

Jaegers, Cathy

To: Leeds, NRR  
Ref. G20100104

From: Bobleyse@aol.com  
Sent: Wednesday, February 17, 2010 11:25 AM  
To: Burns, Stephen  
Subject: Fwd: WAPD-104 and BMI-1154 per SECY-05-0113

Cys: EDO  
DEDMRT  
DEDR  
DEDCM  
AO  
OGC  
Baggott, OEDO

Sir:

I want you to be aware of the situation that is described in the forwarded document. The Commissioners were told that the WAPD and BMI documents would be available to the public via ADAMS and other NRC sources. These have not thus been made available.

Robert H. Leyse

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From: Bobleyse@aol.com  
To: chairman@nrc.gov  
Sent: 2/7/2010 3:36:34 P.M. Mountain Standard Time  
Subj: WAPD-104 and BMI-1154 per SECY-05-0113

I have copied the following from SECY-05-0113 which is a 31 page document. I want to inform you that of the 11 reports listed, the NRC has not made the last two reports available to interested persons. Please make these two reports, WAPD-104 and BMI-1154, available to interested persons.

## **RULEMAKING ISSUE NOTATION VOTE**

June 29, 2005 SECY-05-0113

FOR: The Commissioners

FROM: Luis A. Reyes

Executive Director for Operations

SUBJECT: DENIAL OF A PETITION FOR RULEMAKING TO REVISE APPENDIX K TO  
10 CFR PART 50 AND ASSOCIATED GUIDANCE DOCUMENTS (PRM-50-76)

ADDRESSES: The NRC is making the documents identified in the table below available to interested persons through several means. Publicly available documents related to this petition, including the petition for rulemaking, public comments received, and the NRC's letter of denial to the petitioner, may be viewed electronically on public computers in the NRC's Public Document Room (PDR), O-1 F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852. The PDR reproduction contractor will copy documents for a fee. Selected documents, including comments, may be viewed and downloaded electronically via the NRC rulemaking Web site at <http://ruleforum.llnl.gov>.

Publicly available documents created or received at the NRC after November 1, 1999, are also available electronically at the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html>. From this site, the public can gain access into the NRC's Agencywide Documents Access and Management System (ADAMS), which provides text and image files of NRC's public documents. If you do not have access to ADAMS or if you have problems in accessing the documents in ADAMS, contact the PDR reference staff at (800) 387-4209 or (301) 415-4737 or by e-mail to

| Document   | PDR | Web | ADAMS                       |
|--|-----|-----|-----------------------------|
| Federal Register Notice—Receipt of Petition for Rulemaking (67 FR 51783; Aug. 9, 2002)   | X   | X   | ML022800472                 |
| Letter of Denial to the Petitioner   | X   | X   | ML050260139                 |
| Penn State/US NRC "Rod Bundle Test Facility and Reflood Heat Transfer Program"   |     |     | ML023040667                 |
| Petition for Rulemaking (PRM-50-76)  | X   | X   | ML022240009                 |
| Public Comments for PRM-50-76  | X   | X   | ML042740105                 |
| US NRC Office of Nuclear Research (RES) "Technical Safety Analysis of PRM-50-76, A Petition for Rulemaking to Amend Appendix K to 10 CFR Part 50 and Regulatory Guide 1.157" | X   | X   | ML041210109                 |
| US NRC Regulations Handbook NUREG BR-0058  | X   | X   | ML011010183 and ML011010201 |
| US NRC Strategic Plan 2004-2009  | X   | X   | ML042230185                 |

pdr@nrc.gov.

US NRC, "Updated Program Plan for High-Burnup Light-Water Reactor Fuel"

ML031810103

"The High Temperature Oxidation of Zircaloy in Water," W. A. Bostrum, WAPD-104 (March 1954)

Studies Relating to the Reaction Between Zirconium and Water at High Temperatures, A. W. Lemmon, Jr., BMI-1154, (January 1957)

The third report listed is, "Penn State/US NRC 'Rod Bundle Test Facility and Reflood Heat Transfer Program,'" ML023040667. Now, the NRC has produced substantial documentation of this Penn State work. There are at least seven reports, as follows:

L. E. Hochreiter, F. B. Cheung, T. F. Lin, C. Frepoli, A. Sridharan, D. R. Todd, E. R. Rosal, "Rod Bundle Heat Transfer Facility Test Plan and Design," NUREG/CR Report, Submitted to U. S. Nuclear Regulatory Commission, October 2008 (218 pages)

