

From: Barry Zalcman  
To: Christopher Grimes  
Date: Tue, Nov 6, 2001 9:37 PM  
Subject: Re: Site Location and Map Information for License Renewal Environmental Reports

Just to add to this a bit; some of it is common knowledge, so for that I apologize. In recent weeks we were informed that a number of licensees sought to remove information that was part of the collection of material housed at the old LPDRs; in some situations, they were permitted to remove material, in others, they politely refused. As Mike pointed out below, we have reached out to libraries (some were the previous LPDRs) to seek their support in providing local public access to documents related to the environmental review for license renewal. There is a distinction between these holdings and that of the old LPDRs, but some of the licensees removed this information as well (I understand that Hatch did and they don't have their renewed license yet). With St. Lucie's accelerated schedule, we plan to make the overture in the next month, so timely guidance would be valuable.

Tracing back we found that there was a discussion between industry representatives and NRC managers staffing the OpCen. This was raised to PDR staff for clarification and the NRC position was provided to the staff in the EDO's update of 10/18/01:

*We know there have been questions from local libraries and licensees as to whether certain information should be restricted, such as Final Safety Analysis Reports (FSARs). No restrictions have been given to external entities regarding distribution of this type of information. At this time, we currently have no plans to request local libraries or other depositories of information outside of NRC to remove information or prohibit public release of information. Our goal is to make certain information on the web and ADAMS less conveniently available.*

All discussions that I had thereafter directed the party (mostly DLPM PMs) to the EDO's guidance. The interest actually extends to issues other than location and maps. The applicants are also concerned about the SAMA information presented in their Environmental Reports as well as in their responses to SAMA RAIs because they identify vulnerabilities. I understand that this is a balancing act between the need to know, the current security climate, and process challenges. The SAMA RAIs for the current round of 5 are moving. The ERs for the upcoming submittals are being finalized. For now, we're staying the course as you describe below.

>>> Christopher Grimes 11/06/01 05:30PM >>>

NRR

I discussed the need for more specific criteria with Mr. Borchardt this afternoon so he can pursue this matter with the Commission. In the interim, I informed FPL last week that they should not presume any change in the content of the renewal application to be submitted to the NRC; they can publically release a "redacted" version of the report if they must (required by state and local obligations), but they should inform us so that we can correct the publically available information if we have different criteria by that time. Similarly, you should not presume to change the content of the FEIS. We will decide what information to withhold and how before the camera ready Turkey Point FES goes to publication.

>>> Michael Masnik 11/06/01 05:22PM >>>

NRR

I received another phone call from FPL in regards to the license renewal application for the St. Lucie Plant. My POC at FPL stated that they still had apprehensions with regards to what the NRC staff's position is on providing detailed location data for the facility to include both narrative descriptions and maps of the site. His focus was on the Environmental Report submitted by the licensee in support of license renewal. I talked to a number of individuals in NRR as well as OGC and have gotten no specific guidance other than that latitude and longitude data should not be submitted. I did get a lot of speculation as to what might or might not be appropriate. This I communicated to the licensee. I understand that FPL lawyers have spoken to OGC and have been told that they need to submit a complete application to include a complete Environmental Report and that any omissions may result in questions on the sufficiency of the application. The licensee is in the final stages of ER preparation and I am told that all that really remains is duplication.

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have reviewed 10 CFR 2.790 and determined that copies of documents "will be made available for public inspection and copying", and that the events of September 11th and the staff's concerns arising out of those events do not fit any of the nine exceptions given in the regulations. Curiously though, 10 CFR 54.11 states "Applications and documents submitted to the Commission in connection with renewal applications may be made available for public inspection in accordance with the provisions of the regulations contained in 10 CFR part 2 " [Emphasis added].

Currently we have Environmental Reports for the six ongoing environmental license renewals (Turkey Point, Surry, North Anna, McGuire, Peach Bottom and Catawba) parked in local libraries in the vicinity of the plant . Presumably they contain detailed site information including maps. All of these documents were placed in the libraries prior to the September 11th attack. Additionally, to my knowledge, none of the lab teams have been given any guidance on any changes in the product that they are to deliver for any of these plants.

I propose to place a copy of the licensee's submitted Environmental Report in a local library, preferably the former LPDR in the vicinity of the St Lucie site once it is docketed, consistent with past practice at all previous and ongoing license renewal reviews unless specifically told otherwise. I will also attempt to place it on the NRC web.

In a related issue I am in the final stages of finalizing the Final SEIS for Turkey Point. The Draft SEIS was issued this past May and contains all sorts of information on location as well as maps. I do not intend to remove that information from the Final SEIS unless directed otherwise. I expect to receive a camera ready copy from the lab on 21 Nov 2001.

**CC:** Cynthia Carpenter; David Skeen; Janice Moore; Michael Masnik; Richard Borchardt; William Beckner; William Reckley