

Edward M. Gogol
154 Linden
Glencoe IL 60022
(312) 835-3988

January 6, 1984

ADDENDUM to PETITION FOR EMERGENCY RELIEF

Docket Nos.: STN 50-454/455 and 50-373/374

Mr. Harold R. Denton, Director
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington DC 20555

**FREEDOM OF INFORMATION
ACT REQUEST**

**FOIA-84-51
Rec'd 1-20-84**

Dear Mr. Denton:

I am in receipt of your letter dated Dec. 16, 1983, regarding your denial of my Petition for Emergency Relief regarding the hazardous and illegal situation which now prevails concerning Integrated Leak Rate Testing at U.S. nuclear power plants in general, and in particular at the LaSalle County, Byron, and D.C. Cook reactors.

You continue to ignore the fact that one of the nation's top authorities on containment leak rate testing has extensive first-hand knowledge of the flaws and defects in both the theory and practice of these critically important tests. Dr. Reytblatt has proved that flaws incorporated in and/or allowed by the current methodology allow containments to be passed as having a leak rate in accordance with the technical specifications when in fact the leak rate is many times higher.

You further continue to ignore the fact that such cursory materials as I have been able to obtain regarding the spring 1982 ILRT at LaSalle 1, are consistent with LaSalle 1's actual leak rate being higher than reported. You offer no evidence to rebut this fact, and you have ignored my request to have all LaSalle ILRT documentation released to the public.

You state in your letter that the NRC has in its possession three inspection reports which allow you to "find that the licensee's Containment Integrated Leak Rate Tests for both the LaSalle County Units 1 and 2 meet the current regulatory requirements contrary to the allegations in your petitions." You further state that "ILRT records do in fact exist and are being so retained at LaSalle County and Byron."

The fact that you claim these things, however, does not make them so. I have repeatedly requested - as long ago as last July 7 - that all documentation relating to ILRT tests at LaSalle and Byron be made public. I mean all documentation, right down to the individual pressure and temperature sensor measurements, and justification of all assumptions made, including discarding of data points, temperature stabilization times, assignment of weighting coefficients, etc. It is only with such complete documentation that any meaningful review of the validity of any ILRT test can be done.

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If the NRC does have these materials in its possession, there can be no justification for not releasing them to the public. If the NRC does not have these materials, it is difficult to see how it can claim that it has satisfied itself that the test "result" is valid. And if the NRC does have these materials in its possession, and continues to refuse, for more than six months, to release them, the public can hardly be blamed for concluding that the NRC really does have something to hide, and that ILRT tests are really and truly no good.

This cannot be an impossible, or even difficult to fulfill, request. We are not talking about many individual ILRT's, nor of an extremely large number of measuring instruments, nor of data points, nor of calculations and written documents. Furthermore, you must have already assembled this documentation in order to be able to respond to my petition.

NOW THEREFORE, PURSUANT TO:

- a. THE FREEDOM OF INFORMATION ACT, as amended, 5 USC 552;
- b. the Privacy Act of 1974, 5 USC 552A;
- c. the Atomic Energy Act; and
- d. the U.S. Constitution

I hereby repeat my demand that the NRC release to the public copies of any and all documents in its possession regarding all leak rate tests done at LaSalle, Byron and Cook, especially any document which can help justify any conclusion that the leak rate tests done at LaSalle 1 and 2 and at Byron are valid. In order to enable full public access to this material, copies should be sent both to the two local PDR's as well as the regional PDR in Glen Ellyn. And a copy should be sent to me, so that I may obtain the scientific evaluation of these ILRT's by Dr. Reytblatt and other independent scientists.

This request includes all documentation, right down to the individual pressure and temperature sensor measurements, and justification of all assumptions made, including discarding of data points, temperature stabilization times, assignment of weighting coefficients, etc.

If the NRC does not have any of such documents in its possession, then I renew my request that the NRC require Commonwealth Edison to provide the NRC with copies of such material, and that the NRC likewise make this material public.

Sincerely,



Edward M. Gogol

cc. Chairman Nunzio Palladino
Region 3 Director James Keppler
Congressman Sidney Yates

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