



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

2012-0324

1

RESPONSE TYPE

FINAL

PARTIAL

REQUESTER

David Lochbaum

DATE

October 23, 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<br>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 |
|------------|

 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<br>B |
|-----------------|

 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\*

\$

\* See comments for details

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.

**PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE**

- No agency records subject to the request have been located. For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV (2010)). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.
- 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 can be located in ADAMS at ML12263A027.

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

SIGNATURE FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

*Donna L. Sealing*  
Donna L. Sealing

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

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**OCT 23 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 4702(b), 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)

**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 Leeds	NRR, Director	Appendix C & 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 ALREADY PUBLICLY AVAILABLE**

<u>NO.</u>	<u>DATE</u>	<u>ACCESSION NUMBER</u>	<u>DESCRIPTION/ (PAGE COUNT)</u>
1.	09/20/12	ML12178A670	International Trip Report for NRC Staff Visit to Sweden and Switzerland to Discuss Filtered Containment Venting Systems. (11 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.	04/2012	Westinghouse Electric Company Fact Sheet on FILTRA-MVSS, from Forsmark Nuclear Power Plant. (2 pages)
2.	12/29/11	Swedish Radiation Safety Authority (SSM) Report: European Street Tests for Nuclear Power Plants – The Swedish National Report (247 pages)
3.	2008	Swedish Radiation Safety Authority Regulatory Code – SSMFS: 2008-51, "The Swedish Radiation Safety Authority's regulations concerning basic provisions for the protection of workers and the general public in practice involving ionizing radiation" (23 pages)
4.	1998	Sweden's First National Report under the Convention on Nuclear Safety, Sweden Ministry of the Environment. (182 pages)
5.	10/15/81	Sweden Ministry of Industry Transcript, Government Resolution, Appendices 3, 4, and 5. (9 pages)
6.	undated	Swiss Federal Nuclear Safety Inspectorate Information Brochure. (15 pages)
7.	03/2012	Comparison of Filtered Containment Venting Systems from Swiss Federal Nuclear Inspectorate. (2 pages)

NRR would like OIP to ensure these documents from these countries are in the public domain before they are released.

**APPENDIX C  
RECORDS BEING WITHHELD IN PART**

<b><u>NO.</u></b>	<b><u>DATE</u></b>	<b><u>DESCRIPTION/ (PAGE COUNT)/EXEMPTIONS</u></b>
1.	undated	NRC International Travel Trip Report to Point Lepreau Power Station. (3 pages) Exemption 4 and 6.

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

<b><u>NO.</u></b>	<b><u>DATE</u></b>	<b><u>DESCRIPTION/(PAGE COUNT)/EXEMPTIONS</u></b>
1.	undated	Forsmarks Kraftgrupp AB (Vattenfall) Presentation: Filtered Containment Venting – Forsmark (and Swedish) Concept. (24 pages) Exemption 4 Trade Secrets.
2.	12/09/08	Forsmarks Kraftgrupp AB (Vattenfall) Piping and Instrumentation Diagrams of Filtered Venting System and related Severe accident management systems. (7 pages) Exemption 4 Trade Secrets.
3.	undated	Forsmarks Kraftgrupp AB (Vattenfall) Information Package for FIRSK (in Swedish). (35 pages) Exemption 4 Trade Secrets.
4.	08/24/07	Forsmarks Kraftgrupp AB (Vattenfall) Final Safety Evaluation Report (FSAR) Overview of Systems 361, 362, 364, and 365 (in Swedish). (14 pages) Exemption 4 Trade Secrets.
5.	01/12/12	Forsmarks Kraftgrupp AB (Vattenfall) Final Safety Evaluation Report (FSAR) System 361 (In Swedish). (13 pages) Exemption 4 Trade Secrets
6.	undated	Forsmarks Kraftgrupp AB (Vattenfall) Final Safety Evaluation Report (FSAR) System 362 (In Swedish). (25 pages) Exemption 4 Trade Secrets
7.	undated	Forsmarks Kraftgrupp AB (Vattenfall) Final Safety Evaluation Report (FSAR) System 365 (In Swedish). (15 pages) Exemption 4 Trade Secrets
8.	04/15/87	Forsmarks Kraftgrupp AB (Vattenfall) Information on Project FRISK (In Swedish). (25 pages) Exemption 4 Trade Secrets
9.	undated	Photographs of Forsmark Filtered Containment Venting System Components. (28 pages) Exemption 4 Trade Secrets
10.	04/20/12	Ringhals AB (Vattenfall) Presentation: NRC/SSM Visit Regarding Ringhals. (8 pages) Exemption 4 Trade Secrets
11.	04/20/12	Ringhals AAB (Vattenfall) Presentation: Post Mitra Ringhals (PMR) (16 pages) Exemption 4 Trade Secrets
12.	04/19/12	Ringhals AB (Vattenfall) Response to NRC Questions. (7 pages) Exemption 4 Trade Secrets
13.	04/20/12	Ringhals AB (Vattenfall) Response to NRC Questions (2 pages) Exemption 4 Trade Secrets

