From: Eric Duncan R3
To: Geoffrey Wright; John Rutkowski; Mark Satorius; Paul Zurawski; Richard Smith; Robert Ruiz; Rodney Clagg; Steven West
Date: Wed, May 2, 2007 12:03 PM
Subject: Davis-Besse FOIA Requests

To all,

Please find attached two (2) FOIA requests associated with Davis-Besse.

The first request is associated with the Exponent Report.

The second request is associated with the NRC's oversight of boric acid leakage and corrosion control at Davis-Besse during the April 2000 refueling outage.

At this point in the process, we have only been requested to provide estimates (search time, review time, and amount of records) on the subject material we may have in our possession.

Because FOIA requests are of high priority, the due date for this estimate is this Friday, May 4.

Although the requested information is associated with Davis-Besse in Branch 6, I thought it prudent to make all of the DRP branch chiefs aware of the request in the event that there is material that is subject to this request in your possession.

Please respond to me as soon as you can so I can complete the estimate by the May 4 due date. If you do not have any records, please respond accordingly.

Eric.

CC: Bruce Burgess; Christine Lipa; Mark Ring; Patrick Louden; Richard Skokowski; Sharon Sarna; Thomas Kozak

F/71

U R G E N T !

FREEDOM OF INFORMATION ACT REQUEST

THIS REQUEST MUST BE GIVEN IMMEDIATE PRIORITY.
THIS FORM MUST REMAIN ON TOP THROUGHOUT PROCESSING.

MEMORANDUM TO: FOIA Representative - DRP
FOIA Representative - DRS
FOIA Representative - DNMS
FOIA Representative - DRMA
FOIA Representative - RAO/EICS

FROM: RIII FOIA Coordinator

SUBJECT: FOIA REQUEST 2007-0189

The attached FOIA request has been received in RIII and MUST be given high priority attention.

Please provide the estimate(s) requested below on the attached Form RIII/0959A by

5-4-07.

✓ Search time

✓ Review time

✓ Amount of releasable records (by inches)

SEARCH WILL NOT BEGIN UNTIL APPROVED BY FOIA/PA.

Thank you for your cooperation.

Attachments:
1. FOIA Request
2. Form RIII/0959A
3. NRC Form 496

cc w/attachments:
Regional Administrator's Office (RC)
Senior Official/FOIA Matters
Information Management Specialist
RAO/EICS Alternate FOIA Coordinator

FREEDOM OF INFORMATION ACT ACTION REQUEST

FOIA REQUEST 2007-0189

DIVISION OF _____

1. ____ Has no records relating to this request; however, further information may available from

_____.
(Division, Region, etc.)

2. ____ Has records relating to this request.

Search time is expected to be:

_____ Professional hr(s); _____ Clerical hr(s)

Review time is expected to be:

_____ Professional hr(s); _____ Clerical hr(s)

Approximate amount of releasable records (by inches) _____

3. Was a computer data base search involved?

___ No.

___ Yes. Then, please provide a hard copy of the **search criteria used** and the **date of the search** to the Region III FOIA Coordinator when you provide your records.

4. ____ The request is unclear or too broad - suggest FOIA/PA be contacted to clarify or rescope the request.

5. Comments: _____

_____

_____

Date:_____ Signature: _____

* *

___ **SEARCH HAS BEEN APPROVED BY FOIA/PA:** Please provide all documents subject to this request by COB _____.

When records are submitted, please complete **NRC Form 496** for actual search and review time spent and obtain DD/Deputy's signature below.

Date: _____ Signature:_____

Division Director/Deputy signature required.
Constitutes concurrence on this Divisional response.

Form RIII/0959A

NRC FORM 496
(2-1999)
NRCMD 3.1

U.S. NUCLEAR REGULATORY COMMISSION

REPORT OF STAFF RESOURCES FOR PROCESSING FOIA/PA REQUESTS

OFFICE: R111

FOIA/PA NUMBER: 2007-0189

SEARCH -- All time spent by any staff member looking for material subject to a request,either manually or by automated means, including time spent in page-by-page or line-by-line identification of material within records.

REVIEW -- All time spent by any technical, administrative, and legal staff examining records to determine whether information may be withheld.

COMPUTER -- When a computer search is required and a printout or a disk or tape copy of a computer file is produced, report time spent by (1) the NRC employee who conducts the search in the appropriate category below or (2) the contractor's actual charge to the NRC when necessary. If NRC is providing a disk or tape, report the Central Processing Unit (CPU) processing costs and the cost of the disk or tape under "COMPUTER COSTS."

Report ALL time spent. (Show exact time in hours and minutes.)

