



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

2004-0277

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RESPONSE TYPE FINAL PARTIAL

REQUESTER

Paul Gunter

DATE

FEB 02 2005

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** 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** 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

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

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PART II.A -- APPLICABLE EXEMPTIONS

APPENDICES

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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.
 - Sections 141-145 of the Atomic Energy Act, which prohibits the disclosure of Restricted Data or Formerly Restricted Data (42 U.S.C. 2161-2165).
 - Section 147 of the Atomic Energy Act, which prohibits the disclosure of Unclassified Safeguards Information (42 U.S.C. 2167).
 - 41 U.S.C., Section 253(b), subsection (m)(1), prohibits the disclosure of contractor proposals in the possession and control of an executive agency to any person under section 552 of Title 5, U.S.C. (the FOIA), except when incorporated into the contract between the agency and the submitter of the proposal.
- Exemption 4: The withheld information is a trade secret or commercial or financial information that is being withheld for the reason(s) indicated.
 - The information is considered to be confidential business (proprietary) information.
 - The information is considered to be proprietary because it concerns a licensee's or applicant's physical protection or material control and accounting program for special nuclear material pursuant to 10 CFR 2.790(d)(1).
 - The information was submitted by a foreign source and received in confidence pursuant to 10 CFR 2.790(d)(2).
- Exemption 5: The withheld information consists of interagency or intraagency records that are not available through discovery during litigation. Applicable privileges:
 - Deliberative process: Disclosure of predecisional information would tend to inhibit the open and frank exchange of ideas essential to the deliberative process. Where records are withheld in their entirety, the facts are inextricably intertwined with the predecisional information. There also are no reasonably segregable factual portions because the release of the facts would permit an indirect inquiry into the predecisional process of the agency.
 - Attorney work-product privilege. (Documents prepared by an attorney in contemplation of litigation)
 - Attorney-client privilege. (Confidential communications between an attorney and his/her client)
- 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.
 - (A) Disclosure could reasonably be expected to interfere with an enforcement proceeding (e.g., it would reveal the scope, direction, and focus of enforcement efforts, and thus could possibly allow recipients to take action to shield potential wrongdoing or a violation of NRC requirements from investigators).
 - (C) Disclosure would constitute an unwarranted invasion of personal privacy.
 - (D) The information consists of names of individuals and other information the disclosure of which could reasonably be expected to reveal identities of confidential sources.
 - (E) Disclosure would reveal techniques and procedures for law enforcement investigations or prosecutions, or guidelines that could reasonably be expected to risk circumvention of the law.
 - (F) Disclosure could reasonably be expected to endanger the life or physical safety of an individual.
- OTHER (Specify)

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. The person responsible for the denial are those officials identified below as denying officials and the FOIA/PA Officer for any denials that may be appealed to the Executive Director for Operations (EDO).

DENYING OFFICIAL	TITLE/OFFICE	RECORDS DENIED	APPELLATE OFFICIAL		
			EDO	SECY	IG
James E. Dyer	Director, Office of Nuclear Reactor Regulation	Appendix O	✓		

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). You should clearly state on the envelope and letter that it is a "FOIA/PA Appeal."

**APPENDIX O
RECORDS BEING WITHHELD IN THEIR ENTIRETY**

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)/EXEMPTIONS</u>
1.	Undated	Memo W. Travers, EDO, to The Commission, Re: Extension Request to Staff Requirement - SECY-03-0100- Rulemaking Plan on Post-Fire Operator Manual Actions (3 pages) Ex. 5
2.	Undated	Draft Federal Register Notice: Draft Criteria for Determining Acceptability...(15 pages) Ex. 5
3.	Undated	Draft Rulemaking-Fire Protection Operator Manual Actions (12 pages)EX. 5
4.	Undated	Draft Schedules for Interim Enforcement Discretion for Fire...(8 pages) Ex. 5
5.	Undated	Draft Outline for Reg. Guide (3 pages) Ex. 5
6.	Undated	Draft 10 CFR Part 50, RIN 616, Fire Protection Program - Post Fire Operator Manual Actions (44 Pages) Ex. 5
7.	Undated	Handwritten Meeting notes (2 pages) Ex. 5
8.	Undated	1.c1. and Manual Action Green Ticket Resource Matrix (10 Pages) Ex. 5
9.	Undated	Expert Elicitation Workshop on the Criteria for Allowing Operator Manual Actions in Fire Situations (1 page) Ex. 5
10.	Undated	Response to NEI Comments (10 pages) Ex. 5
11.	Undated	Proposed generic acceptance criteria for operator manual actions response time (1 page) Ex. 5
12.	Undated	Draft Slides (Objective) for November 12, 2003, meeting to discuss use and implementation of draft interim feasibility criteria for fire protection manual actions (21 pages) Ex. 5
13.	Undated	Dingell Markey Letter G20040178: Team, status, challenges and decisions (2 pages) Ex. 5
14.	Undated	Discussion of options (draft white paper) (19 pages) Ex. 5
15.	Undated	Basis for limiting the proposed rule application to III.G.2 w/handwritten notes (6 pages) Ex. 5

