



CITIZENS' RESISTANCE AT FERMI 2

P.O. Box 463 · Monroe, MI 48161

January 3, 1995

Executive Director for Operations
U.S. Nuclear Regulatory Commission
Washington, DC 20555

APPEAL OF INITIAL FOIA DECISION
95A2E (94-507)
Rec'd 1-11-95

Subject: "Appeal from an Initial FOIA Decision" (Original FOIA request 94-507)

We are in receipt of the NRC's Director, Office of Nuclear Reactor Regulation "Response To Freedom Of Information Act (FOIA) Request" dated December 29, 1994. This response was a denial of our request. This correspondence is an appeal to the Executive Director of Operations for the release of information originally requested. The original request is being enclosed for information purposes.

Sincerely,

Michael J. Keegan
CRAFT

cc

Inspector General, U.S. NRC
Secretary of the Commission, U.S. NRC
Attorney General Frank Kelley
U. S. Senator Lieberman
U. S. Congressman John Dingell
Governor John Engler
The Monroe County Board of Commissioners
Public Citizen
The Union of Concerned Scientists
Nuclear Information Resource Services

Citizens' Resistance at Fermi to CRAFT a Future of
Renewable and Alternative Energies Free of Radioactive Waste

A Federation Committed to Non-Violence and Environmental Justice

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PDR FOIA
KEEGAN95-A-2 PDR



CITIZENS' RESISTANCE AT FERMI 2

P.O. Box 463 · Monroe, MI 48161

11/18/94

Freedom of Information Officer
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

FREEDOM OF INFORMATION
ACT REQUEST

FOIA-94-507
Rec'd 11-22-94

Dear Sir/Ms.:

Pursuant to the Freedom of Information Act, 5 USC 552 et Seq. as amended; Citizens Resistance at Fermi 2 (CRAFT) hereby request material as described below:

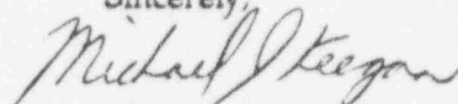
1. TES Report No. 94V70-13; "Metallurgical Analysis of Fermi 2 LP 3 Eight Stage Turbine Blading" dated 6/20/94.
2. Memo to L.C. Fron from J.E. Schaefer dated 7/21/94; Metallurgical examination of Fermi 2 Low Pressure 7th stage blading (TES Report No. 94V70-22).
3. Memo to L.C. Fron from J.D. Black dated 7/22/94; Metallurgical analysis 7th and eight stage blading (TES Report No. 94V70-30).
4. Memo to L.C. Fron from P.K. Hudson dated July 30, 1994; NDE testing of LP and HP Rotors.
5. DECo Root Cause Report dated July 1994.
6. GEC Root Cause Report dated 8/8/94.
7. FPI Root Cause Report dated 7/26/94.
8. STI Finite Element Analysis Report PB 942.
9. GEC NDT Reports on the LP Rotor Inspections; Report Nos. T3366, T3367, T3365, for LP 1, 2, and 3 respectively.
10. Wesdyne NDE Report, dated 6/6/94.

9505150246

11. Wesdyne Nondestructive Bore Examination Report, dated 6/27/94.
12. Pressure plate Notebook with all information identified in L. Fron memo to W. Romberg dated 7/21/94.
13. GE Fermi 2 Materials and Fuels Evaluation Final Report, dated September, 1994 (Vol. 1 & 2).
14. Copies of all Affidavits pertaining to the request by DECo to declare the above mentioned documents (items 1 thru 13) "proprietary".

Pursuant, 5 USC 552 (a) (4) (A), we hereby request waiver of all fees in connection with this request "because furnish ing the information can be considered primarily benefitting; the general public." If any fees are to be charged in connection with this request, please notify us in advance for approval at the above address or at these telephone numbers (313) 457-5979 This advance notice shall not be necessary if the fees are to be less than \$25.00 in total. We look forward to your response within ten (10) business days after you receive this request, as specified in the Act, (FOIA). Thank you for your help in this matter.

Sincerely,



Michael J. Keegan
CRAFT

Please find enclosed for your information 10 CFR 2.790 Public inspections, exemptions, requests for withholding.

cc

Attorney General Frank Kelley
U. S. Senator Lieberman
U. S. Congressman John Dingell
Governor John Engler
The Monroe County Board of Commissioners
Public Citizen
The Union of Concerned Scientists

application with the Commission or the presiding officer.

