

FOIA/PA-2012-0287

1

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

RESPONSE TYPE FINAL PARTIAL

REQUESTER
Dreux Richard

DATE
SEP 19 2012

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.
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|-----------------|
| APPENDICES
A |
|-----------------|

 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.
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| APPENDICES
B |
|-----------------|

 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.
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| APPENDICES
B, C |
|--------------------|

 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.
- \$

0.00

 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 incoming FOIA request will be available in ADAMS at ML12205A014.

Records with an ML accession number are available in the NRC Library at www.nrc.gov/reading-rm/adams.html. For assistance in obtaining any public records, please contact the NRC's Public Document Room (PDR) at 1-800-397-4209 or by e-mail at PDR.Resource@nrc.gov.

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Donna L. Sealing

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

2012-0287

SEP 19 2012

PART II.A -- APPLICABLE EXEMPTIONS

APPENDICES
C, D

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 practices of NRC.
- 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 wrong doing or a violation of NRC requirements from investigators).
 - (C) Disclosure could 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)
Outside Scope

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
Charles Casto	Region III, Regional Administrator	See Appendix C and D	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input 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 PUBLICLY AVAILABLE IN ADAMS**

<u>NO.</u>	<u>DATE</u>	<u>ACCESSION NUMBER</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
1.	7/1981	ML052350520	NUREG 0800, Branch Technical Positions (PSB-I, 2, 4, 8, 11, 15, 17, 18, 21) (17 pages)
2.	3/2077	ML070550067	NUREG 0800, Section 8.1 Electric Power (16 pages)
3.	5/2010	ML100740246	NUREG 0800, Section 8.2 Offsite Power System (38 pages)
4.	5/2010	ML100740289	NUREG 0800, Section 8.3.1 A-C Power Systems (Onsite) (41 pages)
5.	5/2010	ML100740391	NUREG 0800, Section 8.3.2 D-C Power Systems (Onsite) (22 pages)

**APPENDIX B
RECORDS BEING RELEASED IN THEIR ENTIRETY
(If copyrighted, identify with *)**

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION (PAGE COUNT)</u>
1.	01/30/12	MD 8.3; Unit 2 Deterministic Criteria Evaluation (13 pages)

**APPENDIX C
RECORDS BEING WITHHELD IN PART**

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/ (PAGE COUNT)/EXEMPTIONS</u>
1.	01/31/12	Byron Station Shift Logs from 1/30/12-1/31/12 (22 pages) Exemptions 4, 6
2.	01/30/12	IR 1319908; B2F26 U2 Reactor Trip Due to Electrical Fault and Unusual Event (2 pages) Exemption 6
3.	01/30/12	IR 1319937; B2F26 2VP03CV Did Not Start (2 pages) Exemption 6
4.	01/30/12	IR 1320006; B2F26 U2 Trip SAT C-Phase Found Open (2 pages) Exemption 6
5.	01/30/12	IR 1320095; Emergent Security Support Request (2 pages) Exemptions 4, 6
6.	01/30/12	IR 1320140; B2F26 CC Low Flow to 2A and 2D RCP Thermal Barrier HXs (2 pages) Exemption 6
7.	01/30/12	IR 1320145; B2F26 2PR 01J Cannot be Started Following the Loss of Units SATs (2 pages) Exemption 6
8.	01/30/12	IR 1320205; B2F26 U2 kV Output Breaker GCB 10-11 Failed to Close (2 pages) Exemption 6
9.	01/30/12	IR 1320221; B2F26 2CB025 Air Leak (2 pages) Exemption 6
10.	01/30/12	IR 1321301; U2 RX Trip IR to Include in Operator Training (4 pages) Exemptions 4, 6, Outside Scope

**APPENDIX D
RECORDS BEING WITHHELD IN THEIR ENTIRETY
(If copyrighted identify with *)**

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/ (PAGE COUNT)</u>
1.	01/30/12	IR 1319968; B2F26 2PR-011 Containment Atmosphere PRM Tripped – Needs Restart (2 pages) Exemptions 4, 6
2.	01/30/12	IR 1319989; B2F26 2PR21J (2 pages) Exemptions 4, 6
3.	01/30/12	IR 1320079; B2F26 Leakage at 2B GS Fan Casing (4 pages) Exemptions 4, 6
4.	01/30/12	IR 1320102; Slight Packing Leak at 2HD046B (4 pages) Exemptions 4, 6
5.	01/30/12	IR 1320111; B2F26 2B FW PP Emergent Oil PP Appears to Have Failed (2 pages) Exemptions 4, 6
6.	01/30/12	IR 1320119; 2MS004F Has Minor Packing Leak (4 pages) Exemptions 4, 6
7.	01/30/12	IR 1320123; Contingency WO for Condenser in-Leakage Testing (2 pages) Exemptions 4, 6
8.	01/30/12	IR 1320144; B2F26 2MS004LL Does Not Appear to be Responding Properly (2 pages) Exemptions 4, 6
9.	01/30/12	IR 1320154; B2F26 Div 22 HVAC Tripped and Will Not Restart (2 pages) Exemptions 4, 6
10.	01/30/12	IR 1320157; B2F26 Div 21 HVAC Tripped and Will Not Restart (2 pages) Exemptions 4, 6
11.	01/30/12	IR 1320158; B2F26 2LC-ES094 Controller Cover is Open and Press Gage Lens Off (2 pages) Exemptions 4, 6
12.	01/30/12	IR 1320160; B2F26 U2 Main Turbine Turning Gear Motor Won't Start (2 pages) Exemptions 4, 6
13.	01/30/12	IR 1320161; B2F26 2PR030J Cannot be Started After Loss of Unit 2 SATs (2 pages) Exemptions 4, 6
14.	01/30/12	IR 1320179; B2F26 U2 RX Trip Caused RCS Contaminated Water Leaks (2 pages) Exemptions 4, 6

15. 01/30/12 IR 1320192; B2F26 Water Intrusion Leaking Through Area 7 on to 2RH01P (2 pages) Exemptions 4, 6
16. 01/30/12 IR 1320198; B2F26 2VT05CB Tripped (2 pages) Exemptions 4, 6
17. 01/30/12 IR 1320203; B2F26 Unit 2 Turbine Turning Gear Motor Will Not Star (2 pages) Exemptions 4, 6
18. 01/30/12 IR 1320204; Oil Filter on 2B TDFW PP Needs Replacing (2 pages) Exemptions 4, 6
19. 01/30/12 IR 1320206; B2F26 2A Air Side Seal Oil Filter 2TO04S-FA High DP (2 pages) Exemptions 4, 6
20. 01/30/12 IR 1320225; B2F26 U2 Hotwell Loss of Integrity (2 pages) Exemptions 4, 6
21. 01/30/12 Op Eval 12-001, Potential Design Vulnerability in Switchyard Single Open Phase Detection (36 pages) Exemptions 4, 6
22. 01/30/12 OP-AA-108-115, Operability Determinations (CM-1), Revision 11 (49 pages) Exemption 4
23. 01/30/12 BAR 2-21-C7, Bus 241 Overload or Volt Low, Revision 8 (1 page) Exemption 4