14. undated Ringhals AAB (Vattenfall) Response to NRC Questions. (2 pages) Exemption 4 Trade Secrets
15. undated Ringhals AB (Vattenfall) OVERSIKTSSCHEMA Diagram (in Swedish) (1 page) Exemption 4 Trade Secrets
16. 09/1995 Swedish Radiation Protection Institute Report "SSI-rapport 95-32." (in Swedish) (59 pages) Exemption 4 Trade Secrets
17. undated Photographs of Ringhals Filtered Containment Venting Systems. (4 pages) Exemption 4 Trade Secrets
18. undated Ringhals AB (Vattenfall) Technical Information on Ringhals. (29 pages) Exemption 4 Trade Secrets
19. undated Swedish Radiation Safety Authority (SSM) Presentation: Bilateral Meeting Between NRC and SSM (11 pages) Exemption 4 Trade Secrets
20. 04/19/12 Swedish Radiation Safety Authority (SSM) Presentation: Severe Accident Requirements (in Swedish) (16 pages) Exemption 4 Trade Secrets
21. 04/19/12 Swedish Radiation Safety Authority (SSM) Presentation: Some Extra Information. (2 pages) Exemption 4 Trade Secrets
22. 07/02/12 Swedish Radiation Safety Authority (SSM) Presentation: European Stress Tests – The Swedish National Report for Nuclear Power Plants. (15 pages) Exemption 4 Trade Secrets
23. undated Swedish Radiation Safety Authority (SSM) Some Answers to NRR Questions on Filtered Containment Venting Systems in Swedish NPPS. (2 pages) Exemption 4 Trade Secrets
24. 04/24/12 Kernkraftwerk Leibstadt (KKL) Presentation: KKL Filtered Containment Venting System (FCVS) (32 pages) Exemption 4 Trade Secrets
25. 04/24/12 Kernkraftwerk Leibstadt (KKL) Answers to Questions Regarding Filtered Containment Venting Systems (FCVS). (4 pages) Exemption 4 Trade Secrets
26. undated Kernkraftwerk Leibstadt (KKL) Document "Containment Integrity is a Major Part of KKL – Safety Systems PRA" (27 pages) Exemption 4 Trade Secrets
27. undated Photographs of Leibstadt NPP Filtered Containment Venting System. (28 pages) Exemption 4 Trade Secrets

28. undated Kernkraftwerk Leibstadt (KKL) Technical Brochure (in German) (20 pages) Exemption 4 Trade Secrets
29. 04/25/12 Kernkraftwerk Muhleberg (KKM/BKW) Presentation: Hardened Filtered Containment Venting Systems (HFCVS) at NPP Muhleberg (KKM). (9 pages) Exemption 4 Trade Secrets
30. undated Kernkraftwerk Muhleberg (KKM/BKW) Presentation: Additional Details of Hardened Filtered Containment Venting Systems (HFCVS) at NPP Muhleberg (KKM). (2 pages) Exemption 4 Trade Secrets
31. undated Kerndraftwerk Muhleberg (KKM/BKW) Piping and Instrumentation Diagrams (P&ID) of Filtered Venting System and related severe accident management systems. (1 page) Exemption 4 Trade Secrets
32. 04/25/12 Kerndraftwerk Muhleberg (KKM/BKW) Responses to NRC Questions. (5 pages) Exemption 4 Trade Secrets
33. undated Kernkraftwerk Muhleberg (KKM/BKW) Responses to NRC Questions. (2 pages) Exemption 4 Trade Secrets
34. undated Photographs from Muhleberg NPP, including Spent Fuel Pool fill line and Filtered Containment Venting Systems (FCVS) (2 pages) Exemption 4 Trade Secrets
35. undated Swiss Federal Nuclear Safety Inspectorate (ENSI) Questions Regarding Filtered Containment Venting Systems (FCVS) (2 pages) Exemption 4 Trade Secrets
36. 05/27/12 Point Lepreau OPG Nuclear Presentation on Venting Containment Strategy for Case of Severe Accidents at Multi-Unit Stations. (21 pages) Exemption 4 Trade Secrets
37. 05/27/12 CNSC-USNRC Bilateral Meeting on Emergency Filtered Containment Vent System Presentation. (50 pages)