



PUBLIC.RESOURCE.ORG ~ A Nonprofit Corporation

Public Works for a Better Government

September 10, 2015

VIA EMAIL AND FIRST CLASS MAIL

COMMANDANT (CG-611)
ATTN: FOIA Officer
U.S. Coast Guard Stop 7710
2703 Martin Luther King Jr. Ave. SE
Washington, DC 20593-7710
E-mail: EFOIA@uscg.mil

RE: Freedom of Information Act Request

Dear FOIA Officer:

On behalf of Public.Resource.Org, and pursuant to the Freedom of Information Act, **5 U.S.C. § 552**, I request a copy of:

- ASME PVHO-1-2013, Safety Standard for Pressure Vessels for Human Occupancy, 2013 (“ASME PVHO-1”), IBR approved for 46 CFR 197.277 and 197.286. In addition, please furnish me with the version that is presently incorporated by reference in **46 CFR 197.205** (no date is listed in the CFR for that version).
- ASME B31.1-2010, ASME Code for Pressure Piping, Power Piping, 2010 (“ASME B31.1”), IBR approved for 46 CFR 197.278 and 197.286. In addition please furnish me with the 2001 version, which is presently incorporated by reference in **46 CFR 56.01-2(d)(25)**.
- ANSI/ISO 15618-1:2001, Qualification testing of welders for underwater welding—Part 1: Diver-welders for hyperbaric wet welding (“ANSI/ISO 15618”), IBR approved for 46 CFR 197.246.
- Publication G-7, Compressed Air for Human Respiration, 6th Edition, 2008, (Compressed Gas Association Publication G-7”), IBR approved for 46 CFR 197.286.
- ISO 9001-2008, American National Standard, Quality Management Systems—Requirements, IBR approved for 46 CFR 197.209 and 197.225.

Per the notice in the Federal Register of August 24, 2015 (**80 FR 51173**), these records are in the possession of :

Mr. Ken Smith, Project Manager
U.S. Coast Guard, Headquarters

Vessel and Facility Operating Standards Division
Commandant (CG-OES-2)
telephone 202-372-1413, email Ken.A.Smith@uscg.mil.

Additionally, **46 CFR 197.510** lists the following address as having a copy of documents that have been incorporated by reference:

Coast Guard Headquarters
Commandant (CG-OES)
Attn: Office of Operating and Environmental Standards
U.S. Coast Guard Stop 7509
2703 Martin Luther King Jr. Avenue SE.
Washington, DC 20593-7509.

Please provide the records in electronic form if possible.

If it is your position that these records are exempt from disclosure, please state the basis of the denial of each portion of the records withheld. In addition, please provide the nonexempt portions of the records.

Public.Resource.Org requests that all fees in connection with this FOIA request be waived in accordance with **5 U.S.C. § 552(a)(4)(A)(iii)**, because it does not seek the records for a commercial purpose and disclosure “is in the public interest because it is likely to contribute significantly to public understanding of the operations and activities of the government.” Because they are or will be incorporated by reference into the Code of Federal Regulations, the requested records are part of the agency’s governing law. Accordingly, it is the essence of the “operations and activities of the government.” However, because they are not published in the Federal Register, the public does not have the same access to it that it has to other parts of the agency’s regulations. Disclosure of the records will allow the public to gain knowledge about what is included in the agency’s binding law.

Public.Resource.Org does not have a commercial interest in the requested records. Public.Resource.Org is a 501(c)(3) public charity chartered to make government information more broadly available without fee to any and all users.

Public.Resource.Org has demonstrated an ability to disseminate information about the government and its activities to the public. It is one of the largest distribution sites for public information related to the U.S. government, including over 14,000 hours of video from Congressional hearings posted at the request of the Speaker of the House, over 8 million Form 990 reports filed with the Internal Revenue Service, over 6,000 U.S. government videos posted in cooperation with the Archivist of the United States, and the historical opinions of the U.S. Court of Appeals. As the President of Public.Resource.Org, I am frequently quoted in major media publications such as **the New York Times, Business Week, the New Republic, and the Washington Post**. I also testify before Congress on issues of public access to government information and am a frequent public speaker on the subject.

Accordingly, we request that you waive all fees for locating and duplicating the requested records. If, however, a waiver is not granted, and if the fees to be assessed in connection with this request exceed \$200, please obtain my approval before any such costs are incurred.

We will expect a response within 20 working days as provided by law. As these documents are directly relevant and necessary to a Notice of Proposed Rulemaking which has a comment closing period of October 23, 2015, we would appreciate your timely production of these documents, including expedited treatment, as failure to produce these documents will lead to loss of substantial due process rights.

If you have any questions regarding this request, please contact me at (707) 827-7290.

Thank you very much for your attention to this matter.

Sincerely,



Digitally signed by Carl
Malamud
DN: cn=Carl Malamud,
o=Public.Resource.Org,
ou,
email=carl@media.org,
c=US
Date: 2015.09.10
07:10:57 -07'00'

Carl Malamud
President & CEO
Public.Resource.Org

cc: **David Halperin**
Of Counsel
Public.Resource.Org