



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

2004-0277

29

RESPONSE TYPE  FINAL  PARTIAL

REQUESTER

Paul Gunter

DATE

APR 25 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 **CCC,DDD** 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 **CCC,DDD** 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)

The incoming FOIA/PA 2004-0277 request is located in ADAMS at ML041810024.

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Carol Ann Reed *Carol Ann Reed*

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

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APR 25 2005

**PART II.A -- APPLICABLE EXEMPTIONS**

APPENDICES  
**DDD,EEE**

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
		SEE ATTACHED	<input checked="" type="checkbox"/>		

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."

**DENYING OFFICIALS  
29<sup>TH</sup> PARTIAL RESPONSE**

**NAME/TITLE/OFFICE**

**DOCUMENTS**

James D. Dyer, Director, NRR	DDD-2, 3, 5, 10, 17-19, 23-25, 29-32, 37, 40, 42-44, 46-50, 53, 54, 56, 58, 59, EEE-1-9, 11, 13, 15-17, 19, 20-32, 36, 40-43, 45-49, 51, 52, 54-65
Dr. Carl J. Paperiello, Director, RES	DDD-4, 19-23, 27, 28, 33, 36, 38, 39, 41, 50, 51, 53, 55, 56, 57, EEE-5, 11, 13, 16, 18-32, 34,-40, 42, 43, 48-50, 53, 55-57, 59-62, 64, 66
Dr. Frank J. Congel, Director, OE	DDD-6-16 18, 29, 35, 37, 43, EEE-2-4, 6-9, 12, 15, 17, 33, 41, 46, 51, 63, 65, EEE-2-4, 6-9, 12, 15, 17, 33, 41, 46, 51, 63, 65
Bruce S. Mallet, Regional Adm., RIV	DDD-1, 26, 34, 38, 45, 52, EEE-1, 8, 10, 14, 44, 45, 47, 52, 54, 56, 58
Roy P. Zimmerman, Director, NSIR	DDD-59
William D. Travers, Regional Adm., RII	DDD-60

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

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
1.	12/22/03	E-Mail from Franovich to Sanborn, Comanche Peak and ANO SERPs in January (1 page)
2.	1/9/04	E-Mail from Forester to Brown, Fire Manual Actions HRA Workshop Agenda (3 pages)
3.	1/22/04	E-Mail from Sanborn to Dixon-Herrity, ANO Manual Actions SERP Schedule Needs to be Revised (1 page)
4.	1/22/04	E-Mail from Lois to Persensky, HRA/PRA OpManAx Workshop (2 pages)
5.	2/13/04	E-Mail from Lois to Higgins, Sources of Empirical data related to time to accomplish manualoperator tasks (1 page)
6.	2/25/04	E-Mail from Lois to Brown, Some Info (2 pages)
7.	2/25/04	E-Mail from Bongarra to Gallucci, Wish List Phil, Erasmia take note (1 page)
8.	2/26/04	E-Mail from Persensky to Bongarra, More Microsaint info for fire (1 page)
9.	2/27/04	E-Mail from Wseerakkody to Gallucci, Some Info (1 page)
10.	3/2/04	E-Mail from Lois to Kolaczowski, Summary of conference call (1 page)
11.	3/4/04	E-Mail from Lois to Brown, Manual Action Inspection Finding (1 page) attaching 10/10/01 Ltr to Cruse from Linville (25 pages) PUBLICLY AVAILABLE, ML012830478
12.	3/9/04	E-Mail from Lois to Brown, Dates for expert panel (1 page)
13.	3/19/04	E-Mail from Lois to Kolaczowski, Revised Dingell Markey GT

Resource Matrix (3 pages)

14. 3/23/04 E-Mail from Dudley to Mizuno, Markey/Dingell Question 2.f (1 page)
15. 4/1/04 E-Mail from Lois to Kolaczowski, expert elicitation for FMAs (1 page)
16. 4/5/04 E-Mail from Lois to Koltay, NRC Regulatory Issue Summary 2004-03 (1 page)
17. 4/6/04 E-Mail from Gallucci to Lois, highlight (2 pages)
18. 4/27/04 E-Mail from brown to Gallucci, Response to Markey Qs (12 pages)
19. 4/29/04 E-Mail from Lois to Brown, need to expert in the fire manual actions expert elicitation (1 page)
20. 5/7/04 E-Mail from EDO Extension Request to Luehman, Manual Action Enforcement Policy Extension Request (1 page)
21. 5/25/04 E-Mail from Forester to Gallucci, Draft outline for OpManAx Reg Guide (1 page)
22. 3/9/04 E-Mail from Gallucci to Lois, RES Workshop on Time Margin (1 page)
23. 6/10/04 E-Mail from Pruett to Chamberlain, ANO Meeting on Fire Protection (1 page)
24. 6/10/04 E-Mail from Gallucci to Klein, Most of Section C.3 - Phil and Jim Please Note (1 page)
25. 6/16/04 E-Mail from R4HELP to Nease, Set Up Video Conference July 12 (5 pages)
26. 6/21/04 E-Mail from Nease to Kolaczowski, ManAx Info (1 page)
27. 3/24/04 Watts Bar Nuclear Plant Fire Protection Inspection (17 pages)
28. 3/13/04 E-Mail from Kadambi to Fire Prof Man Action Grp, White Paper for Monday Meeting (1 page) attaching 3/1/99 Memo to Travers from Vietti-Cook, Staff Requirements - SECY-98-144, PUBLIC, ML003753601 (7 pages)

