



FOIA/PA REQUEST

Case No:

2000-0186

Date Rec'd:

3-29-00

Action Off:

FOI

Related Case:

Nuclear Information and Resource Service

1424 16th St. NW, Suite 404, Washington, DC 20036; 202-328-0002; Fax: 202-462-2183; E-mail: nirsnet@nirs.org; Web: www.nirs.org

March 29, 2000

Chief of the Division
FOIA-LPDR Branch
Division of Freedom of Information and Publication Services
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, DC 20555

BY FAX: (301) 415-5130

To whom it may concern;

On behalf of Nuclear Information and Resource Service (NIRS), and pursuant to the Freedom of Information Act, 5 U.S.C. 552(b), et. seq., I hereby request that you make available copies of all documents in the U.S. Nuclear Regulatory Commission's possession which describe or discuss the following enumerated items. This request covers but is not limited to all draft and final reports, correspondence, memoranda, notes, records of telephone contacts, electronic communications including fax transmissions and Email, or other written records, whether in paper or computer files, preserved via the use of any medium (e.g., paper documents, final notes, or word processors or computer discs, diskettes, hard drives, or network systems.) In addition, this request includes studies, analyses, work papers, internal or external communications of any sort, testimony, press releases, reports, memoranda of the like concerning, recording or in any way related to:

- 1) All communications within the timeframe of January 01, 1999 and February 08, 2000 between Idaho National Engineering and Environment Laboratory (INEL) and NRC staff within Nuclear Reactor Regulation (NRR) and Nuclear Reactor Research (RES) referencing the degradation of BWR internals, the evaluation of degradation of BWR internals and the associated risk of failure of internal components induced by intergranular stress corrosion cracking (IGSCC).
- 2) All studies and conclusions produced by INEL as Principal Investigator within the timeframe of January 01, 1999 and February 08, 2000 for NRC referencing the evaluation of degradation of BWR internals and the associated risk of failure of internal components induced by IGSCC.

Pursuant to this request, please provide all documents and communications prepared or utilized by, in the possession of, or routed through the NRC related to items 1 and 2.

For any portion of the request that you deem appropriate to deny, NIRS requests that you describe the information that is denied, identify the exception to the FOIA on which you rely, and explain how that exception applies to the withheld information.

Pursuant to NRC regulations at 10 CFR 9.41, NIRS requests that any searching and copying fees incurred as a result of this search be waived, and provides the following information in response to the eight criteria listed in Section 9.41(b):

1) Purpose of request:

The purpose of the request is to gather information on the NRC regulatory oversight of the risks to public safety from the ongoing degradation of reactor internals at Boiling Water Reactor (BWR) power stations. The requested information is currently not available in the NRC's Public Document Room.

2) Extent to which NIRS will extract and analyze the substantive content of the records:

NIRS is qualified to make use of the requested information. The staff has demonstrated the ability to interpret information and communicate that information in a form comprehensible to the general public. Members of the NIRS staff have published articles in such national journals as The Progressive, Nuclear Times, Newsday and Bulletin of Atomic Scientists. NIRS is quoted as a reliable source of information on nuclear issues in newspapers across the country, including the New York Times, The Washington Post, and The San Francisco Chronicle.

NIRS has a working relationship with nuclear physicists, nuclear engineers, metallurgists, risk analysts and other respected professionals who contribute to the full understanding of nuclear regulatory compliance and age-related degradation of safety-related reactor components.

3) Nature of the specific activity or research in which the records will be used and NIRS's qualifications to utilize the information for the intended use in such a way that it will contribute to public understanding:

NIRS seeks the requested information solely to contribute to and help shape the public debate on regulatory compliance, degradation maintenance and risk assessment of age-related degradation of BWR reactor internals. NIRS intends to use the information in order to advance the concerns for public understanding of risk assessment of age-related degradation and nuclear regulatory compliance.

4) Likely impact on the public's understanding of the subject as compared to the level of understanding of the subject prior to disclosure:

The public understanding of the issues of regulatory compliance, risk assessment and age-related degradation of BWR reactor internals will be enhanced by the contribution of this information.

5) Size and nature of the public to whose understanding a contribution will be made:

NIRS has an active subscribing membership of over 1500 throughout the United States. Several thousand additional members periodically receive mailings from NIRS. NIRS provides resource material to electronic and print media outlets with very broad outreach to a safety conscious audience. Additionally, NIRS has a web site (www.nirs.org) which receives on average of 1500 visitors per day where postings on this issue will be made available.

6) Means of distribution of the requested information:

NIRS will use its own newsletter publication The Nuclear Monitor and our media contacts in both the electronic and print media outlets to provide very broad outreach to the public concerned about regulatory compliance and risk assessment of age-related degradation of BWR reactor internals. NIRS will also share information with other interested parties concerned about regulatory compliance and risk assessment. Additionally, NIRS will post information on its web site (www.nirs.org) which receives on average of 1500 visitors per day.

7) Whether free access to information will be provided:

NIRS will provide the information without charge to all members of the public. Information prepared from the FOIA requested will be posted on the web site for downloading free of charge. NIRS will also provide a copy of information to all interested parties without charge.

8) No commercial interest by NIRS or any other party:

NIRS has no commercial interest in obtaining the requested information. This information is provided to all public requests without charge. The sole interest of NIRS is to promote the policy debate on nuclear regulatory compliance and risk assessment of age-related degradation of BWR reactor internals.

Sincerely,



Paul Gunter, Director
Reactor Watchdog Project, NIRS