(d) Within ten (10) days after service of an application for a stay under this section, any party may file an answer supporting or opposing the granting of a stay. This answer must be no longer than ten (10) pages, exclusive of affidavits, and should concisely address the matters in paragraph (b) of this section to the extent appropriate. No further replies to answers will be entertained. Filing of and service of an answer on the other parties must be by the same method, e.g., telecopier message, mail, as the method for filing the application for the stay.

(e) In determining whether to grant or deny an application for a stay, the Commission or presiding officer will consider:

(1) Whether the moving party has made a strong showing that it is likely to prevail on the merits;

(2) Whether the party will be irreparably injured unless a stay is granted;

(3) Whether the granting of a stay would harm other parties; and

(4) Where the public interest lies.

(f) In extraordinary cases, where prompt application is made under this section, the Commission or presiding officer may grant a temporary stay to preserve the status quo without waiting for filing of any answer. The application may be made orally provided the application is promptly confirmed by telecopier message. Any party applying under this paragraph shall make all reasonable efforts to inform the other parties of the application, orally if made orally.

[56 FR 29410, June 27, 1991]

AVAILABILITY OF OFFICIAL RECORDS

§ 2.790 Public inspections, exemptions, requests for withholding.

(a) Subject to the provisions of paragraphs (b), (d), and (e) of this section, final NRC records and documents,* including but not limited to correspondence to and from the NRC regarding the issuance, denial, amendment, transfer, renewal, modification, suspension, revocation, or violation of a

*Such records and documents do not include handwritten notes and drafts.

license, permit, or order, or regarding a rule making proceeding subject to this part shall not, in the absence of a compelling reason for nondisclosure after a balancing of the interests of the person or agency urging nondisclosure and the public interest in disclosure, be exempt from disclosure and will be made available for inspection and copying in the NRC Public Document Room, except for matters that are:

(1)(i) Specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (ii) are in fact properly classified pursuant to such Executive order;

(2) Related solely to the internal personnel rules and practices of the Commission;

(3) Specifically exempted from disclosure by statute (other than 5 U.S.C. 552(b)), provided that such statute (i) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (ii) establishes particular criteria for withholding or refers to particular types or matters to be withheld.

(4) Trade secrets and commercial or financial information obtained from a person and privileged or confidential;

(5) Interagency or intraagency memorandums or letters which would not be available by law to a party other than an agency in litigation with the Commission;

(6) Personnel and medical files and similar files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

(7) Records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information:

(i) Could reasonably be expected to interfere with enforcement proceedings;

(ii) Would deprive a person of a right to a fair trial or an impartial adjudication;

(iii) Could reasonably be expected to constitute an unwarranted invasion of personal privacy;

(iv) Could reasonably be expected to disclose the identity of a confidential source, including a State, local, or foreign agency or authority, or any pri-

ate institution which furnished information on a confidential basis, and, in the case of a record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source;

(v) Would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law; or

(vi) Could reasonably be expected to endanger the life or physical safety of any individual;

(8) Contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or

(9) Geological and geophysical information and data, including maps, concerning wells.

(b)(1) A person who proposes that a document or a part be withheld in whole or part from public disclosure on the ground that it contains trade secrets or privileged or confidential commercial or financial information shall submit an application for withholding accompanied by an affidavit which:

(i) Identifies the document or part sought to be withheld and the position of the person making the affidavit, and

(ii) Contains a full statement of the reasons on the basis of which it is claimed that the information should be withheld from public disclosure. Such statement shall address with specificity the considerations listed in paragraph (b)(4) of this section. In the case of an affidavit submitted by a company, the affidavit shall be executed by an officer or upper-level management official who has been specifically delegated the function of reviewing the information sought to be withheld and authorized to apply for its withholding on behalf of the company. The affidavit shall be executed by the owner of the information, even though the information sought to be withheld is submitted to the Commission by another person.

(i) Identifies the document or part sought to be withheld and the position of the person making the affidavit, and

(ii) Contains a full statement of the reasons on the basis of which it is claimed that the information should be withheld from public disclosure. Such statement shall address with specificity the considerations listed in paragraph (b)(4) of this section. In the case of an affidavit submitted by a company, the affidavit shall be executed by an officer or upper-level management official who has been specifically delegated the function of reviewing the information sought to be withheld and authorized to apply for its withholding on behalf of the company. The affidavit shall be executed by the owner of the information, even though the information sought to be withheld is submitted to the Commission by another person.