CLERICAL RESOURCES (Grades 1-10)

NAME	SEARCH		REVIEW	
	HOURS	MINUTES	HOURS	MINUTES
TOTAL				

PROFESSIONAL/MANAGERIAL RESOURCES (Grades 11-15)

NAME	SEARCH		REVIEW	
	HOURS	MINUTES	HOURS	MINUTES
TOTAL				

SES/COMMISSIONER RESOURCES

NAME	SEARCH		REVIEW	
	HOURS	MINUTES	HOURS	MINUTES
TOTAL				

COMPUTER COSTS

CONTRACTOR COST		DISKS		TAPES		OTHER COSTS	TOTAL
# HOURS	COST PER HOUR	# DISKS	COST PER DISK	# TAPES	COST PER TAPE	(Specify)	
$		$		$		$	$

FOIA COORDINATOR	SIGNATURE	DATE

PRINTED ON RECYCLED PAPER

This form was designed using InForms

LAW OFFICE

CLIFFORD & GARDE, LLP

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** ALSO ADMITTED IN TX, WI
† ONLY ADMITTED IN CA
(NOT ADMITTED IN D.C.)

FOIA/PA REQUEST
Case No.: 2007-0189
Date Rec'd: 4-27-07
Specialist: POOL
Related Case:

April 27, 2007

(By Fax: 301-415-5130)

FOIA/Privacy Act Officer
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Re: *Freedom of Information Act Request*

To Whom It May Concern:

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. 552, as amended, we request copies of any and all agency records and information, including but not limited to, notes, letters, memoranda, drafts, press releases, studies, reports, presentations, investigations, minutes, diaries, logs, calendars, tapes, transcripts, summaries, interviews, analyses, files, data sheets, notebooks, telephone messages, internal or external electronic mail or other electronic data backup tapes, policies and procedures, and all other relevant and/or related information reflecting, relevant to, referred to in, reviewed in connection with, or generated in connection with:

> **Any and all written, verbal and/or recorded communications (including by transcript or audio/video recording or by any other means) internally between the various offices of the Nuclear Regulatory Commission (NRC) and/or externally between the NRC and any of the following: FirstEnergy Nuclear Operating Company (FENOC); the Nuclear Energy Institute (NEI); the Nuclear Electric Insurance Limited (NEIL); and the Institute of Nuclear Power Operators (INPO) regarding:**
>
> > **The December 15, 2006 Report entitled *"Review and Analysis of the Davis-Besse March 2002 Reactor Pressure Vessel Head Wastage Event,"* prepared by Exponent Failure Analysis Associates and Altran Solutions Corporation.**
>
> **This request is intended to include, but is not limited to, written communications as well as any documents reflecting all conference calls (including, at a minimum, those held on March 9, March 19, March 22, and April 3, 2007), between the NRC, FENOC and Exponent, regarding the Report.**

This request includes all agency records as defined in the Code of Federal Regulations and the agency manual, whether they currently exist in the official "working" investigative or other files, or at any other location, including private residences.

If any records covered by this request have been deleted, destroyed and/or removed after this request, please provide all surrounding records, including but not limited to a list of all records which have been or are deleted, destroyed and/or removed, a description of the action(s) taken, and those relevant to or generated in connection with implementing the action(s).

For any documents or portions of documents that you deny due to a specific FOIA exemption, please provide an index itemizing and describing the documents or portions of documents withheld. The index should provide a detailed justification of your grounds for claiming each exemption, explaining why each exemption is relevant to the document or portion of the document withheld. This index is required under Vaughn v. Rosen (I), 484 F.2d 820 (D.C. Cir. 1973), cert. denied, 415 U.S. 977 (1974).

We agree to pay any reasonable fees associated with processing this request.

We will expect your response within 20 working days of this request.

Sincerely,

Sandra L. Shepherd for
Billie Pirner Garde

U R G E N T !

FREEDOM OF INFORMATION ACT REQUEST

THIS REQUEST MUST BE GIVEN IMMEDIATE PRIORITY.
THIS FORM MUST REMAIN ON TOP THROUGHOUT PROCESSING.

MEMORANDUM TO: FOIA Representative - DRP
FOIA Representative - DRS
FOIA Representative - DNMS
FOIA Representative - DRMA
FOIA Representative - RAO/EICS

FROM: RIII FOIA Coordinator

SUBJECT: FOIA REQUEST 2007-0188

The attached FOIA request has been received in RIII and MUST be given high priority attention.

Please provide the estimate(s) requested below on the attached Form RIII/0959A by

5-4-07.

✓ Search time

✓ Review time

✓ Amount of releasable records (by inches)

SEARCH WILL NOT BEGIN UNTIL APPROVED BY FOIA/PA.

Thank you for your cooperation.

Attachments:
1. FOIA Request
2. Form RIII/0959A
3. NRC Form 496

cc w/attachments:
Regional Administrator's Office (RC)
Senior Official/FOIA Matters
Information Management Specialist
RAO/EICS Alternate FOIA Coordinator

FREEDOM OF INFORMATION ACT ACTION REQUEST

FOIA REQUEST 2007-0188

DIVISION OF _____

1. ____ Has no records relating to this request; however, further information may available from

_____.
(Division, Region, etc.)

2. ____ Has records relating to this request.

