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FOI/PA REQUEST

Case No.: 2006-0161
Date Rec'd: 3-29-06
Specialist: POOL
Related Case:

March 28, 2006

Ms. Carol Ann Reed
FOIA / Privacy Act Officer
U.S. Nuclear Regulatory Commission
Mail Stop T-6 D8
Washington, DC 20555-0001

FREEDOM OF INFORMATION ACT REQUEST

Dear Ms. Reed:

Pursuant to the Freedom of Information Act, 5 U.S.C. 522, as amended and 10 C.F.R. 9.8 of the Commission's regulations Greenpeace requests that Nuclear Regulatory Commission provide us with copies of the following NUREG documents that have been withdrawn from the public domain:

J. W. Minarick and C. A. Kukielka, Union Carbide Corp., Nuclear Div., Oak Ridge Natl. Lab.; and Science Applications, Inc., *Precursors to Potential Severe Core Damage Accidents: 1969-1979, A Status Report*, USNRC Report NUREGER-2497 (ORNLMSIC-18NI and V2), June 1982.

W. B. Cottrell, J. W. Minarick, P. N. Austin, E. W. Hagen, and J. D. Harris, Martin Marietta Energy Systems, Inc., Oak Ridge Natl. Lab.; and Science Applications International Corp., *Precursors to Potential Severe Core Damage Accidents: 1980-81, A Status Report*, USNRC Report NUREGKR-3591, Vols. 1 and 2 (ORNLMSIC-217N1 and V2), July 1984.

J. W. Minarick et al., Martin Marietta Energy Systems, Inc., Oak Ridge Natl. Lab.; Science Applications International Corp.; & Professional Analysis, Inc., *Precursors to Potential Severe Core Damage Accidents: 1985, A Status Report*, USNRC Report NUREG/CR-4674 (ORNLMOAC-232, Vols. 1 and 2), December 1986.

J. W. Minarick et al., Martin Marietta Energy Systems, Inc., Oak Ridge Natl. Lab.; Science Applications International Corp.; and Professional Analysis, Inc., *Precursors to Potential Severe Core Damage Accidents: 1984, A Status Report*, USNRC Report NUREG/CR-4674 (ORNL/NOAC-232, Vols. 3 and 4), May 1987.

J. W. Mirarick et al., Martin Marietta Energy Systems, Inc., Oak Ridge Natl. Lab.; Science Applications International Corp., & Professional Analysis, Inc.,
Precursors to Potential Severe Core Damage Accidents: 1986, A Status Report, USNRC Report NUREGICR-4674 (ORNUNOAC-232, Vols. 5 and 6), May 1988.'

J. W. Minarick et al., Martin Marietta Energy Systems, Inc., Oak Ridge Natl. Lab.; Science Applications International Corp.; and Professional Analysis, Inc..
Precursors to Potential Severe Core Damage Accidents: 1987, A Status Report, USNRC Report NUREGKR-4674 (ORNLMOAC-232, Vols. 7 and 8), July 1989.'

J. W. Minarick et al., Martin Marietta Energy Systems, Inc., Oak Ridge Natl. Lab.; Science Applications International Corp.; and Professional Analysis, Inc.,
Precursors to Potential Severe Core Damage Accidents: 1988, A Status Report, USNRC Report NUREGICR-4674 (ORNUNOAC-232, Vols. 9 and 10), February 1990.'

J. W. Minarick et al., Martin Marietta Energy Systems, Inc., Oak Ridge Natl. Lab.; Science Applications International Corp.; Inc.,
Precursors to Potential Severe Core Damage Accidents: 1989, A Status Report, USNRC (ORNLNOAC-232, Vols. 11 and 12), August 1990.'

J. W. Mirick et al., Martin Marietta Energy Systems, Inc., Oak Ridge Natl. Lab.; Science Applications International Corp. and Professional Analysis, Inc.,
Precursors to Potential Severe Core Damage Accidents: 1990, A Status Report, USNRC Report NUREG CR-4674 (ORNUNOAC-232, Vols. 13 and 14), August 1991.