16. Undated Draft responses to manual actions green ticket- Questions 1.c1. (2 pages) Ex. 5
17. 2003 Draft Regulatory Issue Summary: Performance of Manual Actions to Satisfy the Requirements of 10 CFR Part 50 Appendix R Section III.G.2. (4 pages) Ex. 5
18. 07/17/03 E-mail R. Eckenrode, NRR, to J. Bongarra, NRR, Re: Fire barrier thoughts (2 pages) Ex. 5
19. 08/07/03 J. Bongarra's, NRR, handwritten notes on August 7, 2003 meeting (2 pages) Ex. 5
20. 08/25/03 E-mail R. Gallucci, NRR, to D. Diec, NRR, Re: Initial Thought on Manual Actions w/att 08/25/03 D. Diec e-mail (3 Pages) Ex. 5
21. 08/28/03 E-mail R. Gallucci, NRR, to D. Nelson, OE, Re: ACRS presentation on manual actions (1 page) Ex. 5
22. 08/29/03 E-mail R. Gallucci, NRR, to M. Salley, NRR, Re: Proposed Manual action definition (1 page) Ex. 5
23. 09/02/03 E-mail R. Gallucci, NRR, to S. Weerakkody, NRR, Re: ACRS Presentation on Manual Actions (2 pages) Ex. 5
24. 09/05/03 E-mail R. Gallucci, NRR, to D. Diec, NRR, Re: Proposed Feasibility definition (1 page) Ex. 5
25. 09/08/03 E-mail P. Qualls, NRR, to D. Diec, NRR, Re: Proposed feasibility definition (1 page) Ex. 5
26. 09/10/03 Handwritten notes (2 pages) Ex. 5
27. 09/21/03 E-mail S. Weerakkody, NRR, to P. Koltay, NRR, Re: Current outstanding manual action findings (1 page) Ex. 5
28. 09/22/03 E-mail S. Weerakkody, NRR, to R. Gallucci, NRR, Re: How I envision the technical aspects of Manual Action Rule-Making Proceeding (2 pages) Ex. 5
29. 09/22/03 E-mail D. Diec, NRR, to D. Nelson, OE, Re: Meeting date for manual actions interim enforcement policy w/handwritten notes (4 pages) Ex. 5
30. 09/23/03 E-mail R. Gallucci, NRR, to S. Weerakkody, NRR, Re: My latest thoughts based on meeting today... w/handwritten notes (5 pages) Ex. 5
31. 09/23/03 E-mail D. Diec, NRR, to E. Brown, NRR, Re: Case Histories of Approved Manual Actions (2 pages) Ex. 5
32. 09/23/03 E-mail E. Brown, NRR, to D. Diec & R. Gallucci, NRR, Re: Case Histories of Approved Manual Actions (1 page) Ex. 5

33. 09/23/03 E-mail E. Brown, NRR, to D. Diec, NRR, et al., Re: Fwd Classes of manual actions (2 pages) Ex. 5
34. 09/24/03 E-mail S. Weerakkody, NRR, to J. Bongarra, NRR, et al., Re: Case histories of approved manual actions (1 page) Ex. 5
35. 09/24/03 E-mail P. Qualls, NRR, to D. Diec, NRR, et al., Re: Fwd NEI FP forum-rulemaking (1 page) Ex. 5
36. 09/24/03 E-mail P. Qualls, NRR, to D. Diec, NRR, et al., Re: Fwd Classes of manual actions (2 pages) Ex. 5
37. 09/24/03 E-mail S. Weerakkody, NRR, to E. Brown, NRR, et al., Re: Classes of Manual Actions (1 page) Ex. 5
38. 09/25/03 E-mail P. Qualls, NRR, to R. Gallucci, NRR, Re: Manual actions draft RIS (4 pages) Ex. 5
39. 09/26/03 E-mail R. Gallucci, NRR, to S. Weerakkody, NRR, Re: Fallout from today's meeting (1 page) Ex. 5
40. 09/29/03 E-mail R. Gallucci, NRR, to E. Brown, NRR, Re: Case histories of approved manual actions (2 pages) Ex. 5
41. 09/30/03 E-mail S. Weerakkody, NRR, to E. Brown, NRR, et al., Re: Classes of manual actions (2 pages) Ex. 5
42. 10/01/03 E-mail J. Bongarra, NRR, to J. Birmingham, NRR, Re: Proposed feasibility definition (1 page) Ex. 5
43. 10/02/03 E-mail R. Gallucci, NRR, to ManAx, NRR, Fwd: Re: Draft Manual Action Feasibility Criteria w/handwritten notes (6 pages) Ex. 5
44. 10/03/03 E-mail R. Gallucci, NRR, to P. Qualls, S. Weerakkody, NRR, Re: Thinking about timeline for manual actions technical support w/handwritten notes (4 pages) Ex. 5
45. 10/09/03 E-mail R. Gallucci, NRR, to ManAx, Re: Information only agenda for 10/17 meeting (4 pages) Ex. 5
46. 10/14/03 E-mail R. Gallucci, NRR, to ManAx, Re: Feasibility criteria (13 pages) Ex. 5
47. 10/14/03 E-mail R. Eckenrode to R. Dudley, & S. Weerakkody, NRR, Re: FP Manual actions enforcement discretion (2 pages) Ex. 5 and Ex. 6.
48. 10/17/03 Handwritten notes from Fire Protection Manual Actions meeting (1 page) Ex. 5