Search time is expected to be:

_____ Professional hr(s); _____ Clerical hr(s)

Review time is expected to be:

_____ Professional hr(s); _____ Clerical hr(s)

Approximate amount of releasable records (by inches) _____

3. Was a computer data base search involved?

___ No.

___ Yes. Then, please provide a hard copy of the **search criteria used** and the **date of the search** to the Region III FOIA Coordinator when you provide your records.

4. ____ The request is unclear or too broad - suggest FOIA/PA be contacted to clarify or rescope the request.

5. Comments: _____

_____

_____

Date:_____ Signature: _____

* *

___ **SEARCH HAS BEEN APPROVED BY FOIA/PA:** Please provide all documents subject to this request by COB _____.

When records are submitted, please complete **NRC Form 496** for actual search and review time spent and obtain DD/Deputy's signature below.

Date: _____ Signature:_____

Division Director/Deputy signature required.
Constitutes concurrence on this Divisional response.

Form RIII/0959A

NRC FORM 496
(2-1999)
NRCMD 3.1

U.S. NUCLEAR REGULATORY COMMISSION

REPORT OF STAFF RESOURCES FOR PROCESSING FOIA/PA REQUESTS

OFFICE: RIII

FOIA/PA NUMBER: 2007-0188

SEARCH -- All time spent by any staff member looking for material subject to a request,either manually or by automated means, including time spent in page-by-page or line-by-line identification of material within records.

REVIEW -- All time spent by any technical, administrative, and legal staff examining records to determine whether information may be withheld.

COMPUTER -- When a computer search is required and a printout or a disk or tape copy of a computer file is produced, report time spent by (1) the NRC employee who conducts the search in the appropriate category below or (2) the contractor's actual charge to the NRC when necessary. If NRC is providing a disk or tape, report the Central Processing Unit (CPU) processing costs and the cost of the disk or tape under "COMPUTER COSTS."

Report ALL time spent. (Show exact time in hours and minutes.)

CLERICAL RESOURCES (Grades 1-10)

NAME	SEARCH		REVIEW	
	HOURS	MINUTES	HOURS	MINUTES
TOTAL				

PROFESSIONAL/MANAGERIAL RESOURCES (Grades 11-15)

NAME	SEARCH		REVIEW	
	HOURS	MINUTES	HOURS	MINUTES
TOTAL				

SES/COMMISSIONER RESOURCES

NAME	SEARCH		REVIEW	
	HOURS	MINUTES	HOURS	MINUTES
TOTAL				

COMPUTER COSTS

CONTRACTOR COST		DISKS		TAPES		OTHER COSTS	TOTAL
# HOURS	COST PER HOUR	# DISKS	COST PER DISK	# TAPES	COST PER TAPE	(Specify)	
$		$		$		$	$

FOIA COORDINATOR	SIGNATURE	DATE

FOIA/PA REQUEST
Case No.: 2007-0188
Date Rec'd: 4-27-07
Specialist: Brown
Related Case:

LAW OFFICE

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** ALSO ADMITTED IN TX, WI
† ONLY ADMITTED IN CA
(NOT ADMITTED IN D.C.)

April 26, 2007

(By Fax: 301-415-5130)

FOIA/Privacy Act Officer
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Re: *Freedom of Information Act Request*

To Whom It May Concern:

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. 552, as amended, we request copies of any and all agency records and information, including but not limited to, notes, letters, memoranda, drafts, press releases, studies, reports, presentations, investigations, minutes, diaries, logs, calendars; tapes, transcripts, summaries, interviews, analyses, files, data sheets, notebooks, telephone messages, internal or external electronic mail or other electronic data backup tapes, policies and procedures, and all other relevant and/or related information reflecting, relevant to, referred to in, reviewed in connection with, or generated in connection with:

NRC's Oversight of Davis-Besse Boric Acid Leakage and Corrosion During the April 2000 Refueling Outage, Case No. 03-02S, October 17, 2003, and all back-up or supporting documents reviewed by, relied on by, or generated by the Office of Inspector General, including but not limited to:

Interview Transcripts, Condition Reports, Photographs, Log Books, Region III PPR Meeting Results, Inservice Inspection reports, etc.

This request includes all agency records as defined in the Code of Federal Regulations and the agency manual, whether they currently exist in the official "working" investigative or other files, or at any other location, including private residences.

If any records covered by this request have been deleted, destroyed and/or removed after this request, please provide all surrounding records, including but not limited to a list of all records which have been or are deleted, destroyed and/or removed, a description of the action(s) taken, and those relevant to or generated in connection with implementing the action(s).

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