J. W. Minarick et al., Martin Marietta Energy Systems, Inc., Oak Ridge Natl. Lab.; and Science Applications International Corp.,
Precursors to Potential Severe Core Damage Accidents: 1991, A Status Report, USNRC Report NUREG/CR-4674 (ORNVNOAC-232, Vols. 15 and 16), September 1992.'

D. A. Copinger et al., Martin Marietta Energy Systems, Inc., Oak Ridge Natl. Lab.; and Science Applications International Corp.,
Precursors to Potential Severe Core Damage Accidents: 1992, A Status Report, USNRC Report NUREGfCR-4674 (ORNLMOAC-232, Vols. 17 and 18), December 1993.'

L. N. Vanden Heuvel, J. W. Cletcher, D. A. Copinger, J. W. Mirarick, B. W. Dolan, Martin Marietta Energy Systems, Inc., Oak Ridge Natl. Lab.; and Science Applications International Corp.,
Precursors to Potential Severe Core Dmnage Accidents: 1993, A Status Report, USNRC Report NUREGER-4674 (ORNUNOAC-232, Vols. 19 and 20), September 1994.'

R. J. Belles, J. W. Cletcher, D. A. Copinger, B. W. Dolan, J. W. Minarick, and M. D. Muhlheim, Lockheed Martin Energy Research, Inc., Oak Ridge Natl. Lab.; and Science Applications International Corp.,
Precursors to Potential Severe Core Damage Accidents: 1996, A Status Report, USNRC Report NUREGICR-4674 (ORNLMOAC-232, Vol. 25), December 1997.

Greenpeace also seeks volume 27 in this series but could not find the applicable citation for the document.

Greenpeace realizes that the NRC has already reviewed these documents has chosen to withhold them. However, the Freedom of Information Act provides that the remainder of a file must be released if only portions are exempt from disclosure. Greenpeace requests that we be provided with all non-exempt portions that are reasonably segregable. Several other editions of the NUREG are still publicly available. After review of these documents Greenpeace is convinced that the NRC need not withhold the document in their entirety.

Of course, we reserve our right to appeal the withholding or deletion of any information.

Pursuant to and in compliance with 10 C.F.R. 9.41 of the Commission's regulations governing requests for fee waivers, Greenpeace provides the following information.

Greenpeace seeks the requested information solely to contribute to and help shape the public debate concerning NRC's role in the regulation of the nuclear industry. The information provided by the NRC will be analyzed and extracted for use in our analysis of the NRC's risk informed regulation of the nuclear industry.

Greenpeace is a nationally known non-profit public interest organization founded in 1971. We will use these documents in preparation of our analysis of the NRC's regulation of nuclear power plant security. As Greenpeace's nuclear policy analyst I have nearly two decades of experience deciphering NRC documents and making the information contained in them more understandable to the public.

The requested information and Greenpeace's analysis will greatly contribute to the public's understanding of the Commission's role in regulating the nuclear industry. We plan to broadly disseminate the information contained in our analysis to the press and the general public. For several years now our publications, comments and press releases have been made available free of charge on our web site. The requested information will significantly increase the public understanding of the issue and the NRC's role in regulating the nuclear industry.

Our past publications have attracted attention in the local, national and trade media. Copies of the reports have been distributed to members of the public, the nuclear industry, citizen groups, federal & state governments and members of Congress.

Greenpeace has neither a commercial nor a private interest in the agency records sought.

Since "disclosure of the information is in the public interest because it is likely to contribute significantly to the public understanding of the operation or activities of the government and is not primarily in the commercial interest of the requester" (5 U.S.C. 552 (a)(4)(A) (iii)), we request a complete waiver of any processing or duplicating costs you might incur in providing these records to us. If you rule otherwise, please notify us

before filling the request.

If all or any parts of this request are denied, please cite the specific exemptions on which you rely in refusing to release the documents.

As provided in the Freedom of Information Act Amendments, we will expect to receive the requested records or a final determination within twenty working days. If your office is unable to fully respond to this request in that time, please send us a written estimate of when the request will be completed.

If you have any questions about this request, please telephone me at 202-319-2487.

Thank you for your attention to this request.

Sincerely,

James P. Riccio
Nuclear Policy Analyst
Greenpeace
702 H Street NW, Suite 300
Washington, DC 20001