



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

APR 18 2003

Dr. Marvin Resnikoff  
Senior Associate  
Radioactive Waste Management Associates  
526 West 26<sup>th</sup> Street, Room 517  
New York, NY 10001

IN RESPONSE REFER  
TO FOIA -2003-009A  
(FOIA-2002-0385)

Dear Dr. Resnikoff:

I am responding to your January 30, 2003, letter, in which you appealed the agency's responses of December 3, 2002, and January 16, 2003, to your Freedom of Information Act request dated August 9, 2002. Specifically, you appealed the denial of three records related to the Howard Street Tunnel fire.

Acting on your appeal, I have carefully reviewed the record in this case and have determined that two of the previously denied records may now be released. One of the previously denied records was finalized and has already been released. Your appeal, therefore, is granted.

The final NIST report on the tunnel fire has been made publicly available on the NRC Web site. The final report, NUREG/CR-6793, is entitled "Numerical Simulation of the Howard Street Tunnel Fire, Baltimore, Maryland, July 2001." You may access the report on the Web at <http://www.nrc.gov/reading-rm/doc-collections/nuregs/contract/cr6793>. The draft NUREG report and the PNNL Preliminary Report dated April 11, 2002, can now be released and are enclosed.

The final record you requested in your January 30, 2003, letter was not addressed in the initial request. The record, Figure 17, was originated by the National Transportation Safety Board. We have referred the record to that agency for disclosure determination and direct response to you.

This completes NRC action on your appeal.

Sincerely,

A handwritten signature in black ink that reads "Carl J. Paperiello".

Dr. Carl J. Paperiello  
Deputy Executive Director  
for Materials, Research & State  
Programs

Enclosures: As stated

**APPENDIX  
RECORDS BEING RELEASED IN ENTIRETY**

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
1.	No date	Draft report, "Numerical Simulation of the Howard Street Tunnel Fire, Baltimore, Maryland, July 2001." 41 pages
2.	04/11/02	PNNL Preliminary Report - Thermal Analysis of HI-STAR 100 MPC-24 & Overpack Under NCT and Enhanced HAC Conditions Using ANSYS. 20 pages