

Case No.: 2014-0078Date Rec'd: 12/6/13Specialist: Graft

Related Case: \_\_\_\_\_

**FOIA Resource**

**From:** Jessica Azulay <nobody@www.nrc.gov>  
**Sent:** Thursday, December 05, 2013 2:26 PM  
**To:** FOIA Resource  
**Subject:** WWW Form Submission

Below is the result of your feedback form. It was submitted by  
 Jessica Azulay () on Thursday, December 05, 2013 at 14:25:50

through the IP (b)(6)

using the form at <http://www.nrc.gov/reading-rm/foia/foia-submittal-form.html>

and resulted in this email to foia.resource@nrc.gov

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 Company/Affiliation: Alliance for a Green Economy

Address1: 2013 E. Genesee St.

Address2:

City: Syracuse

State: NY

Zip: 13210

Country: United\_States

Country-Other:

Email: jessica@allianceforagreenecconomy.org

Phone: (315) 480-1515

Desc: Senators Markey and Sanders sent a letter dated November 14, 2013 to NRC Chairman Macfarlane, which describes a draft request for additional information (RAI) that NRC staff sent to Entergy on June 5, 2013. This draft was never made public. We request the June 5, 2013 draft RAI as well as all prior versions of this draft RAI. We further request any and all NRC records related to this draft RAI, including but not limited to emails, correspondence, meeting notes, telephone logs, calendar entries and any other documentation held by NRC. We further request any and all records from 2012 or 2013 related to any NRC investigation or query into Entergy's finances, including inquiries into the finances of Vermont Yankee Nuclear Power Plant and any of Entergy's other merchant reactors, Entergy's compliance with the financial qualification regulation 10 CFR 50.33(f), or the impact of financial pressure on safety issues at its reactors. We also request any and all meeting

records or correspondence between the financial services firm UBS and NRC personnel since January 2012. We further request any and all records related to the 2.206 Emergency Enforcement Petition filed by Alliance for a Green Economy et al, EDO # G20130211, filed on March 18, 2013.Â

FeeCategory: Educational

MediaType:

MediaType\_Other\_Description:

Expedite\_ImminentThreatText:

Expedite\_UrgencyToInformText:

Waiver\_Purpose: Alliance for a Green Economy is a co-petitioner in a 2.206 petition concerning Entergy's financial qualifications to operate the FitzPatrick, Pilgrim and Vermont Yankee reactors. We intend to release the requested information to the public, to elected officials and to the media. In August, NRC informed us that our petition had been accepted for review. The requested information pertains to our petition and will help facilitate a better understanding of how the agency has dealt with our petition itself and with the matter at the heart of the petition - namely inquiries into Entergy's financial qualifications to operate its merchant reactors.

Waiver\_ExtentToExtractAnalyze: We will thoroughly read every document for information related to our petition and to the financial qualifications of Entergy to operate its merchant reactors. The information gleaned from the requested documents will be added to the public record we are building around nuclear finances and the possible impact that financial stress on nuclear companies can have on public safety.

Waiver\_SpecificActivityQuals: Alliance for a Green Economy will work with the other co-petitioners in the 2.206 process to utilize this information. Those co-petitioners include Citizens Awareness Network, Beyond Nuclear, Pilgrim Watch, Vermont Citizens Action Network and the Nuclear Information and Resource Service. Among us, we have decades of experience analyzing and utilizing records such as these. Citizens Awareness Network is one of the nation's expert public interest organizations on the NRC's enforcement of the financial qualifications regulations. The information we are requesting will be used to help the public understand the NRC's enforcement of the financial qualifications of companies operating merchant nuclear reactors. It will be used to inform media organizations, elected officials and the general public about the activities of the NRC staff in investigating the intersecting issues of nuclear economics and nuclear safety.

Waiver\_ImpactPublicUnderstanding: The deregulation of the nuclear industry has created a situation in which some nuclear reactors are not able or are less able to compete in the market and are either losing money or are barely breaking even. NRC staff predicted this outcome in the 1990s and sought to clarify the financial qualifications regulations in preparation for oversight of marginal reactors. At the time, the Commissioners elected not to clarify the regulations, leaving a level of uncertainty for the public about how the NRC would be able to enforce the regulation on reactors in operation. Several reactors in the United States are now seeing the predicted financial strain resulting from declining electricity rates and inability to compete. The documents we are requesting will help the public understand how the NRC is addressing this new situation. Specifically, it will help the public understand how NRC staff is attempting to assess the financial health of the economically struggling reactors, how the industry is responding and how the NRC as a whole is addressing the issue. This information is unknown to the public at this time.

Waiver\_NatureOfPublic: Alliance for a Green Economy and our co-petitioners regularly disseminate information via list-serves that reach thousands of members. We also have relationships with media outlets that reach members of the public who live near the financially struggling nuclear reactors. Therefore, general public local to the reactors as well as members of the public around the United States who are specifically interested in nuclear issues will be reached with this information.

Waiver\_MeansOfDissemination: The method of dissemination will be the via websites of Alliance for a Green Economy and our co-petitioners; social media; press releases to local and regional journalists in New York, Massachusetts, and Vermont; and email lists that reach thousands of people. We would also provide the information to interested elected officials through a variety of methods, including email, meetings and phone calls.

Waiver\_FreeToPublicOrFee: The information will be provided free of charge. We will never charge for access to these documents.

Waiver\_PrivateCommericalInterest: We have no commercial or private interest in this information.

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