L. E. Hochreiter, F. B. Cheung, T. F. Lin, S. Ergun, A. Sridharan, A. Ireland, E. R. Rosal, "RBHT Reflood Heat Transfer Experiments Data and Analysis Report," NUREG/CR Report, Submitted to U. S. Nuclear Regulatory Commission, October 2008 (338 pages)

L. E. Hochreiter, F. B. Cheung, , T. F. Lin, D. J. Miller, B. R. Lowery, "RBHT Two Phase Mixture Level Swell and Uncovery Experiments Data Report" NUREG/CR Report, Submitted to U. S. Nuclear Regulatory Commission, December 2008 (198 pages)

L. E. Hochreiter, F. B. Cheung, , T. F. Lin, D. M. McLaughlin, J. P. Spring, P. M. Kutzler, and S. Ergun, "Rod Bundle Heat Transfer Facility Steady State Steam Cooling Experiments," NUREG/CR Report, Submitted to U. S. Nuclear Regulatory Commission, December 2008 (206 page)

L. E. Hochreiter, F. B. Cheung, , T. F. Lin, D. J. Miller, B. R. Lowery, "Rod Bundle Heat Transfer Facility Steam Cooling with Droplet Injection Experiments Data Report," NUREG/CR Report, Submitted to U. S. Nuclear Regulatory Commission, December 2008 (427 pages)

L. E. Hochreiter, F. B. Cheung, and T. F. Lin, "Rod Bundle Heat Transfer Phase II Monthly Reports," PSU/MNE Report, U.S. Nuclear Regulatory Commission, January 2006, 2006.

L. E. Hochreiter, F. B. Cheung, and T. F. Lin, "Rod Bundle Heat Transfer Phase II Monthly Reports," PSU/MNE Report, U.S. Nuclear Regulatory Commission 2005, 2005.

However the above reports are not available to interested persons although the above reports very likely detail selected aspects of the complex thermal-hydraulic conditions present during a loss-of-coolant accident (LOCA). Promptly make the above seven reports available to interested persons, please.

The following from page 6 of 31 of SECY-05-0113 documents my role as an interested person:

SUMMARY: The Nuclear Regulatory Commission (NRC) is denying a petition for rulemaking submitted by Mr. Robert H. Leyse (PRM-50-76). The petitioner requests that the NRC's regulations concerning the specified evaluation models for emergency core cooling systems (ECCS) and associated guidance documents be amended. The petitioner asserts that amendments are necessary to correct technical deficiencies in the calculation of metal-water oxidation. The petitioner states that the calculation does not consider **the complex thermal-hydraulic conditions present during a loss-of-coolant accident (LOCA)**, including the potential for very high fluid temperature.

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Sun Valley, ID 83353

Received: from mail2.nrc.gov (148.184.176.43) by TWMS01.nrc.gov  
(148.184.200.145) with Microsoft SMTP Server id 8.1.393.1; Wed, 17 Feb 2010  
11:25:37 -0500  
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Received: from imr-mb02.mx.aol.com ([64.12.207.163]) by mail2.nrc.gov with  
ESMTP; 17 Feb 2010 11:25:36 -0500  
Received: from imo-da01.mx.aol.com (imo-da01.mx.aol.com [205.188.169.199]) by  
imr-mb02.mx.aol.com (8.14.1/8.14.1) with ESMTP id o1HGPKqs023043 for  
<stephen.burns@nrc.gov>; Wed, 17 Feb 2010 11:25:20 -0500  
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f.d38.673fb68b (55766) for <stephen.burns@nrc.gov>; Wed, 17 Feb 2010  
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by cia-md05.mx.aol.com (v127.7) with ESMTP id MAILCIAMD057-d9d64b7c186b350;  
Wed, 17 Feb 2010 11:25:15 -0500  
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Message-ID: <99ad.7dcbdaba.38ad726b@aol.com>  
Date: Wed, 17 Feb 2010 11:25:15 -0500  
Subject: Fwd: WAPD-104 and BMI-1154 per SECY-05-0113  
To: stephen.burns@nrc.gov  
MIME-Version: 1.0  
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X-AOL-ORIG-IP: 68.105.210.58  
X-AOL-IP: 172.20.22.197  
X-Spam-Flag: NO  
X-AOL-SENDER: Bobleuse@aol.com  
Return-Path: Bobleuse@aol.com