29. 12/23/03 E-Mail from Christensen to DRS Branch Chiefs, Overdue SDP Info for the Commission (8 pages)
30. 12/23/03 E-Mail from Ogle to Merzke, Overdue SDP Info for the Commission (9 pages)
31. 1/2/04 E-Mail from Casto to Ogle, SDP Overdue Issues - Briefing to Dyer (8 pages)

**APPENDIX DDD  
RECORDS WITHHELD IN PART**

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)/EXEMPTIONS</u>
1.	7/14/03	E-Mail from Alexion to Nease, Add'l Info from ANO (2 pages) Ex. 5
2.	7/23/03	E-Mail from Sullivan to Qualls, Manual Actions (2 pages) (1 page released) Ex. 5
3.	9/10/03	E-Mail from Gallucci to Diec, Validation for Operator Manual Actions Rulemaking (3 pages) (2 pages released) Ex. 5
4.	9/22/03	E-Mail from Lois to Diec, Draft letter report on risk-insights related to human actions (12 pages) (1 page released) Ex. 5
5.	9/22/03	E-Mail from Hannon to Casto, Need Help Again (1 page) Ex. 5
6.	10/9/03	E-Mail from Gallucci to Brown, Public Meeting on Manual Actions (2 pages) (1 page released) Ex. 5
7.	10/9/03	E-Mail from Nelson to Diec, Should vs. Shall (3 pages) Ex. 5
8.	10/9/03	E-Mail from Schin to Nelson, RII Comments on Post-Fire Manual Actions Criteria (1 page) Ex. 5
9.	10/30/03	E-Mail from Pedersen to Haney, Federal Register Notice of the 15 day comment period on ManAx (1 page) Ex. 5
10.	10/30/03	E-Mail from Ogle to Brown, Harris Fire Protection (4 pages) Ex. 5
11.	11/3/03	E-Mail from Weerakkody to Brown, Manual Action Public Meeting Notice Accession Numbers (1 page) Ex. 5
12.	11/4/03	E-Mail from Gallucci to Brown, Recommendation re: Manual Action Public Meeting Notice Accession Numbers (2 pages) Ex. 5
13.	11/7/03	E-Mail from Weerakkody to Brown, Prep for 11/12 mtg (2 page)

Ex. 5

14. 11/10/03 E-Mail from Pedersen to Brown, OE Talking Points (3 pages) (1 page released) Ex. 5
15. 11/12/03 E-Mail from Gorham to Franovich, Follow Up to My Voice Mail (3 pages) (2 pages released) Ex. 5
16. 11/18/03 E-Mail from Franovich to Nelson, Dispositioning of URIs related to Fire Protection Manual Actions (1 page) Ex. 5
17. 12/16/03 E-Mail from Gallucci to Lois, Meeting on Number and Complexity (1 page) Ex. 5
18. 12/30/03 E-Mail from Franovich to Andersen, SDP Improvement Initiative Task Action Plan (25 pages) (3 pages released) Ex. 5
19. 1/7/04 E-Mail from Forester to Gallucci, Agenda for fire manual actions workshop (4 pages) (2 pages released) Ex. 5
20. 1/20/04 E-Mail from Gallucci to Parry, Upcoming HRA Workshop (19 pages) (3 pages released) Ex. 5
21. 2/3/04 E-Mail from Kramer to Lois, Research Related to Respirator Usage (1 page) Ex. 5
22. 2/9/04 E-Mail from Lois to Brown, Rescheduled conference call on FMA1 (4 pages) Ex. 6
23. 2/12/04 E-Mail from Lois to Gallucci, Summary of Sandia Conference Call (6 pages) Ex. 5
24. 2/12/04 E-Mail from Diec to Lois, New Dates for Fire OpManAx (1 page) Ex. 5
25. 2/17/04 E-Mail from Dresbach to Gallucci, Wish List - Phil, Erasmia Take Note (2 pages) Ex. 5
26. 2/20/04 E-Mail from Sanborn to ENFINO, Agenda February 26, 2004 Region IV SERP ANO Fire Protection Case (21 pages) (2 page released) Ex. 5
27. 2/24/04 E-Mail from Forester to Gallucci, Question about Fire Manual Actions (21 pages) (20 pages released) Ex. 5