49. 10/23/03 E-mail P. Koltay, NRR, to D. Diec, NRR, Re: Operator manual actions (3 pages) Ex. 5
50. 10/28/03 Handwritten notes: J. Bongarra, NRR, (1 page) Ex. 5
51. 10/30/03 E-mail R. Gallucci, NRR, to S. Weerakkody, NRR, Re: Summary of Today's Manual Actions Meeting w/handwritten notes (2 pages) Ex. 5
52. 11/03/03 E-mail S. Weerakkody, NRR, to J. Bongarra, NRR, et al., Re: ManAx Friday meeting (1 page) Ex. 5
53. 11/04/03 E-mail R. Gallucci, NRR, to E. Lois, RES, et al., Re: Material for Thursday meeting w/handwritten notes (41 pages) Ex. 5
54. 11/05/03 E-mail R. Gallucci, NRR, to S. Weerakkody, NRR, Re: Quick thoughts on ACRS transcript for ManAx (1 page) Ex. 5
55. 11/06/03 E-mail R. Gallucci, NRR, to S. Weerakkody, NRR, Re: Quick thoughts on ACRS transcript for ManAx (1 page) Ex. 5
56. 11/09/03 E-mail S. Weerakkody, NRR, to C. Haney, NRR, et al., Re: FYI-Meeting with OGC, OE, and IIPB on Manual Actions Rule Making (1 page) Ex. 5
57. 11/10/03 E-mail S. Weerakkody, NRR, to E. Brown, NRR, et al., Re: Prep for 11/12 mtg (1 page) Ex. 5
58. 11/12/03 Meeting Slides: Objective w/handwritten notes (11 pages) Ex. 5
59. 11/12/03 Handwritten notes: F/P meeting re manual actions (1 page) Ex. 5
60. 11/14/03 Email R. Gallucci, NRR, to ManAxTech, Re: Criteria Table - incorporating OGC comments and compressed bases w/attached criteria for manual actions (72 pages) Ex. 5
61. 11/25/03 Email R. Gallucci, NRR, to ManAxTech, Re: Addition of Material from NUREG-1545 to Criteria Basis w/attached criteria for manual actions (45 pages) Ex. 5
62. 11/26/03 Email S. Weerakkody, NRR, to S. Black, NRR, et al., Re: Call from NY Times on the FP Rule Making (1 page) Ex. 5
63. 12/01/03 E-mail R. Gallucci (NRR) to Man Ax Re: NY Times article on manual actions (2 pages) Ex. 5
64. 12/09/03 Email P. Qualls, NRR, to M. Salley, NRR, et al., Re: ANO FP backfit issue (2 pages) Ex. 5
65. 12/15/03 E-mail R. Gallucci, NRR, to ManAxTech, Re: Pie in the Sky (12 pages) Ex. 5

