From: "Kevin Kamps" <kevin@nirs.org>
To: <foia@nrc.gov>
Date: Sat, Jan 7, 2006 4:32 PM
Subject: FOIA request re: Oct. 11 to 13 dry cask storage dangle over pool at Palisades nuclear power plant

Jan. 7, 2006

FOIA/PA REQUEST
Case No.: 2006-0082
Date Rec'd: 1-9-06
Specialist: BROWN
Related Case:

Chief

Division of Freedom of Information and Publication Services

Office of Administration

U.S. Nuclear Regulatory Commission

Washington, DC 20555

BY EMAIL: foia@nrc.gov

To Whom It May Concern:

Pursuant to the Freedom of Information Act (FOIA); 5 U.S.C. 552(b), et seq., Nuclear Information and Resource Service (NIRS) hereby requests information for the subject matter described as follows. This request covers but is not limited to all draft and final reports, correspondence, memoranda, notes, records of telephone contacts, electronic communications including fax transmissions and Email, or other written records, whether in paper or computer files, preserved via the use of any medium (e.g., paper documents, final notes, or word processors or computer discs, diskettes, hard drives, or network systems.) In addition, this request includes studies, analyses, work papers, internal or external communications of any sort, testimony, press releases, reports, memoranda of the like concerning, recording or in any way related to:

(1)

The incident at Palisades nuclear power plant in Covert, Michigan that took place from October 11 to 13, 2005 involving a fully loaded dry cask storage container dangling from a crane above the irradiated fuel storage pool and/or dry cask loading pit pool. According to NRC staffpersons at a meeting with Palisades nuclear power plant representatives on Dec. 21, 2005 at NRC Region III headquarters in

Lisle, Illinois, this inadvertent cask dangle happened as the cask fully loaded with irradiated nuclear fuel was being lifted from the storage pool. A safety brake, or torque limiter, had been set too low, and engaged. This left the cask suspended above the pool for a few days. Some days later the cask was lowered back down into the pool and crane repaired.

NIRS requests any and all documents in the possession of the NRC resident inspector(s) or other NRC officials at the Palisades nuclear power plant itself; NRC Region III headquartered in Lisle, Illinois; and NRC headquarters in Rockville, Maryland. NIRS requests any and all event reports, unusual event reports, daily reports, condition reports, root cause evaluations, and analyses or reports concerning the incident in question, whether written contemporaneously to the incident or afterwards.

(2)

Pursuant to this request, please provide all documents and communications prepared or utilized by, in the possession of, or routed through the NRC related to item (1) above.

For any portion of the request that you deem appropriate to deny, NIRS requests that you describe the information that is denied, identify the exception to the FOIA on which you rely, and explain how that exception applies to the withheld information.

Pursuant to federal regulations at 10 CFR 9.41, NIRS requests that any searching and copying fees incurred as a result of this search be waived, and provides the following information in response to the eight criteria listed in Section 9.41(b):

1) Purpose of request:

The purpose of the request is to gather information on the dangling fully loaded dry storage cask at Palisades nuclear power plant, an incident that took place from Oct. 11 to 13, 2005. The requested information is currently not publicly available through the agency's

public document room nor through the Agencywide Document Access and Management System (ADAMS)

2) Extent to which NIRS will extract and analyze the substantive content of the records:

NIRS is qualified to make use of the requested information. The staff has demonstrated the ability to interpret information and communicate that information in a form comprehensible to the general public. Members of the NIRS staff have published articles in such national journals and publications as The Progressive, Nuclear Times, and Newsday. NIRS is quoted as a reliable source of information on issues involving nuclear power and radioactive waste in newspapers across the country, including the New York Times, Washington Post, Chicago Tribune, St. Louis Post Dispatch and the Los Angeles Times.

NIRS has a working relationship with attorneys, experts on irradiated nuclear fuel and dry cask storage, and other respected professionals who contribute to the full understanding of any public health and safety and environmental protection issues associated with this particular incident in question.

3) Nature of the specific activity or research in which the records will be used and NIRS qualifications to utilize the information for the intended use in such a way that it will contribute to public understanding:

NIRS seeks the requested information solely to contribute to and help shape the public debate on the safety of operations at the Palisades nuclear power plant and the associated management of irradiated nuclear fuel and dry cask storage of irradiated nuclear fuel there. NIRS intends to use the information in order to advance the concerns for public understanding of public health and safety and protection of the environment as it relates to the operation of the Palisades nuclear power plant and the associated management of irradiated nuclear fuel and dry cask storage of irradiated nuclear fuel there.

4) Likely impact on the public's understanding of the subject as compared to the level of understanding of the subject prior to disclosure:

The public understanding of the issues regarding the incident involving

a fully loaded irradiated nuclear fuel dry cask dangling over the Palisades irradiated nuclear fuel storage pool will be enhanced by the contribution of this information.

5) Size and nature of the public to whose understanding a contribution will be made:

NIRS has an active membership of over 6500 throughout the United States.

Several thousand additional members periodically receive mailings from NIRS. NIRS provides resource material to electronic and print media outlets with very broad outreach to our constituency and interested public. Additionally, NIRS has a web site (www.nirs.org) which receives on the average of a thousand visitors per day where postings on this issue will be made available. In addition, NIRS has a large and growing number of members and colleagues in Michigan concerned about the public health and safety and environmental protection issues raised by the operation of the Palisades nuclear power plants and the associated management of irradiated nuclear fuel and dry cask storage of irradiated nuclear fuel there. These local members and colleagues of NIRS who live in the vicinity of the Palisades nuclear power plant will benefit greatly from the public disclosure of this information.

6) Means of distribution of the requested information:

NIRS will use its own newsletter publication The Nuclear Monitor and our media contacts in both the electronic and print media outlets to provide very broad outreach to the public. NIRS will also share information with other interested parties concerned about the Oct. 11 to 13, 2005 cask dangle incident at Palisades. Additionally, NIRS will post information on its web site (www.nirs.org) which receives on average of a thousand visitors per day.

7) Whether free access to information will be provided:

NIRS will provide the information without charge to all members of the public. Information prepared from the FOIA requested will be posted on the web site for downloading free of charge. NIRS will also provide a copy of information to all interested parties without charge.

8) No commercial interest by NIRS or any other party:

NIRS has no commercial interest in obtaining the requested information. This information is provided to all public requests without charge. The sole interest of NIRS is to promote a policy debate on issues of public health and safety and protection of the environment as they relate to the operation of the Palisades nuclear power plant and the associated management of irradiated nuclear fuel and dry cask storage of irradiated nuclear fuel there.

Sincerely,

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