



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

September 6, 2002

20020525NRC001

FOIA/PA 2002-0401

William Ferroggiaro
The National Security Archive
The George Washington University Gelman Library, Suite 701
2130 H Street, N.W.
Washington, D.C. 20037

RECEIVED SEP 09 2002

Dear Requester:

We received your Freedom of Information Act/Privacy Act (FOIA/PA) request on September 5, 2002.

Your request has been assigned the following reference number that you should use in any future communications with us about your request: **FOIA/PA 2002-0401**.

To ensure the most equitable treatment possible of all requesters, the NRC processes requests on a first-in, first-out basis, using a multiple track system based upon the estimated time it will take to process the request. Based on your description of the records you are seeking, we estimate completion of your request will take 10-20 workdays (2-4 weeks). We will advise you of any change in the estimated time to complete your request.

For purposes of assessing fees in accordance with our regulations (10 CFR 9.33), we have placed your request in the following category: News Media Representative

If applicable, you will be charged appropriate fees for Duplication of records.

A sheet has been enclosed that explains in detail the fee charges that may be applicable. **Please do not submit any payment unless we notify you to do so.**

The following person is the FOIA/PA Specialist who has been assigned responsibility for your request: **Natalie Brown, 301-415-6878**.

If you have questions on any matters concerning your FOIA/PA request please feel free to contact the assigned FOIA/PA Specialist or me at (301) 415-7169.

Sincerely,

A handwritten signature in black ink that reads "Natalie Brown".

Carol Ann Reed
FOIA/Privacy Act Officer
Office of the Chief Information
Officer

Enclosures:
Incoming Request
Explanation of Fees

EXPLANATION OF FEES

Requester Fee Categories

Commercial: Fees are charged for document search, duplication, and review, when records are requested for commercial purposes. Fees (above the minimum fee charge) cannot be waived for this category of requester.

Educational, Non-Commercial Scientific, News Media and Privacy Act: Fees may be charged only for document duplication when records are not sought for commercial use and the request is made by an Educational or Non-Commercial Scientific Institution, whose purpose is scholarly or scientific research; or a Representative of the News Media; or a person requesting his/her own records that are in a Privacy Act system of records. No fee is charged for the first one hundred pages of duplication for this category of requester.

Non-Excepted: For any request not described above (Non-Excepted), fees may be charged for document search and duplication. No fee is charged for the first two hours of search time or for the first one hundred pages of duplication for this category of requester.

Fee Schedules

Fee schedules provide only for the recovery of the direct costs of search, duplication, or review. Review costs include only the costs for initial examination of a document to determine whether it must be disclosed and to determine whether to withhold portions that are exempt from disclosure. The fee schedule is as follows:

<u>Search & Review Conducted By</u>	<u>Rate</u>	
• SES/COMMISSIONER	\$76.82/hour	(ES-4)
• PROFESSIONAL	\$42.94/hour	(GG-13, Step 6)
• CLERICAL	\$20.94/hour	(GG-7, Step 7)
<u>Duplication Charges</u>	\$.20 per page.	

Fees for non-standard search or duplication will be charged at the actual cost (e.g. providing copying of audio tapes or conducting computer searches).

Minimum Fee: No fee will be charged unless the fee is equal to or greater than \$15.00.

When to Pay Fees

If we estimate that fees will not exceed \$25.00 or you have stated in your request a higher amount that you are willing to pay, we assume your willingness to pay up to \$25 or the amount stipulated and you will be billed after we have completed your request.

If we estimate that fees will exceed \$25.00 or any amount that has been stated by you in your request, we will not proceed with your request until we have notified you and obtained your agreement to pay the estimated fees.

If we estimate fees will exceed \$250, you will be required to pay the estimated fees in advance before we proceed further with your request. If, while processing your request, we find that the actual fees exceed the estimated fee, we will obtain your consent to pay the additional fees before continuing to process your request. If the actual fees to process your request are less than any advance payment you have made, you will be refunded the overpayment amount.

Fee Waivers

A waiver or reduction of fees may be granted for furnishing documents if a requester, by fully addressing the eight factors in 10 CFR 9.41, clearly demonstrates that disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.

The National Security Archive

The George Washington University
Gelman Library, Suite 701
2130 H Street, N.W.
Washington, D.C. 20037

Phone: 202/994-7000
Fax: 202/994-7005
nsarchive@gwu.edu
www.nsarchive.org

Via Facsimile

September 4, 2002

FOIPA REQUEST

Case No: 2002-0461

Date Recd: 9/5/02

Action Off: Brown

Related Cases: _____

Carol Ann Reed
FOIA/PA Officer
Nuclear Regulatory Commission
Washington, D.C. 20555

Re: Archive FOIA Request #20020525NRC001

Dear Ms. Reed:

Pursuant to the Freedom of Information Act (FOIA), I hereby request disclosure of the following documents for inspection and possible copying:

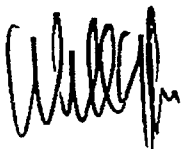
All records, including but not limited to guidance or directives, memoranda, training materials, or legal analyses, concerning the Nuclear Regulatory Commission's implementation of US Attorney General John Ashcroft's October 12, 2001 memorandum on the US Freedom of Information Act.

If you regard any of these documents as potentially exempt from the FOIA's disclosure requirements, I request that you nonetheless exercise your discretion to disclose them. As the FOIA requires, please release all reasonably segregable nonexempt portions of documents. To permit me to reach an intelligent and informed decision whether or not to file an administrative appeal of any denied material, please describe any withheld records (or portions thereof) and explain the basis for your exemption claims.

As you know, the National Security Archive qualifies for waiver of search and review fees as a representative of the news media. This request is made as part of a scholarly and news research project and not for commercial use. For details on the Archive's research and publication activities, please see our Web site at the address above. Please notify me before incurring photocopying costs over \$100.

To expedite the release of the requested documents, please disclose them on an interim basis as they become available to you, without waiting until all the documents have been processed. If you have any questions regarding the identity of the records, their location, the scope of the request or any other matters, please contact me directly at (202) 994-7045 or wferro@gwu.edu. I look forward to receiving your response within the twenty-day statutory time period.

Sincerely,



William Ferroggiaro
Director, Freedom of Information Project



The National Security Archive

The George Washington University
Gelman Library, Suite 701
2130 H Street, N.W.
Washington, D.C. 20037

Phone: 202/994-7000
Fax: 202/994-7005
nsarchiv@gwu.edu
<http://www.nsarchive.org>

FAX COVER SHEET

Date: 9/4/02

To: Carol Ann Reed, FOIA/PA Officer

Organization: NRC

From: William Ferroggiaro

Number of pages (including cover sheet) 2

If there is a problem with this transmission, please call us at
202-994-7000 as soon as possible.

Message:

New FOIA request (Archive no. 20020525NRC001)