66. 12/18/03 E-mail R. Gallucci, NRR, to ManAxTech, Re: More Pie in the Sky (9 pages) Ex. 5
67. 12/19/03 E-mail R. Dudley, NRR, to C. Petrone, NRR, et al., Re: Tentative schedule for Manual Actions enforcement discretion (1 page) Ex. 5
68. 12/22/03 E-mail S. Weerakkody, NRR, to R. Gallucci, NRR, Re: Inspectors and OpManAx (1 page) Ex. 5
69. 12/22/03 E-mail S. Black, NRR, to S. Collins, NRR, Re: Telecon with Callaway re: fire protection issues (1 page) Ex. 5
70. 12/23/03 E-mail S. Weerakkody, NRR, to R. Gallucci, NRR, et al., Re: Inspectors and Op ManAx (1 page) Ex. 5
71. 12/24/03 E-mail R. Gallucci, NRR, to P. Koltay, NRR, R. Pedersen, OE, Re: Philosophy regarding existing exemptions/deviations...(1 page) Ex. 5
72. 12/31/03 E-mail R. Gallucci, NRR, to ManAxTech Re: comments on draft criteria for manual actions for Post-fire safe shutdown (7 pages) Ex. 5 and Ex. 6
73. 01/05/04 E-mail S. Weerakkody, NRR< to D. Coe, NRR, et al., Re: NRC response to NEI proposal on NFPA 805 incentives (2 pages) Ex. 5
74. 01/06/04 E-mail R. Gallucci, NRR, to J. Bongarra, NRR, Re: Agenda for fire manual actions workshop (1 page) Ex. 5
75. 01/07/04 E-mail G. Parry, to J. Forester, R. Gallucci, NRR, Re: Agenda for fire manual actions workshop (1 page) Ex. 5
76. 01/08/04 E-mail R. Gallucci, NRR, to E. Brown, NRR, Re: Alternate Approach for OpManAx Rulemaking (1 page) Ex. 5
77. 01/08/04 E-mail R. Gallucci, NRR, to E. Brown, NRR, et al., Re: Updated OGC OpManAx Tech basis outline (1 page) Ex. 5
78. 01/08/04 E-mail R. Gallucci, NRR, to E. Brown, NRR, et al., Re: Updated OGC OpManAx Tech basis outline (2 pages) Ex. 5
79. 01/12/04 E-mail J. Birmingham, NRR, to R. Gallucci, NRR, Re: Updated OGC OpManAx Tech Basis Outline (2 pages) Ex. 5
80. 01/12/04 E-mail R. Gallucci, NRR, to J. Birmingham, NRR, Re: Updated OGC OpManAx Tech Basis Outline (2 pages) Ex. 5
81. 01/13/04 E-mail R. Gallucci, NRR, to S. Weerakkody, NRR, Re: Outline of technical basis for Manual Actions enforcement discretion (1 page) Ex. 5
82. 01/13/04 E-mail R. Gallucci, NRR, to S. Weerakkody, NRR, Re: Outline of technical basis for manual actions enforcement ...(1 page) Ex. 5

83. 01/15/04 E-mail R. Dudley, NRR, to S. Adams, NRR, Re: Revised SOW for fire protection manual actions rule w/att Statement of Work (4 pages) Ex. 5
84. 01/15/04 E-mail S. Weerakkody, NRR, to R. Gallucci, NRR, Re: Expanding the Rulemaking - Our Idea (1 page) Ex. 5
85. 01/20/04 E-mail J. Bongarra, NRR, to J. Bongarra, NRR, Re: Putting Down my thoughts on redirecting ...w/handwritten notes (2 pages) Ex. 5 and Ex. 6
86. 01/21/04 E-mail R. Gallucci, NRR, to A. Klein, NRR, et al., Re: Applicability options for fire protection manual actions rule (1 page) Ex. 5
87. 01/21/04 E-mail R. Gallucci, NRR, to D. Diec, NRR, Re: Response to UCS Comments (1 page) Ex. 5
88. 01/21/04 E-mail R. Gallucci, NRR, to R. Dudley, NRR, Re: Strawman-Applicability of acceptance criteria...(5 pages) Ex. 5
89. 01/22/04 E-mail R. Gallucci, NRR, to ManAx, Re: Operator Manual action rulemaking -HRA workshop summary, Day 1 (2 pages) Ex. 5
90. 01/22/04 Handwritten notes on Summary of the January 22-23, 2004, Workshop Re: Criteria for Allowing Operator Manual Actions in Fire Situations (4 pages) Ex. 5
91. 01/22/04 Handwritten notes on Summary of the January 22-23, 2004, Workshop Re: Criteria for Allowing Operator Manual Actions in Fire Situations (4 pages) Ex. 5
92. 01/27/04 E-mail R. Gallucci, NRR, to ManAxTech, Re: Time margin - Try 2 (1 page) Ex. 5
93. 01/27/04 E-mail D. Diec, NRR, to D. Nelson, OE, Re: Time margin criterion (replacing complexity and number) (2 pages) Ex. 5
94. 01/27/04 E-mail E. Brown, NRR, to R. Gallucci, NRR, Re: Time margin -Try 3 (2 pages) Ex. 5
95. 01/27/04 E-mail R. Gallucci, NRR, to D. Diec, NRR, Re: Time margin criterion (replacing complexity and number) (1 page) Ex. 5
96. 01/27/04 E-mail J. Dreisbach, NRR, to A. Klein, NRR, Re: Time margin - Try 3-1/2 (1 page) Ex. 5
97. 01/28/04 E-mail J. Downs, NRR, to E. Brown, NRR, Re: Time margin criterion (replacing complexity and number) (2 pages) Ex. 5
98. 01/28/04 E-mail R. Gallucci, NRR, to S. Weerakkody, NRR, Re: Meeting with DRIP (1 page) Ex. 5

