



UNITED STATES
NUCLEAR WASTE TECHNICAL REVIEW BOARD
2300 Clarendon Boulevard, Suite 1300
Arlington, VA 22201

February 7, 2003

Charles J. Fitzpatrick, Esq.
Egan & Associates, PLLC
1777 N. E. Loop 410, Suite 600
San Antonio, TX 78217

Dear Mr. Fitzpatrick:

This letter and the attachments are being sent to you in response to your Freedom of Information Act request of January 20, 2003, for documents pertaining to the "new Board members":

Michael L. Corradini, Ph.D.
Mark D. Abkowitz, Ph.D.
Thure E. Cerling, Ph.D.
David J. Duquette, Ph.D.
Ronald M. Latanision, Ph.D.

U.S. Nuclear Waste Technical Review Board (NWTRB) staff have searched for and located documents pertaining to the subjects specified in your letter.

As requested, we have included all formats and types of materials classified as records by the 1943 Records Disposal Act as amended, 44U.S.C. 3301. We have searched our records diligently and are providing you with all the requested documents. In response to question 4, we also have included documents that Board members have sent us, for information purposes only. In those cases, we may not have received copies of the same information from all of the new Board members.

The materials have been organized into sections that correspond to the questions in your letter. The subjects of the section and a list of corresponding documents follow.

1. All correspondence or other documents received by the Board from any third party or sent by the Board to any third party relating in any way to conflicts of interest or potential conflicts of interest of one or more of the new Board members.

Contents:

1. September 23, 2002, letter from William D. Barnard, Executive Director, NWTRB, to Ms. Holli Jaffee, Office of the White House Counsel (see section 5 for response from White House Counsel, and section 3 for the SF278 forms).
 2. November 1, 2002, letter from Judy Treichel, Executive Director, Nevada Nuclear Waste Task Force, Inc., to the NWTRB.
 3. December 20, 2002, letter from Michael Corradini, Chairman, NWTRB, to Judy Treichel, Executive Director, Nevada Nuclear Waste Task Force, Inc.
 4. November 7, 2002, e-mail memo from Arjun Makhijani, President, Institute for Energy and Environmental Research, to Michael Corradini, Chairman, NWTRB.
 5. December 20, 2002, letter from Michael Corradini, Chairman, NWTRB, to Arjun Makhijani, President, Institute for Energy and Environmental Research.
2. All conflict of interest questionnaires, disclosure forms, and other documents prepared by or on behalf of each of the new Board members.

Contents:

1. August 1, 2002, e-mail from William Barnard to the new Board members. Subject: perceived conflicts of interest.
2. September 23, 2002, e-mail memo from Bill Barnard and Dan Metlay to Board members. Subject: legal opinion on conflict-of-interest issues.
3. October 15, 2002, e-mail from William Barnard with attached questions relating to potential conflict of interest. E-mail of October 10, 2002 cited in previous correspondence is attached.
4. October 18, 2002, Questions related to potential conflicts of interest – answered by Michael Corradini.
5. September 13, 2002, e-mail from Michael Corradini to Joyce Dory.
6. December 6, 2002, letter from Michael Corradini to Joyce Dory.
7. Questions related to potential conflicts of interest – answered by Mark Abkowitz.
8. August 8, 2002, e-mail memo from Mark Abkowitz to David Kosson. Subject: conflict of interest/recusal.
9. August 20, 2002, e-mail memo from Mark Abkowitz to Joyce Dory. Subject: Visual Risk Technology.
10. September 18, 2002, e-mail from Mark Abkowitz to Joyce (Dory), Bill (Barnard), and Dan (Metlay).
11. Questions related to potential conflicts of interest – answered by Thure E, Cerling.
12. August 21, 2002, e-mail from Thure E. Cerling.
13. Questions related to potential conflicts of interest – answered by David Duquette.
14. August 1, 2002, e-mail from David Duquette to Bill (Barnard), Joyce (Dory), and Mike (Corradini), and August 6, 2002, response from Bill and Joyce.
15. Questions related to potential conflicts of interest – answered by R. M. Latanision.
16. September 13, 2002, e-mail from Ron Latanision to Joyce Dory.

17. October 2002 e-mails from Ron Latanision to Bob Caligiuri, Caligiuri to Latanision, and Latanision to Barnard. Subject: work by Exponent.
18. January 24, 2003, e-mail memo from Ron Latanision to William Barnard with attached reference e-mails. Subject: Co-PI status.

3. Form 278 financial disclosure forms filed by or on behalf of the new Board members.

Contents:

1. SF278 Michael L. Corradini; July 30, 2002
2. SF278 Mark D. Abkowitz; July 24, 2002
3. SF278 Thure E. Cerling; August 19, 2002
4. SF278 David J. Duquette; August 9, 2002
5. SF278 Ronald M. Latanision; August 4, 2002

4. All other documents in the possession, custody, or control of the Board relating in any way to professional background, qualifications, and possible conflicts of interest of each of the new Board members.

Contents:

1. Fax: May 6, 2002, copy of White House Personal Data Statement –Michael Corradini
2. Fax: August 8, 2002, copy of White House Personal Data Statement – Mark David Abkowitz.
3. Curriculum vitae – Thure E. Cerling.
4. May 12, 2002, copy of White House Personal Data Statement – David Joseph Duquette.
5. Biographical Sketch and Professional Activities – David Joseph Duquette.
6. Biographical Sketch – Ronald M. Latanision.
7. Curriculum vitae – Ronald M. Latanision.

5. Any and all opinions sought or received from or prepared by any party with respect to potential or actual conflicts of interest of any of the new Board members...

Contents:

1. October 31, 2002, letter from Nannette R, Everson, Associate Counsel to the President, to William Barnard, Executive Director, NWTRB (see section 1 for NWTRB letter of inquiry).
2. December 5, 2002, memorandum from Lesly P. Wilson, Senior Assistant General Counsel, General Services Administration, to Joyce Dory, Nuclear Waste Technical Review Board. Subject: conflict of interest.

6. All agendas and minutes of each Board business meeting from July 1, 2002, to the present.

Contents:

1. Agenda for the transition meeting; July 23, 2002. No minutes were kept. There was a standard ethics briefing given by Sandra Mabry, Desk Officer, Office of Government Ethics. During the briefing, a short film on ethics for federal employees was shown, and some standard federal ethics materials were handed out.
2. Agenda for Board activities and business meeting; September 9-11, 2002.
3. Minutes of the meeting September; 11, 2002.
4. Agenda for meeting; November 11, 2002. No minutes were kept.
5. Agenda for meeting; December 6, 2002. No minutes were kept. The Board developed the voluntary guidelines for qualifying outside activities during this meeting.
6. Nuclear Waste Technical Review Board; "Voluntary Guidelines for Qualifying Outside Activities, Effective as of December 23, 2002."

The policy of the Board is to be open and responsive to all requests for information. There is no charge for any information provided.

You have the right to appeal our response to your FOIA request within 60 days. If you would like to appeal, please send it to:

Dr. Willam D. Barnard, Executive Director
U.S. Nuclear Waste Technical Review Board
2300 Clarendon Blvd, Suite 1300
Arlington, VA 22201

A full description of what you would like to appeal should be included in your communication.

Sincerely,

{Signed by}

Joyce M. Dory
FOIA Officer

Enclosures