

2008-0322

1



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

RESPONSE TYPE  FINAL  PARTIAL

REQUESTER

Robert H. Leye

DATE

OCT - 7 2008

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, 11555 Rockville Pike, Rockville, MD 20852-2738.
- 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)

The NRC cannot locate the records identified on Appendix B.

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

*Dorina L. Sealing*  
Dorina L. Sealing

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

2008-0322

OCT - 7 2008

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

APPENDICES  
**A**

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.
  - Low 2 Internal matters of a relatively trivial nature.
  - High 2 Disclosure would risk circumvention of a legal requirement.
- 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 253b, 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 2.390(d)(1).
  - The information was submitted by a foreign source and received in confidence pursuant to 10 CFR 2.390(d)(2).
  - Disclosure will harm an identifiable private or governmental interest.
- 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
Eric J. Leeds, Director	Office of Nuclear Reactor Regulation	Appendix A	<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."

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

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)/EXEMPTIONS</u>
1.	01/16/81	NSAC/INPO Significant Event Report 1-81, Temperature Stratification using Shutdown Cooling System. (2 pages) <b>Exemption 4 - Proprietary</b>
2.	02/01/88	INPO Significant Event Report 1-88, Function Degradation of Safety Related Systems Caused by Inadequate Safety Reviews. (4 pages) <b>Exemption 4 - Proprietary</b>
3.	01/04/91	INPO Significant Event Report 1-91, Spent Fuel Pool Overflow Events. (6 pages) <b>Exemption 4 - Proprietary</b>
4.	01/07/82	INPO Significant Event Report 2-82, Cold Pressurization of Reactor Coolant System. (2 pages) <b>Exemption 4 - Proprietary</b>
5.	02/12/88	INPO Significant Event Report 3-88, Inadvertent Draining of Reactor Vessels due to Procedural Content and usage Deficiencies. (4 pages) <b>Exemption 4 - Proprietary</b>
6.	01/06/86	INPO Significant Event Report 4-86, Internal Flooding of an Emergency Core Cooling system (ECCS) Pump Room. (4 pages) <b>Exemption 4 - Proprietary</b>
7.	03/09/87	INPO Significant Event Report 4-87, Pipe Break and Condensate Storage Tank Draining. (4 pages) <b>Exemption 4 - Proprietary</b>
8.	01/15/86	INPO Significant Event Report 5-86, Dropped New Fuel Assembly. (3 pages) <b>Exemption 4 - Proprietary</b>
9.	03/03/89	INPO Significant Event Report 5-89, Lack of Control of Testing Disables or Challenges Safety Systems. (5 pages) <b>Exemption 4 - Proprietary</b>
10.	02/03/90	INPO Significant Event Report 5-90, Premature Lifting and Excessive Blowdown of Residual Heat Removal Relief Valves. (7 pages) <b>Exemption 4 - Proprietary</b>
11.	03/19/87	INPO Significant Event Report 7-87, Pressurization of Vessel During Cold Shutdown. (5 pages) <b>Exemption 4 - Proprietary</b>
12.	04/02/91	INPO Significant Event Report 7-91, Failure to Control Valve Lineup Status Resulting in a Reactor Vessel Coolant Drain Down. (4 pages) <b>Exemption 4 - Proprietary</b>
13.	02/24/86	INPO Significant Event Report 8-86, Inadvertent Drainage of Refueling Shield Tank. (2 pages) <b>Exemption 4 - Proprietary</b>