99. 01/30/04 E-mail E. Brown, NRR, to P. Koltay, NRR, et al., Re: Preliminary draft on the SECY on associated circuits (2 pages) Ex. 5
100. 01/30/04 E-mail S. Weerakkody, NRR, to R. Gallucci, NRR, Re: Pre-decisional AssocCirx Rulemaking (1 page) Ex. 5
101. 01/30/04 E-mail D. Diec, NRR, to D. Nelson, OE, et al., Re: Revised MA rulemaking schedule (4 pages) Ex. 5
102. 02/02/04 E-mail S. Weerakkody, NRR, to P. Qualls, NRR, et al., Re: Strawman - Applicability of acceptance criteria (5 pages) Ex. 5
103. 02/02/04 E-mail S. Weerakkody, NRR, to R. Gallucci, NRR, Re: Pre-decisional Suzie's Comments at DEDO Briefing(2 pages) Ex. 5
104. 02/03/04 E-mail P. Koltay, NRR, to R. Gallucci, NRR, Re: Time margin - Try 3 ½ (3 pages) Ex. 5
105. 02/04/04 E-mail J. Birmingham, NRR, to E. Brown, NRR, et al., Re: Implementation options for the manual actions rule (2 pages) Ex. 5
106. 02/05/04 E-mail P. Lain, NRR, to J. Birmingham, NRR, Re: 805 Issue 3 ManAx Criteria (3 pages) Ex. 5
107. 02/05/04 E-mail R. Gallucci, NRR, to ManAxTech, Re: Late comments on OpManAx criteria from NEI...(2 pages) Ex. 5
108. 02/05/04 E-mail E. Brown, NRR, to R. Gallucci, NRR, Re: Late comments on OpManAx criteria for NEI (1 page) Ex. 5
109. 02/06/04 E-mail J. Dreisbach, NRR, to R. Gallucci, NRR, Re: Some thoughts on the NEI comments (2 pages) Ex. 5
110. 02/06/04 E-mail S. Weerakkody, NRR, to R. Gallucci, NRR, Re: Options paper for implementation of the manual actions rule (4 pages) Ex. 5
111. 02/09/04 E-mail S. Weerakkody, NRR, to J. Birmingham, NRR, et al., Re: Options paper for implementation of the manual actions rule (1 page) Ex. 5
112. 02/09/04 E-mail S. Weerakkody, NRR, to D. Diec, NRR, Re: Meeting with stakeholders on their comments (1 page) Ex. 5
113. 02/09/04 E-mail R. Gallucci, NRR, to D. Diec, NRR, Re: Meeting with stakeholders on their comments (1 page) Ex. 5
114. 02/09/04 E-mail S. Weerakkody, NRR, to R. Gallucci, NRR, Re: Stakeholder meeting on OpManAx (1 page) Ex. 5
115. 02/09/04 E-mail S. Weerakkody, NRR, to R. Gallucci, NRR, Re: Your summary of stakeholder comments (4 pages) Ex. 5