28. 2/25/04 E-Mail from Gallucci to Brown, Triennials (2 pages) (1 page released) Ex. 5
29. 3/1/04 E-Mail from Weerakkody to Nolan, Plan ahead for interim acceptance criteria and enf discretion package for Manual Action (18 pages) (3 pages released) Ex. 5
30. 3/1/04 E-Mail from Gallucci to Lois, Sequoyah App R stuff (1 page) Ex. 5
31. 3/2/04 E-Mail from Bongarra to Lois, FMAs (5 pages) Ex. 6
32. 3/20/04 E-Mail from Brown to Gallucci, Sequoyah App R staff (4 pages) Ex. 5
33. 3/8/04 E-Mail from Forester to Brown, Region I Fire Protection Findings and CO2 system problems (2 pages) Ex. 5
34. 3/8/04 E-Mail from Nease to Brown, I'll call you tomorrow (1 page) Ex. 5
35. 3/18/04 E-Mail from Nelson to Brown, Proposed rewrite of App R III G rule language for OpManAx (1 page) Ex. 5
36. 4/5/04 E-Mail from Lois to Koltay, NRC Regulatory Issue Summary 204-03 (186 pages) (1 page released) Ex. 4
37. 4/7/04 E-Mail from Mizuno to Pedersen, Associated Circuits (2 pages) (1 page released) Ex. 5
38. 4/10/04 E-Mail from Nease to Kolaczowski, Dates for Follow-on expert elicitation meeting (2 pages) Ex. 5
39. 4/19/04 E-Mail from Forester to Bongarra, Materials for FP RG (1 page) Ex. 6
40. 4/20/04 E-Mail from Koltay to Brown, Call from NEI Question (2 pages) Ex. 5
41. 4/28/04 E-Mail from Forester to Bongarra, Mailing of Materials for the FP RG (1 page) Ex. 6
42. 5/3/04 E-Mail from Lois to Trimble, Need for expert in the fire manual actions expert elicitation (1 page) Ex. 5
43. 5/4/04 E-Mail from Gallucci to Diec, Input for Enforcement Discretion Policy on Manual Actions (3 pages) Ex. 5

44. 5/6/04 E-Mail from Gallucci to Pedersen, OE SECY FRN on Interim OpManAx (1 page) Ex. 5
45. 5/17/04 E-Mail from Bongarra to Gallucci, IN 97-78 discussion on manual actions (13 pages) Ex. 5
46. 5/25/04 E-Mail from Parry to Forester, Summary of EE Meetings (1 page) Ex. 5
47. 5/26/04 E-Mail from Forester to Gallucci, Potential Material for Reg Guide (1 page) Ex. 5
48. 6/1/04 E-Mail from Lois to Koltay, Inspector Training for OpManAx (3 pages) Ex. 5
49. 6/1/04 E-Mail from Lois to Weerakkody, Change in the lead responsibility for the manual action rule making (1 page) Ex. 5
50. 6/2/04 E-Mail from Klein to Forester, Reg Guide for OpManAx (6 pages) (3 pages release) Ex. 5
51. 6/2/04 E-Mail from Forester to Gallucci, Manual Actions Schedule (1 page) Ex. 5
52. 6/3/04 E-Mail from Lois to Gallucci, Finally some times (1 page) Ex. 5
53. 6/4/04 E-Mail from Gallucci to Lois, Letter Report on expert elicitation for the fire protection manual actions (57 pages)(1 page released) Ex. 5
54. 6/8/04 E-Mail from Gallucci to Kolaczkowski, Manual Actions Schedule (2 pages) (1 page released) Ex. 5
55. 6/14/04 E-mail from Kugler to Cooper, Erasmia's memo on the FMA expert elicitation (4 pages (1 page released) Ex. 5
56. 6/17/04 E-Mail from Kadambi to Klein, Draft FP Manual Actions SOC (32 pages) (1 page released) Ex. 5
57. 6/21/04 E-Mail from Forester to Gallucci, Draft ManAx Reg Guide (60 pages) (3 pages released) Ex. 5
58. 6/25/04 E-Mail from Lois to Bongarra, Support for End of Summary OpManAx Reg Guide (1 page) Ex. 5

