011

VIA FIRST CLASS MAIL

NRC Freedom of Information Act and Privacy Act Officer
U.S. Nuclear Regulatory Commission
Mail Stop T-5 F09
Washington, D.C. 20555-0001

FOI/PA REQUEST

Case No.: 2011-0347
Date Recd.: 9-13-11
Specialist: Wood
Related Case: _____

Re: FOIA Request for Documents Related to Contracts with Nastos Construction, Inc.

Dear Nuclear Regulatory Commission FOIA Officer:

Under the Freedom of Information Act, 5 U.S.C. § 552, I am requesting copies of all documents related to contracts with the following entities (collectively, "Contractors"):

- Nastos Construction, Inc., 1421 Kenilworth Ave., NE, Washington, D.C. 20019;
- Nastos Development, 1419 Kenilworth Ave., NE, Washington, D.C. 20019;
- The Nastos Group, Inc., 7710 Marwood Dr., Clinton, MD 20735;
- MTR, LLC, 2620 P St., NW, Washington, D.C. 20007;
- DEN United General Construction (also known as "D.E.N. United"), 1419 Kenilworth Ave., NE, Washington, D.C. 20019;
- Capital Building Corporation (also known as "Capital Marble"), 1419 Kenilworth Ave., NE, Washington, D.C. 20019; or
- Eli's Contractor, Inc., 6002 Wolverton Lane, Clinton, MD 20735.

This request includes, but is not limited to, any contracts (including any task orders or modifications) with the Contractors; project bids submitted by the Contractors; correspondence with the Contractors; documents provided by the Contractors concerning their costs (such as invoices, wage records, receipts, or other documentation of costs); materials reflecting the Contractors' compliance with the Davis-Bacon Act; master schedules or Gantt charts relating to contracts with the Contractors; documents reflecting collective bargaining agreements, Service Contract Act findings, or requests for approval of overtime relating to the Contractors; budgets, daily logs, or daily job reports filed by the Contractors; and audits of the Contractors.

To assist you in identifying relevant records, we understand that the Nuclear Regulatory Commission ("NRC") engaged one or more of the Contractors for work on the following projects, which likely were performed at the NRC's offices at 11555 Rockville Pike, Rockville, MD 20852 and/or at another location in Maryland, Washington, D.C., or Virginia. The following dates and project titles are from the records of Nastos Construction, Inc.:

ARNOLD & PORTER LLP

- “NRC Design-Build” (2010);
- “NRC Data Ctr Emergency Backup” (2010);
- “NRC HVAC Repl & Catwalk” (2010);
- “NRC Ent/Exit Daycare” (2010);
- “NRC Sidewalk” (2009-10);
- “NRC UV Protection” (2009-10);
- “NRC 3rd Fl Comp HVAC Unit” (2009);
- “NRC Design-Bldg Storage Area” (2009);
- “NRC Interior Lightings” (2008-09);
- “NRC Sidewalk PH III” (2008-09);
- “NRC Cable Tracing” (2008);
- “NRC Operations Ctr Modification” (2007);
- “NRC Bern Cmr & Beam Barrier” (2007);
- “NRC Design-Bld Sidwalk” (2007);
- “NRC - Perimeter Security” (2007);
- “NRC -Safety Rooftop Handrail” (2006);
- “NRC Design-Bld Evacuation Plan” (unknown);
- “NRC Plaza Pavers Modifications” (unknown);
- “NRC ADA Door/Bus Shelter” (unknown);

If there are any fees for searching or copying the records, please supply the records without informing me of the cost if the fees do not exceed \$250, which I agree to pay. Please contact me as soon as possible if the costs will exceed \$250. If the scope of this request is such that you expect unreasonable delay in processing it, please contact me immediately to reach an agreement upon a schedule for responding in installments.

Please provide the documents responsive to this request in an electronic format, such as on CDs, if that can be done without increasing the fees for producing the records.

Under FOIA, the NRC is required to make a determination concerning this request within twenty (20) working days of receipt of this request. If you deny all or any part of this request, please cite each specific exemption you think justifies your withholding of information. Please also notify me of appeal procedures available under the law.

Although a written reply is requested and expected, if you have any questions about handling this request, you may reach me at (202) 942-5333, or Renee.Beaver@aporter.com.

Sincerely,


Renée Tyndell Beaver

Arnold & Porter LLP
555 12th St., NW
Washington, D.C. 20004