- 116. 02/10/04 E-mail S. Weerakkody, NRR, to E. Brown, NRR, Re: Stakeholder meeting on OpManAx (2 pages) Ex. 5
- 117. 02/10/04 E-mail R. Gallucci, NRR, to E. Brown, NRR, et al., Re: Time Zero for Fire Time Line (1 page) Ex. 5
- 118. 02/10/04 E-mail J. Bongarra, NRR, to B. Thomas, et al., Re: Today's fire protection meeting (phone call)...(1 page) Ex. 5
- 119. 02/10/04 Handwritten notes: J. Bongarra, NRR, personal notes (1 page) Ex. 5
- 120. 02/11/04 Handwritten notes: J. Bongarra, NRR, teleconference with J. Forester, Sandia, and A. Kolaczowski, Sandia (1 page) Ex. 5
- 121. 02/11/04 E-mail R. Gallucci, NRR, to E. Brown, NRR, Re: Response to Public Comments (9 pages) Ex. 5
- 122. 02/11/04 E-mail S. Weerakkody, NRR, to R. Gallucci, NRR, Re: The Question w/att 02/10/04 S. Weerakkody e-mail and 02/06/04 D. Diec e-mail (3 pages) Ex. 5
- 123. 02/11/04 E-mail R. Gallucci, NRR, to ManAxTech, Re: Idea on Demo criterion (1 page) Ex. 5
- 124. 02/11/04 E-mail J. Downs, NRR, to E. Lois, RES, et. Al., Re: 02/11/04 Op ManAx meeting w/handwritten notes (1 page) Ex. 5
- 125. 02/12/04 E-mail J. Bongarra, NRR, to J. Downs, NRR, et al., Re: Re: New Op Man Ax Criteria (2 pages) Ex. 5
- 126. 02/12/04 E-mail J. Bongarra, NRR, to R. Gallucci, P. Koltay, NRR, Re: 02/11/04 OpManAx Meeting - Demonstration criterion (2 pages) Ex. 5
- 127. 02/12/04 E-mail R. Gallucci, NRR, to P. Koltay, NRR, Re: 02/11/04 OpManAx Meeting - Demonstration criterion (2 pages) Ex. 5
- 128. 02/12/04 E-mail R. Gallucci, NRR, to D. Diec, NRR, Re: Pre-decisional OpManAx - comments, criteria, bases, etc. (58 pages) Ex. 5
- 129. 02/12/04 E-mail D. Diec, NRR, to R. Gallucci, NRR, Re: Pre-decisional Expanding the OpManAx rulemaking (2 pages) Ex. 5
- 130. 02/12/04 E-mail J. Dreisbach, NRR< to R. Gallucci, NRR, Re: Expanding the OpManAx Rulemaking (1 page) Ex. 5
- 131. 02/13/04 E-mail R. Gallucci, NRR, to E. Brown, NRR, et al., Re: Response to NEI Comments (4 pages) Ex. 5
- 132. 02/17/04 E-mail J. Downs, NRR, to R. Gallucci, NRR, Re: OpManAx Criteria (1 page) Ex. 5

133. 02/18/04 E-mail R. Gallucci, NRR, to S. Weerakkody, NRR, Re: Understanding the Backfit Implications on Expanding OpManAx (2 pages) Ex. 5
134. 02/19/04 E-mail E. Brown, NRR, to S. Weerakkody, NRR, Re: Understanding the backfit implications on expanding OpManAx (2 pages) Ex. 5
135. 02/19/04 E-mail S. Weerakkody, NRR, to E. Brown, R. Gallucci, NRR, Re: Understanding the backfit implications on expanding OpManAx (1 page) Ex. 5
136. 02/19/04 E-mail P. Qualls, NRR, to R. Gallucci, NRR, Re: Latest and Greatest OpManAx Response to Public Comments, etc. (1 page) Ex. 5
137. 02/19/04 E-mail J. Hannon, NRR, to R. Gallucci, NRR, Re: Latest and Greatest OpManAx Response to Public Comments, etc. (1 page) Ex. 5
138. 02/19/04 E-mail R. Gallucci, NRR, to D. Diec, NRR, Re: Understanding the Backfit Implications on Expanding OpManAx (3 pages) Ex. 5
139. 02/20/04 E-mail D. Diec, NRR, to R. Gallucci, NRR, Re: Understanding the Backfit Implications on Expanding OpManAx (1 page) Ex. 5
140. 02/20/04 E-mail R. Gallucci, NRR, to E. Lois, RES, Re: Fire Protection Manual Actions (1 page) Ex. 5
141. 02/22/04 E-mail S. Weerakkody, NRR, to E. Lois, RES, Re: NRR Response to your proposal for additional research in Manual Actions (1 page) Ex. 5
142. 02/22/04 E-mail S. Weerakkody, NRR, to D. Diec, NRR, et al., Re: Action: Decision on whether to expand Man Actions to other III.G (1 page) Ex. 5
143. 02/23/04 Handwritten notes: J. Bongarra, NRR, 02/23/04 meeting on fire protection (1 page) Ex. 5
144. 02/23/04 E-mail R. Gallucci, NRR, to D. Diec, NRR, et al., ACTION: Decision on whether to expand Man Actions to other III.G (1 page) Ex. 5
145. 02/23/04 E-mail R. Gallucci, NRR, to D. Diec, NRR, et al., Re: Applicability of MA to III.G (OGC response) (1 page) Ex. 5
146. 02/23/04 E-mail R. Gallucci, NRR, to ManAx, Re: OpManAx criteria (2 pages) Ex. 5
147. 02/24/04 E-mail R. Gallucci, NRR, to D. Diec, NRR, et al., Re: Applicability of MA to III.G (OGC response) (1 page) Ex. 5
148. 02/24/04 E-mail J. Dreisbach, NRR, to R. Gallucci, NRR, Re: Latest and Greatest OpManAx Response to Public Comments, etc. (1 page) Ex. 5
149. 02/24/04 E-mail R. Gallucci, NRR, to D. Diec, NRR, Re: Combined Rulemaking w/att 3 comments (3 pages) Ex. 5

