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December 12, 1984

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Gordon P. Erspamer
Law Offices of Morrison & Foerster
One Market Plaza
Spear Street Tower
San Francisco, CA 94105

Re: 11078409J

Dear Mr. Erspamer:

The Freedom of Information Act (FOIA) request that you addressed to the U.S. Department of Energy on behalf of the National Association of Radiation Survivors (NARS) was received by this office on November 7, 1984. Your request for all documents which relate to experiments conducted by the U.S. or any contractor involving the injection of radioactive isotopes in human subjects, including PU238 (Plutonium), I131 (Iodine), Sr89 (Strontium), and any other radioactive substances, was forwarded to our Office of Energy Research and the Office of the Historian, for an initial search to be conducted.

Personnel in Department of Energy program areas were not able to perform a meaningful search in a reasonable amount of time. Portions of your request are general and broad in nature, for example, that portion pertaining to "all documents regarding the Sunshine Project." In addition, item 6 of your request list several names. It is being requested that you also provide us with complete names and more identifiable information of these persons.

DOE personnel will assist any requester who wishes to reformulate a request to comply with the provisions of the FOIA. Requests made pursuant to the FOIA should be for reasonably described records, as 10 C.F.R. §1004.4(b) specifies. The Department of Energy (DOE) regulations, in 10 C.F.R. §1004.4(c) state that a record is reasonably described if it can reasonably be determined which particular records are sought in the request. This section further states that a request must enable the DOE to identify and locate the records by a process that is not unreasonably burdensome or disruptive of DOE operations.

You may contact the following persons in DOE should you wish to narrow your request to allow a meaningful search: Dr. Charles Edington, U.S. Department of Energy, Germantown Facility, Washington, DC 20545, or telephone (301) 353-3251.

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In your letter you requested a waiver of fees be granted for processing this request and stated it would be in the public interest. You have given no indication as to how the service to be performed will be of benefit primarily to the general public as opposed to you, or the NARS (which you represent). Also, you did not explain the purpose or services performed by this organization. In this regard, we would appreciate your addressing the ability of NARS to effectively disseminate to the general public the information requested.

The FOIA provides that an agency may determine that a "waiver or reduction of fees is in the public interest because furnishing the information can be considered as primarily benefiting the general public." See 5 U.S.C. 552(a)(4)(A). The DOE regulations that implement the FOIA provide, at 10 C.F.R. 1004.9, that the Freedom of Information Officer may waive fees in the public interest. Subsection 1004.9(a)(1) provides that such a determination shall ordinarily not be made unless the service to be performed will be of benefit primarily to the public as opposed to the requester. In making this determination, the Freedom of Information Officer may consider several factors, including, but not limited to, the following:

- (i) The current public interest in subject matter to which the documents pertain.
- (ii) The status of the requester as a representative of the news media.
- (iii) The status of the requester as a representative of a bona fide public interest group.
- (iv) The status of the requester as an historian or academician.
- (v) The status of the requester as an indigent person.
- (vi) Whether the requester is engaged in administrative proceedings or litigation with the Government.
- (vii) Whether the requester is making the request to further purely private commercial interests.

We will take no further action in processing your request pending receipt of additional information to further support your desire for a waiver of fees or your assurance to pay the costs associated with processing this request at the rates stipulated in DOE Regulations.

Sincerely,

cc: Official File Copy
Action Officers ✓
Official File (RF) ✓
MA-232.1:Hayes:sjb:26025:12/7/84

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Neil M. Hayes
FOI and Privacy Acts Activities Branch
Specialist
Division of Reference and Information
Management