(iii) Could reasonably be expected to constitute an unwarranted invasion of personal privacy;

(iv) Could reasonably be expected to disclose the identity of a confidential source, including a State, local, or foreign agency or authority, or any pri-

ate institution which furnished information on a confidential basis, and, in the case of a record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source;

(v) Would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law; or

(vi) Could reasonably be expected to endanger the life or physical safety of any individual;

(vii) Contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or

(viii) Geological and geophysical information and data, including maps, concerning wells.

The application and affidavit shall be submitted at the time of filing the information sought to be withheld. The information sought to be withheld shall be incorporated, as far as possible, into a separate paper. The affiant may designate with appropriate markings information submitted in the affidavit as a trade secret or confidential or privileged commercial or financial information within the meaning of § 9.17(a)(4) of this chapter and such information shall be subject to disclosure only in accordance with the provisions of § 9.19 of this chapter.

(2) A person who submits commercial or financial information believed to be privileged or confidential or a trade secret shall be on notice that it is the policy of the Commission to achieve an effective balance between legitimate concerns for protection of competitive positions and the right of the public to be fully apprised as to the basis for and effects of licensing or rule making actions, and that it is within the discretion of the Commission to withhold such information from public disclosure.

(3) The Commission shall determine whether information sought to be withheld from public disclosure pursuant to this paragraph: (i) is a trade secret or confidential or privileged commercial or financial information; and (ii) if so, should be withheld from public disclosure.

(4) In making the determination required by paragraph (b)(3)(i) of this section, the Commission will consider:

(i) Whether the information has been held in confidence by its owner;

(ii) Whether the information is of a type customarily held in confidence by its owner and whether there is a rational basis therefor;

(iii) Whether the information was transmitted to and received by the Commission in confidence;

(iv) Whether the information is available in public sources;

(v) Whether public disclosure of the information sought to be withheld is likely to cause substantial harm to the competitive position of the owner of the information, taking into account the value of the information to the owner; the amount of effort or money, if any, expended by the owner in devel-

oping the information; and the ease or difficulty with which the information could be properly acquired or duplicated by others.

(5) If the Commission determines, pursuant to paragraph (b)(4) of this section, that the record or document contains trade secrets or privileged or confidential commercial or financial information, the Commission will then determine (i) whether the right of the public to be fully apprised as to the bases for and effects of the proposed action outweighs the demonstrated concern for protection of a competitive position and (ii) whether the information should be withheld from public disclosure pursuant to this paragraph. If the record or document for which withholding is sought is deemed by the Commission to be irrelevant or unnecessary to the performance of its functions, it shall be returned to the applicant.

(6) Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the document. The Commission may require information claimed to be a trade secret or privileged or confidential commercial or financial information to be subject to inspection: (i) Under a protective agreement, by contractor personnel or government officials other than NRC officials; (ii) by the presiding officer in a proceeding; and (iii) under protective order, by parties to a proceeding, pending a decision of the Commission on the matter of whether the information should be made publicly available or when a decision has been made that the information should be withheld from public disclosure. In camera sessions of hearings may be held when the information sought to be withheld is produced or offered in evidence. If the Commission subsequently determines that the information should be disclosed, the information and the transcript of such in camera session will be made publicly available.

(c) If a request for withholding pursuant to paragraph (b) of this section is denied, the Commission will notify an applicant for withholding of the denial with a statement of reasons. The notice of denial will specify a time, not less than thirty (30) days after the date

of the notice, when the document will be placed in the Public Document Room. If, within the time specified in the notice, the applicant requests withdrawal of the document, the document will not be placed in the Public Document Room and will be returned to the applicant. Provided, That information submitted in a rule making proceeding which subsequently forms the basis for the final rule will not be withheld from public disclosure by the Commission and will not be returned to the applicant after denial of any application for withholding submitted in connection with that information. If a request for withholding pursuant to paragraph (b) of this section is granted, the Commission will notify the applicant of its determination to withhold the information from public disclosure.

(d) The following information shall be deemed to be commercial or financial information within the meaning of § 9.17(a)(4) of this chapter and shall be subject to disclosure only in accordance with the provisions of § 9.19 of this chapter.

(1) Correspondence and reports to or from the NRC which contain information or records concerning a licensee's or applicant's physical protection or material control and accounting program for special nuclear material not otherwise designated as Safeguards Information or classified as National Security Information or Restricted Data.

(2) Information submitted in confidence to the Commission by a foreign source.

(e) The presiding officer, if any, or the Commission may, with reference to the NRC records and documents made available pursuant to this section, issue orders consistent with the provisions of this section and § 2.740(c).

[41 FR 11810, Mar. 22, 1976, as amended at 42 FR 12877, Mar. 7, 1977; 52 FR 49355, Dec. 31, 1987; 53 FR 17588, May 18, 1988]

Subpart H--Rulemaking

§ 2.800 Scope of rulemaking.