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155. 02/26/04 E-mail R. Gallucci, NRR, to J. Bongarra, NRR, et al., Re: OpManAx criteria, post-OGC input (58 pages) Ex. 5
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157. 03/01/04 E-mail J. Birmingham, NRR, to R. Gallucci, NRR, et al., Re: Outline for MA rule (1 page) Ex. 5
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159. 03/02/04 E-mail S. Weerakkody, NRR, to E. Brown, NRR, et al., Re: Issue paper for operator manual actions path forward (10 pages) Ex. 5
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163. 03/03/04 E-mail R. Gallucci, NRR, to E. Brown, NRR, et al., Re: Rewording of response to public comments w/att 03/02/04 J. Bongarra e-mails (8 pages) Ex. 5
164. 03/04/04 E-mail E. Brown, NRR, to R. Dudley, NRR, Re: Other Option (9 pages) Ex. 5
165. 03/04/04 E-mail S. Weerakkody, NRR, to E. Brown, NRR, Re: Revised issue paper with my additions/comments...(6 pages) Ex. 5
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172. 03/04/04 E-mail T. Mensah, NRR, to E. Brown, NRR, et al., Re: Fire protection license renewal review (1 page) Ex. 5
173. 03/05/04 E-mail S. Guenther, NRR, to D. Muller, NRR, et al., Re: Rewording of response to public comments (1 page) Ex. 5
174. 03/05/04 E-mail S. Weerakkody, NRR, to R. Gallucci, NRR, Re: Pre-decisional Update... Straight Talk...(1 page) Ex. 5
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182. 03/08/04 E-mail R. Gallucci, NRR, to D. Diec, NRR, Re: OpManAx Criteria, post-OGC input (2 pages) Ex. 5
183. 03/08/04 E-mail E. Brown, NRR, to R. Gallucci, NRR, Re: OpManAx Criteria, post-OGC input (2 pages) Ex. 5

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190. 03/11/04 E-mail E. Brown, NRR, to D. Diec, NRR, et al., Re: Draft response to Markey/Dingell questions...(5 pages) Ex. 5
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192. 03/12/04 E-mail R. Gallucci, NRR, to D. Solorio, M. Salley, NRR, Re: Proposed presentation to Suzie and Mike on 3/15/04 w/handwritten notes (22 pages) Ex. 5
193. 03/12/04 E-mail D. Coe, NRR, to A. Klein, NRR, et al., Re: Manual Actions Communication Plan (draft) (1 page) Ex. 5
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209. 03/20/04 E-mail S. Weerakkody, NRR, to R. Gallucci, NRR, Re: thank you...great summary (2 pages) Ex. 5
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212. 03/22/04 E-mail R. Gallucci, NRR, to J. Bongarra, P. Qualls, NRR, Re: SPLB input for technical bases for OpManAx w/att OGC/GSM draft w/handwritten notes (10 pages) Ex. 5
213. 03/23/04 Handwritten notes: Summary of 03/23/04 Meeting between DSSA, DRIP, and OGC w/Working Schedule for Proposed Rule,....(15 pages) Ex. 5
214. 03/24/04 Handwritten notes (3 pages) Ex. 5
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223. 03/26/04 E-mail R. Gallucci, NRR, to E. Brown, NRR, Re: Fwd #2a+b1+b2 (2 pages) Ex. 5
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227. 03/30/04 E-mail R. Gallucci, NRR, to J. Bongarra, NRR, et al., Re: Tech Bases for OpManAx (3 pages) Ex. 5
228. 03/30/04 E-mail R. Gallucci, NRR, to J. Bongarra, NRR, et al., Re: Tech Bases for OpManAx (5 pages) Ex. 5
229. 03/30/04 E-mail R. Gallucci, NRR, to E. Brown, NRR, Re: Updated answers to 1c1, 1c2, 2c, and 2d of Markey/Dingell (5 pages) Ex. 5
230. 03/30/04 E-mail R. Franovich, NRR, to B. Westreich, NSIR, et al., Re: POGO and NIRS ARBs (1 page) Ex. 5
231. 03/30/04 Manual Action Green Ticket Questions & Answers Current as of March 30, 2004 (16 pages) Ex. 5
232. 03/31/04 E-mail R. Gallucci, NRR, to E. Brown, NRR, Re: Manual actions options paper comments from Eva (8 pages) Ex. 5
233. 04/01/04 Bley preliminary notes - local fire manual action elicitation April 1 & 2, 2004 (4 pages) Ex. 5
234. 04/01/04 Handwritten notes: J. Bongarra, NRR, meeting 1 of the fire protection expert panel (4 pages) Ex. 5