59. 4/21/04 E-Mail from Gallucci to Weinstein, Manual Action Rule Making (4 pages) Ex. 5
60. Undated Chart, RII (2 pages) Ex. 5

**APPENDIX EEE  
RECORDS WITHHELD IN THEIR ENTIRETY**

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)/EXEMPTIONS</u>
1.	8/22/03	E-Mail from Wong to Nease, Review of ANO Response to our Qs (1 page) Ex. 5
2.	8/25/03	E-Mail from Nelson to Lozada, More Thoughts on Manual Actions (1 page) Ex. 5
3.	8/28/03	E-Mail from Salley to Diec, Proposed Manual Action Definition (2 pages) Ex. 5
4.	8/29/03	E-Mail from Gallucci to Weerakkody, ACRS Presentation on Manual Actions (2 pages) Ex. 5
5.	9/11/03	E-Mail from Lois to Diec, Validation for Operator Manual Actions Rulemaking (3 pages) Ex. 5
6.	10/16/03	E-Mail from Eckenrode to Bongarra, Feasibility Criteria (2 pages) Ex. 5
7.	10/23/03	E-Mail from Nelson to Diec, Operator Manual Actions (2 pages) Ex. 5
8.	11/10/03	E-Mail from Nelson to Nease, Possible TIA on Manual Actions (3 pages) Ex. 5
9.	11/12/03	E-Mail from Qualls to Gallucci, Operator Manual Actions (2 pages) Ex. 5
10.	12/2/03	E-Mail from Nease to Weerakkody, Heads up - ANO Response Coming (1 page) Ex. 5
11.	12/15/03	E-Mail from Lois to Hyslop, Chapter 14 of Draft EPRI-RES Fire Reguant Study (53 pages) Ex. 5
12.	12/24/03	E-Mail from Pedersen to Nelson, Philosophy Regarding Existing Exemptions/Deviations for III.G.2 OpManAx (1 page) Ex. 5

13. 1/8/04 E-Mail from Forester to Gallucci, Agenda for Fire Manual Actions Workshop (5 pages) Ex. 5
14. 1/21/04 E-Mail from Smith to Chamberlain, Manual Actions SERP Schedule Needs to be Revised (1 page) Ex. 5
15. 1/8/04 E-Mail from IQBAL to Nelson, NRC Response to NEI Proposal on NFPA 805 Incentives (3 pages) Ex. 5
16. 1/27/04 E-Mail from Kolaczowski to Diec, Time Margin Criterion (3 pages) Ex. 5
17. 1/27/04 E-Mail from Nelson to Diec, Time Margin Criterion (5 pages) Ex. 5
18. 1/29/04 E-Mail from Lois to Klein, Workshop Summary (5 pages) Ex. 5
19. 2/10/04 E-Mail from Bongarra to Thomas, Today's Fire Protection Meeting (5 pages) Ex. 5
20. 2/13/04 E-Mail from Lois to Brown, Summary of Sandia Conference Call (15 pages) Ex. 5
21. 2/17/04 E-Mail from Gallucci to Lois, Sources of Empirical data related to time to accomplish manual operator tasks (3 pages) Ex. 5
22. 2/17/04 E-Mail from Gallucci to Brown, Comments on the wish list (4 pages) Ex. 5
23. 2/27/04 E-Mail from Forester to Gallucci, Current Possibilities for Wish List Panelists - Any Others (3 pages) Ex. 5
24. 3/1/04 E-Mail from Kadambi to Diec, Outline for MA rule (3 pages) Ex. 5
25. 3/1/04 E-Mail from Bongarra to Gallucci, Current Possibilities for Wish List Panelists - Any Others (3 pages) Ex. 5
26. 3/1/04 E-Mail from Lois to Weerakkody, Panel for the Time Margin (15 pages) Ex. 5
27. 3/2/04 E-Mail from Diec to Kadambi, Outline for MA rule (1 page) Ex. 5
28. 3/2/04 E-Mail from Lois to Forester, Question about Fire Manual Actions (2 pages) Ex. 5

