

## CHAPTER XVII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

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## PART 1703—PUBLIC INFORMATION AND REQUESTS

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AUTHORITY: 5 U.S.C. 552; Executive Order 12600, 3 CFR, 1987 Comp., p. 235; 42 U.S.C. 2286, 2286b(c).

SOURCE: 56 FR 21261, May 8, 1991, unless otherwise noted.

### § 1703.101 Scope.

This part contains the Board's regulations implementing the Freedom of Information Act, 5 U.S.C. 552.

### § 1703.102 Definitions; words denoting number, gender and tense.

*Agency record* is a record in the possession and control of the Board that is associated with Board business. Agency records do not include records such as:

- (1) Publicly available books, periodicals, or other publications that are owned or copyrighted by non-federal sources;
- (2) Records solely in the possession and control of Board contractors;
- (3) Personal records in the possession of Board personnel that have not been circulated, were not required by the Board to be created or retained, and may be retained or discarded at the author's sole discretion. In determining whether such records are agency records the Board shall consider whether, and to what extent, the records were used in agency business;
- (4) Records of a personal nature that are not associated with any Board business; or

(5) Non-substantive information in the calendar or schedule books of the Chairman or Members, uncirculated except for typing or recording purposes.

*Board* means the Defense Nuclear Facilities Safety Board.

*Chairman* means the Chairman of the Board.

*Designated FOIA Officer* means the person designated by the Board to administer the Board's activities pursuant to the regulations in this part. The Designated FOIA Officer shall also be the Board officer having custody of or responsibility for agency records in the possession of the Board and shall be the Board officer responsible for authorizing or denying production of records upon requests filed pursuant to § 1703.105.

*General Counsel* means the chief legal officer of the Board.

*General Manager* means the chief administrative officer of the Board.

*Member* means a Member of the Board.

In determining the meaning of any provision of this part, unless the context indicates otherwise: the singular includes the plural; the plural includes the singular; the present tense includes the future tense; and words of one gender include the other gender.

### § 1703.103 Requests for board records available through the public reading room.

(a) A Public Reading Room will be maintained at the Board's headquarters and will be open between 8:30 a.m. and 4:30 p.m. Mondays through Fridays, with the exception of legal holidays. Documents may be obtained in person or by written or telephonic request from the Public Reading Room by reasonably describing the records sought. The purpose of the Public Reading Room is to provide easy accessibility to a substantial portion of the Board's records. The Board considers that documents available through the Public Reading Room have been placed in the public domain.

(b) The public records of the Board that are available for inspection and copying upon request in the Public Reading Room include:

- (1) The Board's rules and regulations;