



RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) / PRIVACY ACT (PA) REQUEST

2003-0018

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RESPONSE TYPE FINAL PARTIAL

REQUESTER

James Riccio

DATE

APR 10 2003

PART I. -- INFORMATION RELEASED

- No additional agency records subject to the request have been located
- Requested records are available through another public distribution program. See Comments section.
- APPENDICES Agency records subject to the request that are identified in the listed appendices are already available for public inspection and copying at the NRC Public Document Room.
- APPENDICES **I,J** Agency records subject to the request that are identified in the listed appendices are being made available for public inspection and copying at the NRC Public Document Room
- Enclosed is information on how you may obtain access to and the charges for copying records located at the NRC Public Document Room, 2120 L Street, NW, Washington, DC.
- APPENDICES **I,J** Agency records subject to the request are enclosed.
- Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (see comments section) for a disclosure determination and direct response to you.
- We are continuing to process your request.
- See Comments

PART I.A -- FEES

AMOUNT *
\$

- You will be billed by NRC for the amount listed
- None. Minimum fee threshold not met
- You will receive a refund for the amount listed
- Fees waived.

* See comments for details

PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE

- No agency records subject to the request have been located
- Certain information in the requested records is being withheld from disclosure pursuant to the exemptions described in and for the reasons stated in Part II.
- This determination may be appealed within 30 days by writing to the FOIA/PA Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Clearly state on the envelope and in the letter that it is a "FOIA/PA Appeal"

PART I.C COMMENTS (Use attached Comments continuation page if required)

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Carol Ann Reed

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PART II.A -- APPLICABLE EXEMPTIONS

APPENDICES J,K

Records subject to the request that are described in the enclosed Appendices are being withheld in their entirety or in part under the Exemption No (s) of the PA and/or the FOIA as indicated below (5 U.S.C. 552a and/or 5 U.S.C. 552(b)).

- Exemption 1: The withheld information is properly classified pursuant to Executive Order 12958
Exemption 2: The withheld information relates solely to the internal personnel rules and procedures of NRC
Exemption 3: The withheld information is specifically exempted from public disclosure by statute indicated
Exemption 4: The withheld information is a trade secret or commercial or financial information that is being withheld for the reason(s) indicated
Exemption 5: The withheld information consists of interagency or intraagency records that are not available through discovery during litigation. Applicable privileges
Exemption 6: The withheld information is exempted from public disclosure because its disclosure would result in a clearly unwarranted invasion of personal privacy.
Exemption 7: The withheld information consists of records compiled for law enforcement purposes and is being withheld for the reason(s) indicated.

PART II.B -- DENYING OFFICIALS

Pursuant to 10 CFR 9.25(g), 9.25(h), and/or 9.65(b) of the U.S. Nuclear Regulatory Commission regulations, it has been determined that the information withheld is exempt from production or disclosure, and that its production or disclosure is contrary to the public interest.

Table with columns: DENYING OFFICIAL, TITLE/OFFICE, RECORDS DENIED, APPELLATE OFFICIAL (EDO, SECY, IG). Row 1: SEE ATTACHED.

Appeal must be made in writing within 30 days of receipt of this response. Appeals should be mailed to the FOIA/Privacy Act Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, for action by the appropriate appellate official(s).

2003-0018

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**RESPONSE TO FREEDOM OF INFORMATION
ACT (FOIA) / PRIVACY ACT (PA) REQUEST (Continued)**

DATE

PART I.C COMMENTS (Continued)

DENYING OFFICIALS OFFICIAL	TITLE/OFFICE	RECORDS DENIED	APPELLATE
Mr. Samuel J. Collins	Director, Office of Nuclear Reactor Regulation	J/1, J/2, J/4, J/5, J/7, J/8 J/12- J/14, J/18, K/3, K/6, K/10, K/11, K/13	EDO
Mr. Ashok C. Thadani	Director, Office of Nuclear Regulatory Research	J/1, J/17, J/18, K/6, K/11	EDO
Mr. James E. Dyer	Regional Administrator, RIII	J/3, J/4, J/6, J/8-J/11, J/15, J/16 J/16, K/1-K/5, K/7, K/9, K/13	EDO
Ellis W. Merschoff	Regional Administrator, RIV	K/8	EDO
Sandy M. Joosten	Executive Assistant, Office of the Secretary of the Commission	K/12	SECY

**APPENDIX I
RECORDS BEING RELEASED IN THEIR ENTIRETY**

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
1.	5/6/02	E-Mail from C Lipa to E Chelliah, Subject: Information on LER 346-2002-002-00 (1 page)
2.	4/29/02	E-Mail from S Long to S Burgess, Subject: DB Questions (1 page)
3.	4/30/02	E-Mail from S Long to J Grobe et al., Subject: COMSECY Responses and Davis Besse Questions (1 page)
4.	5/20/02	E-Mail from J Grobe to A Hiser et al., Subject: Response to Two NRC Questions Following the Root Cause Presentation (3 pages)
5.	5/21/02	E-Mail from A Howell to J Grobe, Subject: LLTF Request for Regional Presentation (2 pages)
6.	7/9/02	Letter to W Tauzin from R Meserve (40 pages)
7.	7/10/02	E-Mail from S Long to L Collins, Subject: DB0350 Panel Meeting (1 page)
8.	7/15/02	E-Mail from A Howell to LLTF, Subject: Updated Integrated Schedule (4 pages)
9.	7/19/02	Letter to W Tauzin from R Meserve (2 pages)
10.	9/9/02	E-Mail from J Grobe to W Dean, Subject: Meeting with ET on Davis Besse Risk Assessment & SDP Process (2 pages)