235. 04/01/04 E-mail E. Brown, NRR, to R. Dudley, NRR, Re: Manual Actions Options Paper comments from Eva (9 pages) Ex. 5
236. 04/01/04 E-mail S. Weerakkody, NRR, to E. Brown, NRR, et al., Re: Manual Actions Options Paper comments from Eva (1 page) Ex. 5
237. 04/01/04 E-mail S. Weerakkody, NRR, to D. Dudley, NRR, et al., Re: Manual Actions Options Paper comments from Eva (1 page) Ex. 5
238. 04/01/04 E-mail T. Mensah, NRR, to J. Dreisbach, NRR, Re: manual operator actions website (2 pages) Ex. 5
239. 04/02/04 E-mail S. Weerakkody, NRR, to R. Dudley, NRR, Re: DSSA decisions on the public meeting...(1 page) Ex. 5
240. 04/04/04 E-mail G. Parry, NRR, to A. Kolaczowski, SAIC, et al., Re: pre-emptive vs. reactive OpManAx (3 pages) Ex. 5 and Ex. 6
241. 04/05/04 E-mail J. Bongarra, NRR to R. Gallucci, NRR, et al., Re: Pre-emptive vs. Reactive OpManAx (3 Pages) Ex. 5 and Ex. 6
242. 04/05/04 E-mail M. Kazarians, NRR, to R. Gallucci, NRR, et al., Re: Pre-emptive vs. Reactive OpManAx (3 Pages) Ex. 5 and Ex. 6
243. 04/05/04 E-mail R. Gallucci, NRR, to J. Bongarra, NRR, Re: pre-emptive vs. reactive OpManAx. (3 pages) Ex. 5
244. 04/05/04 E-mail S. Weerakkody, NRR, to R. Gallucci, NRR, Re: Pre-D. Meeting minutes between OGC/DSSA/DRIP (1 page) Ex. 5
245. 04/06/04 E-mail R. Gallucci, NRR, to S. Weerakkody, NRR, Re: My Defense of the Propose OpManAx Forward (2 pages) Ex. 5
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248. 04/13/04 E-mail J. Dreisbach, NRR, to S. Weerakkody, NRR, Re: Fwd: Narrative of the Manual Actions Story for attachment to the... (4 pages) Ex. 5
249. 04/15/04 E-mail E. McKenna, NRR, to C. Haney, NRR, Re: Current manual actions rule schedule (5 pages) Ex. 5
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253. 04/19/04 E-mail R. Gallucci, NRR, to E. Brown, NRR, Re: Pre-D Markey Letter and Implications (1 page) Ex. 5
254. 04/20/04 E-mail P. Koltay, NRR, to R. Gallucci, NRR, Re: Time Zero of OpManAx (1 page) Ex. 5
255. 04/22/04 E-mail R. Gallucci, NRR, to S. Weerakkody, NRR, Re: Attempted Justification for Not Expanding the OpManAx Rulemaking, (5 pages) Ex. 5
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261. 04/28/04 E-mail R. Gallucci, NRR, to A. Klein, NRR, et al., Re: Pre-D More Basis for including fire detection....(as per Eva's suggestion) (1 page) Ex. 5
262. 04/28/04 E-mail R. Dudley, NRR, to D. Diec, NRR, et al., Re: Pre-D More Basis for including fire detection..(as per Eva's suggestion) (1 page) Ex. 5
263. 04/29/04 Draft Discussion of Public Comments....Background... (16 pages) Ex. 5
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277. 05/05/04 E-mail R. Gallucci, NRR, to D. Diec, NRR, & S. Rosenberg Re: Operator Manual Actions (1 page) Ex. 5
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288. 05/17/04 E-mail R. Gallucci, NRR, to D. Solorio, NRR, Re: Fwd DRIP Revised OpManAx Input for OE (1 page) Ex. 5
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296. 05/19/04 E-mail A. Klein, NRR, to R. Radlinski, NRR, Pre-decisional - draft for Manax enforcement discretion (17 pages) Ex. 5
297. 05/20/04 E-mail, R. Gallucci, NRR, to D. Solorio, NRR, Re: Fwd: Re: Have you been able to find out if Suzie had comments on...(1 page) Ex. 5
298. 05/20/04 E-mail R. Gallucci, NRR, to R. Pedersen, OE, Re: Possible Delay in SPLB Input to OE on OpManAx, (1 page) Ex. 5
299. 05/21/04 Draft memo S. Black, NRR, to J. Luehman, OE, Re: Transmittal of acceptance criteria for interim enforcement policy....redline strikeout...(25 pages) Ex. 5
300. 05/21/04 Draft memo S. Black, NRR, to J. Luehman, OE, Re: Transmittal of acceptance criteria for interim enforcement policy...(24 pages) Ex. 5
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306. 05/25/04 E-mail R. Gallucci, NRR, to D. Diec, NRR, Re: Pre-Decisional: Limiting applicability of FMA criteria to III.G.2 (2 pages) Ex. 5
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