29. 3/2/04 E-Mail from Forester to Erasmia, Current Possibilities for Wish List Panelists (4 pages) Ex. 5
30. 3/3/04 E-Mail from Bongarra to Lois, Possibilities for experts in the elicitation on fire manual actions - April 7 and 8 (1 page)
31. 3/8/04 E-Mail from Forester to Brown, Manual Action Inspection Finding (1 page) Ex. 5
32. 3/15/04 E-Mail from Kolaczkowski to Brown, License Procedure and Diablo Canyon Manual Action Violation III.G.3 (2 pages) Ex. 5
33. 3/15/04 E-Mail from Pedersen to Franovich, Markey Letter (1 page) Ex. 5
34. 3/16/04 E-Mail from Gallucci to Lois, Proposed Rewrite of App R.III.G rule language for OpManAx (5 pages) Ex. 5
35. 3/19/04 E-Mail from Lois to Kolaczkowski, Participants to the expert elicitation on time margins for fire manual actions (1 page) Ex. 5
36. 3/19/04 E-Mail from Emerson to Brown, NRC Regulatory Issue Summary 2004-03 Risk-Informed Approach for Post Fire Safe Shutdown (1 page) Ex. 5
37. 3/24/03 E-Mail from Gallucci to Bley, Pre-Elicitation Material for the Expert Elicitation Meeting (11 pages) Ex. 5
38. 3/24/04 E-Mail from Kadambi to Bley, Pre-Elicitation Material for the Expert Elicitation Meeting (2 pages) Ex. 5
39. 3/24/04 E-Mail from Lois to Forester, Pre-Elicitation Material for the Expert Elicitation Meeting (1 page) Ex. 5
40. 4/5/04 E-Mail from Gallucci to jafores, Quotation (2 pages) Ex. 5
41. 4/6/04 E-Mail from Pedersen to McKenna, Manual Actions Rulemaking Schedule (1 page) Ex. 5
42. 4/6/04 E-Mail from Lois to Kolaczkowski, Dates for Follow-on expert elicitation meeting (3 pages) Ex. 5
43. 4/7/04 E-Mail from Forester to Parry, Pre-D Re: Peter's Concern (3 pages) Ex. 5
44. 4/10/04 E-Mail from Nease to Gallucci, Peter's Concern (1 page) Ex. 5

45. 4/12/04 E-Mail from Nease to Brown, Peter's Concern (2 pages) Ex. 5
46. 4/12/04 E-Mail from Pedersen to Weerakkody, TAC MC 1136 - Post Fire Operator Manual Actions (1 page) Ex. 5
47. 4/19/04 E-Mail from Gallucci to Nease, Call from NEI Question (1 page) Ex. 5
48. 4/20/04 E-Mail from Koltay to Brown, Call from NEI Question (2 pages) Ex. 5
49. 4/21/04 E-Mail from Gallucci to Parry, Ooops Ignore first e-mail (46 pages) Ex. 5
50. 4/30/04 E-Mail from Forester to Koltay, Plan for 2<sup>nd</sup> expert session (46 pages) Ex. 5
51. 5/3/04 E-Mail from McKenna to Diec, Input for Enforcement Discretion Policy on Manual Actions (32 pages) Ex. 5
52. 5/14/04 E-Mail from Gallucci to Nease, Manual Actions Questions (1 pages) Ex. 5
53. 5/14/04 E-Mail from Gallucci to Lois, Meeting Summary (2 pages) Ex. 5
54. 5/17/04 E-Mail from Brown to Galucci, Discussion of FP Manual Actions and IN 97-78 (2 pages) Ex. 5
55. 5/19/04 E-Mail from Lois to Klein, Pre-Decisional Limiting Applicability of FMA Criteria to III.G.2 and et al (2 pages) Ex. 5
56. 5/24/04 E-Mail from Lois to Nease, Data from Cooper(?) FP Demo (1 page) Ex. 5
57. 5/24/04 E-Mail from Gallucci to Kolaczowski, Re: T3 (2 pages) Ex. 5
58. 5/26/04 E-Mail from Nease to Qualls, Inspector Training for OpManAx (1 page) Ex. 5
59. 5/26/04 E-Mail from Gallucci to Forester, Ooops, Forgot Other Attachment (2 pages) Ex. 5
60. 5/26/04 E-Mail from Qualls to Brown, Inspection Guidance Related to Acceptance Criteria (1 page) Ex. 5

61. 6/1/04 E-Mail from Lois to Galluci, More Manual Action Costs (4 pages) Ex. 5
62. 6/16/04 E-Mail from Bongarra to Forester, Quick Question on time margin (2 pages) Ex. 5
63. 6/17/04 E-Mail from Haney to Klein, Manual Actions Enforcement Discretion draft options memo (23 pages) Ex. 5
64. 6/25/04 E-Mail from Forester to Gallucci, Range for Time Margin (4 pages) Ex. 5
65. Undated Interim Enforcement Discretion Policy on Post Fire Operator Manual Actions (1 page) Ex. 5
66. Undated Draft memo to Black from Newberry, Transmittal of the Letter Report Entitled Risk Insights Related to Post-Fire Operator Manual Actions (10 pages) Ex. 5