14. 09/25/85 INPO Significant Event Report 9-86, Inadvertent Draining for of Refueling Shield Tank. (2 pages) **Exemption 4 – Proprietary**
15. 04/21/88 INPO Significant Event Report 10-88. Fuel Assembly Lifted with Upper InteMal. (3 pages) **Exemption 4 – Proprietary**
16. 05/06/88 INPO Significant Experience Report 11-88, Inadvertent Disablement of the Automatic Start Capability for all Site Diesel Generators. (3 pages) **Exemption 4 – Proprietary**
17. 04/11/89 INPO Significant Event Report 11-89, Inadvertent Introduction of Hydrogen into the Instrument and Station Air Systems. (5 pages) **Exemption 4 – Proprietary**
18. 02/25/83 INPO Significant Event Report 13-83, Unplanned Radioactive Release and Loss of Shutdown Cooling. (2 pages) **Exemption 4 – Proprietary**
19. 03/11/83 INPO Significant Event Report 15-83, Fuel Handling Error. (2 pages) **Exemption 4 – Proprietary**
20. 06/09/89 INPO Significant Event Report 15-89, Internal Flooding Resulting from Freeze Plug Failures. (4 pages) **Exemption 4 – Proprietary**
21. 06/11/91 INPO Significant Event Report 15-91, Fuel Mispositioning Events DL3 to Fuel Bundle Selection Errors. (4 pages) **Exemption 4 – Proprietary**
22. 05/27/86 INPO Significant Event Report 17-86, Loss of Shutdown Cooling Flow. (5 pages) **Exemption 4 – Proprietary**
23. 06/06/88 INPO Significant Event Report 17-88, Electrocutions and Injuries Incurred While Working Near Energized Electrical Equipment. (5 pages) **Exemption 4 – Proprietary**
24. 10/24/90 INPO Significant Event Report 1790, Reactor Coolant system Temperature Below Analyzed Limit for an Extended Time Period. (3 pages) **Exemption 4 – Proprietary**
25. 11/21/90 INPO Significant Event Report 19-90, Monitoring Plant Evolutions Using Inoperable Control Board indications. (10 pages) **Exemption 4 – Proprietary**
26. 06/16/86 INPO Significant Event Report 21-86, Dropped Fuel Assembly. (3 pages) **Exemption 4 – Proprietary**
27. 07/03/86 INPO Significant Event Report 23-86, Loss of Decay Heat Removal Due to Inadequate Reactor Coolant System Level Control. (3 pages) **Exemption 4 – Proprietary**

28. 06/03/85 INPO Significant Experience Report 25-85, Emergency diesel Generator Failed to Supply Emergency Bus Due to Non-Emergency Trip. (2 pages) **Exemption 4 – Proprietary**
29. 10/04/89 INPO Significant Event Report 26-89, Loss of Residual Heat Removal Capability Due to Common Mode Failure to Flow control Values. (5 pages) **Exemption 4 – Proprietary**
30. 04/29/81 NSAC/INPO Significant Event Report 31-81, Inadvertent Containment Spray. (1 page) **Exemption 4 – Proprietary**
31. 06/06/83 INPO Significant Event Report 31-83, Irradiated Fuel Assembly Dropped from Fuel Handling Crane. (2 pages) **Exemption 4 – Proprietary**
32. 06/24/85 INPO Significant Event Report 31-85, Inadvertent Fuel Bundle Movement. (3 pages) **Exemption 4 – Proprietary**
33. 09/03/86 INPO Significant Event Report 31-86, Loss of Residual Heat Removal Flow Due to inadvertent Draining of the Reactor Coolant System. (3 pages) **Exemption 4 – Proprietary**
34. 10/27/88 INPO Significant Event Report 31-88, Reactor Cavity Seal Failure from Deflation and Inadequate Design. (6 pages) **Exemption 4 – Proprietary**
35. 10/24/86 INPO Significant Event Report 35-86, Extended Loss of Shutdown Cooling due to Steam Binding of Shutdown Cooling Pumps. (4 pages) **Exemption 4 – Proprietary**
36. 11/12/87 INPO Significant Event Report 35-87, Non-Isolable Reactor Coolant system Leak. (4 pages) **Exemption 4 – Proprietary**
37. 12/04/87 INPO Significant Event Report 36-87, Electrocution While Performing Maintenance on a Partially Energized Switchgear. (4 pages) **Exemption 4 – Proprietary**
38. 11/30/88 INPO Significant Event Report 36-88, Loss of Residual Heat Removal Due to Misleading Visual Indication of Water Level. (5 pages) **Exemption 4 – Proprietary**
39. 06/09/83 INPO Significant Event Report 37-83, Inadvertent Draining of Reactor Vessel to Suppression Pool. (2 pages) **Exemption 4 – Proprietary**
40. 10/09/85 INPO Significant Event Report 37-83, Supplement 2, Inadvertent Draining of Reactor Pressure Vessel to Suppression Pool. (3 pages) **Exemption 4 – Proprietary**
41. 08/12/85 INPO Significant Event Report 38-85, Reactor Vessel Partially Drained Due to Inadvertent Actuation of the Automatic

