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**Valentine, Nicholee**

**From:** Miller, Barry  
**Sent:** Thursday, January 12, 2012 4:20 PM  
**To:** Cruz, Holly  
**Subject:** FW: Seabrook ASR TIA Draft 7 GT Comments 8-12-11

Holly,

Here's an email discussing the same issue about having licensee documents on or off the docket. I think it brings up some good points from both sides of the issue...there's not an easy answer. This specific email is related to the Seabrook TIA, so you may run into this issue again. Good luck!!

-Barry

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**From:** Modes, Michael  
**Sent:** Wednesday, August 17, 2011 11:28 AM  
**To:** Miller, Ed  
**Cc:** Cruz, Holly; Miller, Barry; Conte, Richard; Khanna, Meena; Burritt, Arthur; Raymond, William  
**Subject:** RE: Seabrook ASR TIA Draft 7 GT Comments 8-12-11

The region is a little sensitive about the whole issue of licensee documents after we received a scathing letter from Exelon corporate legal counsel for our mishandling of their documents. (We had possession of a draft root cause we were forced to release to the public under a FOIA).

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The renewal audit teams, and regional inspection teams, review thousands of documents, used to support their final determination to issue a new license, without requiring the documents be submitted on the docket. We are very careful to record, in full, the document titles, date, revision, etc of everything we review and append the list to the reports which are then used as the basis for the SER. These document lists were very important during the Oyster Creek hearings because we could prove we had reviewed a contested procedure and found it acceptable before the applicant made a discovery the intervener was opposed to.

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May I suggest you follow the inspection model?  
[Redacted block containing (b)(5) text]

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**From:** Miller, Ed  
**Sent:** Wednesday, August 17, 2011 10:17 AM

Information in this record was deleted  
1 in accordance with the Freedom of Information  
Act, exemptions 5  
FOIA- 2012-0119

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**To:** Conte, Richard; Modes, Michael  
**Cc:** Cruz, Holly; Miller, Barry  
**Subject:** Seabrook ASR TIA Draft 7 GT Comments 8-12-11

Rich/Mike,

Attached are the comments from Meena, George, and myself. I am discussing with TIA PMs (Holly/Barry) but the Certrec system may not work for us.

(b)(4)

The documents can be withheld if

proprietary/sensitive, however, I doubt that the licensee could make a valid claim of proprietary for the referenced documents. We can discuss when we have the call today.

Ed Miller  
415-2481