

FOIA Resource

From: David Lochbaum <dlochbaum@ucsusa.org>
Sent: Sunday, August 30, 2015 1:35 PM
To: FOIA Resource
Subject: WWW Form Submission

FOIA/PA REQUEST
Case No.: 2015-0462
Date Rec'd: 8/31/15
Specialist: _____
Related Case: _____

Below is the result of your feedback form. It was submitted by David Lochbaum (dlochbaum@ucsusa.org) on Sunday, August 30, 2015 at 13:34:55 through the IP 23.63.227.79 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

Company/Affiliation: Union of Concerned Scientists

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Desc: ML15236A207.

FeeCategory: Educational

MediaType:

MediaType_Other_Description:

Expedite_ImminentThreatText:

Expedite_UrgencyToInformText:

Waiver_Purpose: I want to read the letter.

But the NRC is hiding the letter.

NRC press release I-15-034 dated August 27, 2015, summarized corrective actions at Millstone per an ADR agreement. The last paragraph of this press release states, and I quote, "A copy of the settlement agreement is available in the NRC's ADAMS electronic document under Accession Number ML15236207."

But I have searched the ADAMS library several times daily since this press release was issued and the letter is NOT available to the public. So the letter may well be in ADAMS, but if so it has been coded non-public so the public cannot get it.

So, I'm forced to put myself and the NRC through the unnecessary burden of FOIAing a letter that should be ALREADY PUBLICLY AVAILABLE but is not.

Waiver_ExtentToExtractAnalyze: I plan to read the letter to see what 50.59 and 59.9 violations were identified by the NRC that lead to the ADR agreement. There has been an increasing trend in 50.59 and 50.9 apparent violations (e.g., San Onofre steam generators and Diablo Canyon's seismic shenanigans). I'd like to see why the NRC found violations at Millstone that it did not find at other sites.

Waiver_SpecificActivityQuals: I have been assembling documents about 50.59 issues. This ADR agreement will add to that collection. I plan to compare and contrast the various issues and the associated NRC handling to figure out if the responses have been consistent. I am quite familiar with 50.59, having prepared and taught lessons plans on licensing and design bases to workers at Perry shortly before I joined UCS. Our commentaries tend to get the attention of activists and reporters around the country.

Waiver_ImpactPublicUnderstanding: The public followed San Onofre's closing. The public will likely read about the Millstone matter. UCS will step back from the specific cases to paint the big picture, provide the larger context. A post titled "NRC May I" to the UCS AllThingsNuclear blog received higher than average traffic hits. It addressed 50.59 issues and when licensees can make changes of their own and when prior NRC approval is required. UCS plans to supplement and update the discourse on this subject.

Waiver_NatureOfPublic: 50.59 issues come up periodically. It's a nuanced subject. UCS strives to explain 50.59 in the Millstone specific case and also to provide a foundation that will help the public understand 50.59 issues that arise in the future.

Waiver_MeansOfDissemination: UCS has a website and blog that we post commentaries to. In addition, UCS develops webinars, short reports, annual reports, fact sheets, testimonies, and presentations to NRC, Congressional, and public audiences. UCS will likely use several of these communication vehicles to explain 50.59 and this Millstone episode.

Waiver_FreeToPublicOrFee: Materials posted to the UCS website and blog are available for viewing/downloading free of charge.

Waiver_PrivateCommericalInterest: None.
