

National Oceanic and Atmospheric Administration
Public Reference Facility (SOU1000)
1315 East-West Highway (SSMC3)
Room 9719
Silver Spring, Maryland 20910

RE: FREEDOM OF INFORMATION ACT REQUEST

May 5, 2025

Dear FOIA Officer:

Pursuant to the Freedom of Information Act, 5 U.S.C. 552, as amended, Public Employees for Environmental Responsibility ("PEER") requests certain information from the U.S. National Oceanic and Atmospheric Administration ("NOAA").

Specifically, we request:

1. The prospectus "the Impacts of a Growing Space Industry on the Earth's Atmosphere: Research Challenges and Opportunities;"
2. Any documents containing information on the status of a workshop on the impact of spaceflight on the Earth's atmosphere;
3. Any documents containing information on decisions to cancel missions or curtail operations at NOAA's Ocean and Atmospheric Research or the Chemical Sciences Laboratory related to exotic particles in the upper atmosphere, related to or unrelated to spacecraft reentry;
4. Communications between the Office of Space Commerce and non-governmental parties that discuss emissions factors from spacecraft reentry; and
5. Documents since January 20, 2025, containing information on actual or potential cuts to NOAA's earth radiation budget.

The date range for the above requested documents is March 1, 2024, to the present date, unless specifically stated otherwise.

Possible custodians of these documents include, but are not limited to:

- Dr. David Fahey, Director of the Chemical Sciences Laboratory

All electronic records should be delivered in their original file format with metadata and any attachments included. Physical records should be scanned or otherwise converted into electronic format.

For information that NOAA withholds release of due to specific exemption(s) from the requirements of the Freedom of Information Act, please provide an index itemizing and describing the information withheld. The index should, pursuant to the holding of *Vaughn v. Rosen* (484 F.2d 820 [D.C. Cir. 1973] cert. denied, 415 U.S. 977 [1974]), provide a detailed justification for claiming a particular exemption that explains why each such exemption applies to the document or portion of a document withheld.

Fee Waiver Request

PEER requests that all fees be waived because “disclosure of the information is in the public interest . . . and is not primarily in the commercial interest of the requestor” (5 U.S.C. 552 (a) (4)(A)):

1. The records concern the operations or activities of the Government.

The FOIA request is, by its terms, limited to identifiable activities by NOAA, a government agency.

2. The disclosure of the requested records is likely to contribute to public understanding of these operations or activities.

PEER believes that the documents will allow the public to better understand NOAA’s programs and how the agency works with other agencies and outside partners to accomplish its goals. Specifically, the requested documents will inform the public about the environmental impacts and financial costs of spaceflight.

A significant environmental impact of spaceflight includes pollution in the stratosphere from space reentry. NOAA works with other agencies, like NOAA and NSF, to study these impacts so that they may better understand and mitigate them. The documents requested have a direct bearing on these issues.

3. The release of these requested records will contribute significantly to public understanding of the governmental activities.

The public has a strong interest in NOAA as an agency and its endeavors to further spaceflight. Additionally, the public has an interest in understanding the impacts and costs associated with these programs. The requested documents will allow the public to understand more precisely what avenues NOAA is pursuing toward these ends and what impacts they may have.

Moreover, the documents will likely address the issue of pollution in the stratosphere from space reentry and the agency's role in studying and addressing these issues. This information bears directly on climate integrity and public health.

One of PEER's objectives is to shine a light on government activities that impact the environment and public health and share information widely with the public. In this case, the documents requested will reflect activities of NOAA and its partners that may impact the climate and public health.

PEER intends to provide the requested information to members of Congress and its relevant committees. We also intend to disseminate it to the general public through —

- Release to the news media;
- Posting on the PEER web page which draws between 1,000 and 10,000 viewers per day; and
- Publication in the PEER newsletter that has a circulation of approximately 20,000, including 1,500 environmental journalists.

Through these methods, PEER generates an average of 1.5 mainstream news articles per day. Moreover, NOAA's own web displays and public statements underline the broad public interest in this material.

4. Disclosure would not serve a commercial interest of the requestor.

Disclosure is in no way connected with any commercial interest of the requestors in that PEER is a nonprofit, nonpartisan public interest organization concerned with upholding the public trust through responsible management of our nation's resources and with supporting professional integrity within public land management and pollution control agencies. To that end, PEER is designated as a tax-exempt organization under section 501(c)(3) of the Internal Revenue code.

If you have any questions about this FOIA request, please contact me at (202) 464-2293. I look forward to receiving the agency's final response within 20 working days.

Sincerely,

Colleen Zimmerman
Litigation and Policy Attorney
Public Employees for Environmental Responsibility