

FOIA Resource

From: Zhenchao Liu [zhenchao.liu@msci.com]
Sent: Tuesday, June 07, 2011 4:17 PM
To: FOIA Resource
Cc: Barry Bautista
Subject: FOIA: Atomic Energy Act civil and administrative violations

FOI/PA REQUEST
Case No.: 2011-0247
Date Rec'd: 6-7-11
Specialist: [Signature]
Related Case: _____

June 7, 2011

FOIA/Privacy Act Officer
U.S. Nuclear Regulatory Commission
Mail Stop T-5 F09
Washington, DC 20555-0001
E-mail: foia.resource@nrc.gov

Dear FOIA Officer:

MSCI is a nonpartisan organization that compiles and analyzes information on social issues for institutional investors interested in environmental stewardship practices of publicly traded companies. Pursuant to the Freedom of Information Act, MSCI requests that the Nuclear Regulatory Commission provide MSCI with all civil and administrative violations of the **Atomic Energy Act** (AEA) for which a monetary penalty was assessed for **calendar year 2010** (where the **PROPOSED CP** field is greater than 12-31-09 and less than 1-1-11). And where the Action taken by NRC to close out this case (the "**ACTION**" field) is either: "NOV" or "NOV/CP" or "CP-Order" or "Order".

MSCI respectfully requests the data be made available at the earliest possible date. MSCI respectfully requests information from the following fields (the field names are in **BOLD UPPER CASE** letters):

- full name of licensee ("**LICENSEE**" {also known as "LICENSEE_NAME"});
- facility name ("**FACILITY**");
- street address, city, and state of facility;
- enforcement action number (**EA#** {also known as "EA_CASE_#"});
- licensee type (the type of license held by the company) ("**TYPE**");
- license number;
- court docket number ("**DOCKET**");
- proposed amount of civil or administrative penalty ("**PROPOSED CP**");
- date in which the Notice of Violation was mailed by NRC ("**PROPOSED CP DATE**");
- imposed amount of civil or administrative penalty ("**IMPOSED CP**");
- date in which the imposed civil or administrative penalty was proposed through the sending of a letter notifying the licensee that the case is going to court ("**IMPOSED CP DATE**");
- amount paid by the licensee ("**AMT PAID**")
- date in which licensee made the payment ("**AMT PAID DATE**").
- Highest "Severity Level" (SL) of the violations for which the facility was cited by NRC ("**HIGHEST SL**")
- Number of Severity Level 1 violations received by the facility ("**SL I**")
- Number of Severity Level 2 violations received by the facility ("**SL II**")
- Number of Severity Level 3 violations received by the facility ("**SL III**")
- Number of Severity Level 4 violations received by the facility ("**SL IV**")
- Last day that an NRC inspector was on site investigating the incident pertinent to the Notice of Violation ("**INSP DATE**")
- Status of case (is the case open or closed?) ("**STATUS**")
- Action taken by NRC to close out this case ("**ACTION**")
- Date of the action taken by NRC to close out this case ("**ACTION DATE**")
- Relevant comments written by NRC enforcement officer ("**FACTS**")

Also, if available, please include SIC code and CUSIP for each violator (MSCI has CUSIP license from Standard & Poor's).

Mary Jean Poole of the Nuclear Regulatory Commission Freedom of Information Act Office has assisted MSCI with this request in past years.

We respectfully request this data be made available to MSCI in Microsoft Access or Microsoft Excel format. If it is not feasible to have the data provided in this format please provide the data in tab-delimited-text or ASCII delimited format. We also respectfully request the **most recent documenter report** for this data. This documenter report should feature a list of field definitions, record layouts as well as all other relevant documenter report elements.

Please send the data by e-mail to Zhenchao.Liu@msci.com or Post mail on PC-compatible CD-Rom to Zhenchao Liu c/o MSCI (we prefer e-mail if possible since letters sent by the Post Service can sometimes be delayed). Please call me at (617) 502-6753 if you have any questions about this request. MSCI has requested and received this data (previously requested by my colleague Barry Bautista as RiskMetrics Group; ISS; and the Investor Responsibility Research Center) from the Nuclear Regulatory Commission for all years since 1988 for independent research purposes – **please notify me immediately if the requested data is not available this year**. Also please notify me if this data can now be attained over the Internet (instead of through a Freedom of Information Act request). Thank you in advance for your assistance.

Please notify me if the costs to MSCI will exceed \$50.

MSCI's address for U.S. Post mail correspondence is: 121 High Street, 4th Floor
Boston, MA 02110

Sincerely,

Zhenchao Liu
Data Manager

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