**APPENDIX J
RECORDS WITHHELD IN PART**

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)/EXEMPTIONS</u>
1.	9/4/02	E-mail from W Cullen to S Long, Subject: Alloy 600 Crack Growth Rates for D-B Nozzle #47 (2 pages) (1 page Released) <i>EX. 5</i>
2.	5/3/02	E-mail from S Long to D Marksberry, Subject: Definition of SDP Risk Question for Davis Besse Head Cavity (3 pages) (1 page Released) EX. 5
3.	5/9/02	E-Mail from S Long to S Bloom, Subject: May 9 Internal Panel Meeting (6 pages) (4 pages Released) EX. 2 and 5
4.	5/10/02	E-mail from J Grobe to M Johnson, Subject: May 9 Internal Panel Meeting (1 page) EX. 5
5.	5/24/02	To all from S Long (1 page) EX. 6
6.	6/3/02	E-Mail from M Holmberg to J Grobe, Subject: May 9 Internal Panel Meeting (1 page) EX. 5
7.	6/19/02	E-Mail from S Long to S Burgess, Subject: Davis-Besse 0350 Mtg Attendance (2 pages) EX. 5
8.	6/27/02	E-Mail from S Long to L Collins, Subject: Attend 7/2 Panel Meeting (2 pages) EX. 5
9.	7/1/02	E-Mail from J Grobe to P Wilson, Subject: Davis Besse Risk Assessment (1 page) EX. 5
10.	7/8/02	E-Mail from S Long to D Snowberger, Subject: Next Three Panel Meetings (2 pages) EX. 2
11.	7/9/02	E-Mail from S Long to D Snowberger, Subject: Updated Action Item List (6 pages) (2 pages Released) EX. 5
12.	7/18/02	E-Mail from S Long to L Collins, Subject: Attend 7/25 Panel Meeting? (1 page) EX. 5
13.	7/20/02	Letter to J Dyer from Bergendahl, FENOC, Response to Request for Additional Information Related to the Davis Besse Nuclear Power Station Safety Significance Assessment (67 pages) EX. 5

14. 7/31/02 E-Mail from J Grobe to S Long, Subject: Industry Conference Presentation on Davis Besse (2 pages) **EX. 5**
15. 8/10/02 E-Mail from J Grobe to B Sheron et al., Subject: Industry Conference Presentation on Davis-Besse (2 pages) **EX. 5**
16. 9/5/02 E-Mail from J Grobe to C Lipa, Subject: Risk Approach (3 pages) (**1** page Released) **EX. 5**
17. 10/1/02 Memorandum to J Zwolinski from M Mayfield, Subject: Structural Analysis of the Rupture Capacity of the Exposed Cladding at Davis Besse (99 pages) **EX. 4**
18. 5/28/02 E-Mail from S Long to D Pickett, Subject: Dimensions Davis-Besse Cavity (2 pages) (1 page Released) **EX. 5**

**APPENDIX K
RECORDS WITHHELD IN THEIR ENTIRETY**

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
1.	11/28/00	Table 1 Categories of Initiating Events for Davis Besse Nuclear Power Station, Unit 1 (6 pages) EX. 5
2.	5/22/02	E-Mail from J Grobe to B Clayton et al., Subject: LLTF Request or Regional Presentation (1 page) EX. 5
3.	7/22/02	E-Mail from S Long to C Lipa, Subject: New Info on DB? (1 page) EX. 5
4.	7/24/02	E-Mail from J Grobe to A Howell et al., Subject: New Info on DB? (1 page) EX. 5
5.	7/26/02	E-Mail from J Grobe to J Dyer, Subject: Davis Besse Radioactive Partical Significance Assessment (10 pages) EX. 5
6.	7/29/02	E-Mail from S Long to D Marksberry, Subject: Davis Besse Status (1 page) EX. 5
7.	8/29/02	E-Mail from L Collins to DB0350, Subject: Internal Panel Meetings Next Week (4 pages) EX. 5
8.	8/30/02	E-Mail from E Merschoff to M Kirk, Subject: ORNL Davis Besse Study (4 pages) EX. 5
9.	9/4/02	E-Mail from M Holmberg to DB0350, Subject: Davis Besse Discussion Group (1 page) EX. 5
10.	10/4/02	E-Mail from W Dean to C Carpenter, et al., Subject: Nozzle Cracking Data for Risk Assessments (1 page) EX. 5
11.	10/7/02	E-mail from S Long to G Demoss, Subject: Davis Besse Reports and Letter (1 page) EX. 5
12.	9/17/02	E-mail from J Uhle to M Tschiltz, Subject: Updates on Davis Besse (1 page) EX. 5
13.	5/3/02	E-Mail from S Long to S Burgess, Subject: Definition of SDP Risk Question for Davis Besse Head Cavity (2 pages) EX. 5