Depressurization System (ADS) While in Shutdown. (2 pages)  
**Exemption 4 – Proprietary**

42. 12/29/87 INPO Significant Event Report 39-87, Undetected Loss of Reactor Coolant Due to Release of Dissolved Gases. (3 pages)  
**Exemption 4 – Proprietary**
43. 12/24/86 INPO Significant Event Report 40-86, spent Fuel Pool Leakage. (4 pages) **Exemption 4 – Proprietary**
44. 09/19/85 INPO Significant Event Report 41-85, Containment Spraying Events. (3 pages) **Exemption 4 – Proprietary**
45. 06/15/81 INPO Significant Event Report 42-81, Feedwater Regulating Value Failure. (2 pages) **Exemption 4 – Proprietary**
46. 07/19/82 INPO Significant Event Report 43-82, Fractured Fuel Assembly Guide Tubes. (2 pages) **Exemption 4 – Proprietary**
47. 07/01/83 INPO Significant Event Report 46-83, Inadvertent Initiation of Low Pressure Coolant Injection (LPCI) (2 pages) **Exemption 4 – Proprietary**
48. 07/28/81 NSAC/INPO Significant Event Report 51-81, spent Fuel Pool Watertight Gate Seals. (2 pages) **Exemption 4 – Proprietary**
49. 08/11/81 INPO Significant Event Report 59-81, Dropped Fuel Assembly. (2 pages) **Exemption 4 – Proprietary**
50. 08/18/83 INPO Significant Event Report 59-83, Residual Heat Removal (RHR) Pump suction Valve Closure Due to Control Circuitry Design. (2 pages) **Exemption 4 – Proprietary**
51. 08/30/83 INPO Significant Event Report 60-83, Loss of Residual Heat Removal (RHR) Cooling During Reactor Vessel Drain Down. (2 pages) **Exemption 4 – Proprietary**
52. 08/12/81 NSAC/INPO Significant Event Report 61-81, Inadvertent Spent Fuel Pool Overflow. (1 page) **Exemption 4 – Proprietary**
53. 08/30/84 INPO Significant Event Report 63-84, Over Pressurization of Reactor Vessel During Cold Shutdown. (2 pages) **Exemption 4 – Proprietary**
54. 08/14/81 NSAC/INPO Significant Event Report 64-81, Reactor Coolant Leak Due to Technician's Error. (2 pages) **Exemption 4 – Proprietary**
55. 10/02/84 INPO Significant Event Report, Residual Heat Removal Pump Damage Caused by Operation with Suction Valve Closed. (2 pages) **Exemption 4 – Proprietary**

56. 10/03/84 INPO significant Event Report 72-84, Reactor Cavity Seal Ring Failure. (3 pages) **Exemption 4 – Proprietary**
57. 04/18/85 INPO Significant Event Report 72-84, Supplement 1, Reactor Cavity Seal Ring Failure. (4 pages) **Exemption 4 – Proprietary**
58. 02/13/86 INPO Significant Event Report 72-84, Supplement 2, Reactor Cavity Seal Failure. (3 pages) **Exemption 4 – Proprietary**
59. 10/27/83 INPO Significant Experience Report 73-83, Loss of All AC Power (Blackout) (2 pages) **Exemption 4 – Proprietary**
60. 09/25/81 NSAC/INPO Significant Event Report 75-81 (listed as 85-81 on FOIA request), Inadvertent Discharge from Reactor Coolant System to Containment Sump. (2 pages) **Exemption 4 – Proprietary**
61. 09/25/81 NSAC/INPO Significant Event Report 76-81, Loss of Primary Coolant to Reactor Building Sump. (2 pages) **Exemption 4 – Proprietary**
62. 10/01/81 NSAC/INPO Significant Event Report 78-81, Erroneous Indication, Reactor Vessel Level Causes Loss of RHR. (2 pages) **Exemption 4 – Proprietary**
63. 11/14/84 INPO Significant Event Report 79-84, Loss of Shutdown Cooling Due to Inaccurate level Indication. (3 pages) **Exemption 4 – Proprietary**
64. 09/23/80 INPO/NSAC Significant Operating Experience Report 80-5, Potential Loss of Coolant Accident (LOCA) from A Single Electrical Failure. (2 pages) **Exemption 4 – Proprietary**
65. 10/19/81 NSAC/INPO Significant Event Report 87-81, Inadequate Reactor Coolant System (RCS) Water Level Indication. (2 pages) **Exemption 4 – Proprietary**
66. 10/23/81 NSAC/INPO Significant Event Report 89-81, Level Instrumentation Oscillations Due to Reference Leg Flashing. (2 pages) **Exemption 4 – Proprietary**
67. 10/06/81 NSAC/INPO Significant Event Report 91-81, Steam Voiding in the Reactor Coolant System During Decay Heat Removal Cooldown. (3 pages) **Exemption 4 – Proprietary**
68. 12/27/84 INPO Significant Event Report 92-84, Partial Drain of Spent Fuel Storage Pool to Spent Fuel Shipping Cask Pit Due to Deflated Seal. (2 pages) **Exemption 4 – Proprietary**