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1. Arnold, J., Pinsky, S., Ryo, U.Y., Frohman, L., Schneider, A., Favus, M., Stachura, M., Arnold, M. and Colman, M.: ^{99m}Tc -Pertechnetate Thyroid Scintigraphy in Patients Predisposed to Thyroid Nodules by Prior Radiotherapy to the Head and Neck. Radiology, 115:653-657, 1975.
2. Ryo, U.Y., Arnold, J., Colman, M., Arnold, M., Favus, M., Frohman, L., Schneider, A., Stachura, M., Pinsky, S.: Sensitivity of Thyroid Scintigram Obtained with ^{99m}Tc -Pertechnetate and Gamma Camera with Pin-Hole Collimator. JAMA, 235:1235-1238, 1976.
3. Favus, M., Schneider, A., Stachura, M., Arnold, J., Ryo, U.Y., Colman, M., Arnold, M. and Frohman, L.A.: Thyroid Malignancy as a Late Consequence of Head and Neck Radiation: Clinical-Pathological Correlation of 1056 Patients. New England J. Medicine, 294:1019-1025, 1976.
4. Schneider, A.B., Favus, M., Stachura, M., Arnold, J., Ryo, U.Y., Pinsky, S., Colman, M., Arnold, M. and Frohman, L.A.: Plasma Thyroglobulin in Detecting Thyroid Carcinoma After Childhood Head and Neck Irradiation. Annals of Internal Medicine, 86:29-34, 1977.
5. Frohman, L.A., Schneider, A.B., Favus, M.J., Stachura, M.E., Arnold, J. and Arnold, M.: Thyroid Carcinoma After Head and Neck Irradiation: Evaluation of 1476 Patients. In: Radiation-Associated Thyroid Cancer. (DeGroot, L.J. et al. eds) Grune and Stratton, 1977, pp. 5-15.
6. Frohman, L.A., Schneider, A.B., Favus, M.J., Stachura, M.E., Arnold, J. and Arnold, M.: Risk Factors Associated With the Development of Thyroid Carcinoma and of Nodular Thyroid Disease Following Head and Neck Irradiation. In: Radiation-Associated Thyroid Cancer. (DeGroot, L.J. et al eds) Grune and Stratton, 1977, pp. 231-240.
7. Schneider, A.B., Favus, M.J., Stachura, M.E., Arnold, M.J. and Frohman, L.A.: Salivary Gland Neoplasma Occurring as a Late Consequence of Head and Neck Irradiation. Annals of Internal Medicine, 87:160-164, 1977.
8. Schneider, A.B., Stachura, M.E., Arnold, J., Arnold, J.J. and Frohman, L.A.: Incidence, Prevalence and Characteristics of Radiation Induced Thyroid Tumors. American Journal of Medicine, 64:243-252, 1977.
9. Schneider, A.B., Pinsky, S., Bekerman, C. and Ryo, U.Y.: Characteristics of 108 Thyroid Cancers Detected by Screening in a Population With a History of Head and Neck Irradiation. Cancer, 46:1218-1227, 1980.
10. Schneider, A.B., Gonzalez, C., Sievertsen, G., Favus, M., Frohman, L.A., Bekerman, C., Ryo, U.Y. and Pinsky, S.: Continuing Occurrence of Thyroid Nodules After Head-and-Neck Irradiation: Relation to Plasma Thyroglobulin Concentrations. Annals of Internal Medicine, 94:176-180, 1981.
11. Ryo, U.Y., Stachura, M.E., Schneider, A.B., Nichols, R., Cogan, S.R. and Pinsky, S.: Significance of Extrathyroidal Uptake of Tc-^{99m} and I-^{123} in the Thyroid Scan: Concise Communication. J. Nuclear Medicine, 22:1039-1042, 1981.

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12. Schneider, A.B., Line, B.R., Goldman, J.M. and Robbins, J.: Sequential Serum Thyroglobulin Determinations, ^{131}I Uptakes Following Triiodothyronine Withdrawal in Patients with Thyroid Cancer. J. Clinical Endocrinology and Metabolism, 53:1199-1206, 1981.
13. Gonzalez-Villalpando, C., Frohman, L.A., Bekerman, C., Favus, M.J., Pinsky, S., Ryo, U.Y., Shore-Freedman, E., and Schneider, A.B.: Scintigraphic Thyroid Abnormalities After Radiation: A Controlled Study with $^{99\text{m}}\text{Tc}$ Pertechnetate Scanning. Annals of Intern. Med. 97:59-58, 1982.
14. Shore-Freedman, E., Abrahams, C., Recant, W., and Schneider, A.B.: Neurolemomas and Salivary Gland Tumors of the Head and Neck Following Childhood Irradiation. Cancer, 51:2159-2163, 1983,
15. Ryo, U.Y., Vaidya, P.V., Schneider, A.B., Bekerman, C. and Pinsky, S.M.: Thyroid Imaging Agents: Comparison of I-123 and Tc-99m-Pertechnetate. Radiology, 148:819-822, 1983.
16. Schneider, A.B.: Radiation-Related Thyroid Carcinoma. In The Thyroid, Fifth Edition (S. Ingbar and L. Braverman, eds) J.B. Lippincott, Philadelphia, 1985, in press.
17. Schneider, A.B., Shore-Freedman, E., Ryo, U.Y., Bekerman, C., Favus, M.J., and Pinsky, S.: Radiation Induced Tumors of the Head and Neck Following Childhood Irradiation: Prospective Studies. Medicine, 1985, in press.

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