

Buyers Up \* Congress Watch \* Critical Mass \* Health Research Group \* Litigation Group

Ralph Nader, Founder

June 1, 1993

FREEDOM OF INFORMATION  
ACT REQUEST

Mr. Donnie H. Grimsley  
Division of Rules and Records  
Office of Administration and Resources Management  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

FOIA-93-317  
Rec'd 6-1-93

FREEDOM OF INFORMATION ACT REQUEST

Dear Mr. Grimsley:

Pursuant to the Freedom of Information Act, 5 U.S.C. 522, as amended and 10 C.F.R. 9.8 of the Commission's regulations, Public Citizen's Critical Mass Energy Project requests copies of any and all records in the possession of or routed through the NRC regarding the Tennessee Valley Authority's reporting of capacity factors for Browns Ferry Units 1, 2 & 3.

Public Citizen is seeking information regarding:

1. the use of administrative hold status in calculating TVA reactor capacity factors.
2. the use of administrative hold status by other utilities in calculating reactor capacity factors. If other utilities are using this reporting method, please provide a listing of those reactors affected and documentation as to the period for which administrative hold status is claimed.
3. the NRC's knowledge and/or approval of this reporting method.

In order to facilitate your search I have attached a copy of the applicable pages of TVA's monthly operating report which have given rise to this request.

Pursuant to and in compliance with 10 C.F.R. 9.41 of the Commission's regulations governing requests for fee waivers, Public Citizen's Critical Mass Energy Project provides the following information.

Public Citizen's Critical Mass Energy Project seeks the requested information solely to contribute to and help shape the public debate on emergency planning and preparedness as it pertains to nuclear issues.

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Public Citizen's Critical Mass Energy Project is a nationally known non-profit public interest organization founded in 1974. We will use these documents in an analysis of reactor performance. We plan to broadly disseminate the information contained in this analysis to the press and the general public.

Our past publications have attracted attention in the local, national and trade media. Thousands of copies of the reports have been sold or distributed to members of the public, industry, and citizen groups. Since "disclosure of the information is in the public interest because it is likely to contribute significantly to the public understanding of the operation or activities of the government and is not primarily in the commercial interest of the requester" (5 U.S.C. 552 (a)(4)(A) (iii)), we request a complete waiver of any processing or duplicating costs you might incur in providing these records to us. If you rule otherwise, please notify us before filling the request.

If all or any parts of this request are denied, please cite the specific exemptions on which you rely in refusing to release the documents.

If in some way this request requires clarification or additional detail, please contact us.

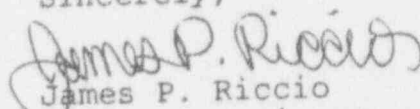
Further, since the Freedom of Information Act provides that the remainder of a file must be released if only portions are exempt from disclosure, we request that we be provided with all non-exempt portions which are reasonably segregable. Of course, we reserve our right to appeal the withholding or deletion of any information.

As provided in the Freedom of Information Act, we will expect to receive the requested records or a final determination within ten working days. If your office is unable to fully respond to this request in that time, please send us a written estimate of when the request will be completed.

If you have any questions about this request, please telephone me at 202-546-4996.

Thank you for your attention to this request.

Sincerely,



James P. Riccio  
Energy Campaigner  
Critical Mass Energy Project

OPERATIONAL SUMMARY  
FEBRUARY 1993

UNIT 1

Unit one remains on administrative hold to resolve various TVA and NRC concerns. This month's operating data report reflects the assignment of administrative hold status to unit one effective June 1, 1985. Administrative hold status is considered by TVA to suspend the accrual of reporting period hours, because this unit is considered to have a maximum dependable capacity of 0 MWe. For this reason, cumulative reporting period hours for the period after June 1, 1985, to present are not considered when calculating operating status variables such as cumulative capacity factor rate. These considerations will affect the other operating status reporting variables accordingly.

UNIT 2

Unit 2 entered a refueling outage on January 29, 1993. The outage is scheduled to last 119 days, with estimated unit restart on May 28, 1993. The reporting factors have been revised to reflect the administrative hold status for Unit 2 from June 1, 1985 until restart for cycle 6 (May 24, 1992).

UNIT 3

Unit 3 remains on administrative hold to resolve various TVA and NRC concerns. This month's operating data report reflects the assignment of administrative hold status to Unit 3 effective June 1, 1985. Administrative hold status is considered by TVA to suspend the accrual of reporting period hours, because this unit is considered to have a maximum dependable capacity of 0 MWe. For this reason, cumulative reporting period hours for the period after June 1, 1985, to present are not considered when calculating operating status variables such as cumulative capacity factor rate. These considerations will affect the other operating status reporting variables accordingly.

MONTHLY OPERATING REPORT  
BROWNS FERRY NUCLEAR PLANT  
TENNESSEE VALLEY AUTHORITY

FEBRUARY 1993

DOCKET NUMBERS 50-259, 50-260, AND 50-296

LICENSE NUMBERS DPR-33, DPR-52, AND DPR-68

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