## APPENDIX B

## NRR WAS UNABLE TO LOCATE THE FOLLOWING REQUESTED DOCUMENTS

1. 1991 INPO Significant Event Report xx-91, In Preparation – Inventory Drain Down.
2. 09/19/90 INPO Nuclear Network, WE 655 ENR PAR 90-061, Residual Removal Flow Fluctuations During Drawing of Vacuum in the Reactor Coolant System.
3. undated NSAC Report 146.
4. 08/06/81 NSAC/INPO Significant Event Report 5681, Loss of Station and Reserve Auxiliary Power.
5. undated NSAC Reports 52 and 43.
6. undated NSAC Report 88.
7. 03/01/90 INPO Nuclear Network Entry WE 496, EAR TYP 90-005, RPV was Pressurized at Low Vessel Metal Temperature Condition During Refueling Outage.
8. undated NSAC Report 129.
9. 06/04/91 INPO Nuclear Network Entry OE 4629, Low Level in Spent Fuel Pool due to Loss of Air to Transfer Canal Weis Gate Bladder.
10. 10/05/90 INPO Nuclear Network Entry OE 4167, Fuel Assemblies Withdrawn with upper InteMals.
11. 10/26/90 INPO Nuclear Network Entry OE 4112, Fuel Assemblies Withdrawn with Upper Internals – Update to OE's 4167, 4177, and 4187.
12. 10/27/90 INPO Nuclear Network Entry OE 4113, Fuel Assemblies withdrawn with Upper InteMals – Update to OE 4167.
13. 10/27/90 INPO Nuclear Network Entry OE 4114, Fuel Assemblies Withdrawn with Upper Internals Update to OE 4167 and 4177.

69. 11/25/81 NSAC/INPO Significant Event Report 95-81, Automatic Valve Closure Causing Loss of Shutdown Decay Heat Removal. (3 pages) **Exemption 4 – Proprietary**
70. 04/28/82 INPO Significant Operating Experience Report 82-2, Inadvertent Reactor Pressure Vessel Pressurization. (4 pages) **Exemption 4 – Proprietary**
71. 05/19/82 INPO Significant Operating Experience Report 82-4, Improper Alignment of spray System to Residual Heat Removal System. (5 pages) **Exemption 4 – Proprietary**
72. 12/14/84 INPO Significant Operating Experience Report 84-7, Pressure Locking and Thermal Binding of Gate Valves. (9 pages) **Exemption 4 – Proprietary**
73. 01/10/85 INPO Significant Operating Experience Report 85-1, Reactor Cavity Seal Failure. (9 pages) **Exemption 4 – Proprietary**
74. 09/11/85 INPO Significant Operating Experience Report 85-4, Loss or Degradation of Residual Heat Removal Capability in PWRs. (12 pages) **Exemption 4 – Proprietary**
75. 03/19/87 INPO Significant Operating Experience 87-2, Inadvertent Draining of Reactor Vessel to Suppression Pool at BWRs. (12 pages) **Exemption 4 – Proprietary**
76. 11/04/88 INPO Significant Operating Experience 88-3, Losses of Residual Heat Removal with Reduced Reactor Vessel Water Level at PWRs. (19 pages) **Exemption 4 – Proprietary**