This subpart governs the issuance, amendment and repeal of regulations in which participation by interested persons is prescribed under section 551 of title 5 of the U.S. Code.

[35 FR 11459, July 17, 1970]

§ 2.801 Initiation of rulemaking.

Rulemaking may be initiated by the Commission at its own instance, on the recommendation of another agency of the United States, or on the petition of any other interested person.

§ 2.802 Petition for rulemaking.

(a) Any interested person may petition the Commission to issue, amend or rescind any regulation. The petition should be addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Chief, Docketing and Service Branch.

(b) A prospective petitioner may consult with the NRC before filing a petition for rulemaking by writing the Director, Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Chief, Regulatory Publications Branch. A prospective petitioner may also telephone the Regulatory Publications Branch on (301) 492-7086 or toll free on (800) 368-5642.

(1) In any consultation prior to the filing of a petition for rulemaking, the assistance that may be provided by the NRC staff is limited to—

(i) Describing the procedure and process for filing and responding to a petition for rulemaking;

(ii) Clarifying an existing NRC regulation and the basis for the regulation; and

(iii) Assisting the prospective petitioner to clarify a potential petition so that the Commission is able to understand the nature of the issues of concern to the petitioner.

(2) In any consultation prior to the filing of a petition for rulemaking, in providing the assistance permitted in paragraph (b)(1) of this section, the NRC staff will not draft or develop text or alternative approaches to address matters in the prospective petition for rulemaking.

(c) Each petition filed under this section shall:

(1) Set forth a general solution to the problem or the substance or text of any proposed regulation or amendment, or specify the regulation which is to be revoked or amended;

(2) State clearly and concisely the petitioner's grounds for and interest in the action requested;

(3) Include a statement in support of the petition which shall set forth the specific issues involved, the petitioner's views or arguments with respect to those issues, relevant technical, scientific or other data involved which is reasonably available to the petitioner, and such other pertinent information as the petitioner deems necessary to support the action sought. In support of its petition, petitioner should note any specific cases of which petitioner is aware where the current rule is unduly burdensome, deficient, or needs to be strengthened.

(d) The petitioner may request the Commission to suspend all or any part of any licensing proceeding to which the petitioner is a party pending disposition of the petition for rulemaking.

(e) If it is determined that the petition includes the information required by paragraph (c) of this section and is complete, the Director, Division of Freedom of Information and Publications Services, or designee, will assign a docket number to the petition, will cause the petition to be formally docketed, and will deposit a copy of the docketed petition in the Commission's Public Document Room. Public comment may be requested by publication of a notice of the docketing of the petition in the FEDERAL REGISTER, or, in appropriate cases, may be invited for the first time upon publication in the FEDERAL REGISTER of a proposed rule developed in response to the petition. Publication will be limited by the requirements of section 181 of the Atomic Energy Act of 1954, as amended, and may be limited by order of the Commission.

(f) If it is determined by the Executive Director for Operations that the petition does not include the information required by paragraph (c) of this section and is incomplete, the petitioner will be notified of that determination and the respects in which the petition is deficient and will be accorded an opportunity to submit additional data. Ordinarily this determination will be made within 30 days from the date of receipt of the petition by the Office of the Secretary of the Com-



RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

FA -- 94-507

RESPONSE TYPE	
<input checked="" type="checkbox"/> FINAL	<input type="checkbox"/> PARTIAL
DATE	
DEC 29 1994	
DOCKET NUMBER(S) (if applicable)	

REQUESTER Michael J. Keegan

PART I. - AGENCY RECORDS RELEASED OR NOT LOCATED (See checked boxes)

<input type="checkbox"/>	No agency records subject to the request have been located.
<input type="checkbox"/>	No additional agency records subject to the request have been located.
<input type="checkbox"/>	Requested records are available through another public distribution program. See Comments section.
<input type="checkbox"/>	Agency records subject to the request that are identified in Appendix(es) _____ are already available for public inspection and copying at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC.
<input checked="" type="checkbox"/>	Agency records subject to the request that are identified in Appendix(es) <u>A</u> are being made available for public inspection and copying at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC, in a folder under this FOIA number.
<input type="checkbox"/>	The nonproprietary version of the proposal(s) that you agreed to accept in a telephone conversation with a member of my staff is now being made available for public inspection and copying at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC, in a folder under this FOIA number.
<input type="checkbox"/>	Agency records subject to the request that are identified in Appendix(es) _____ may be inspected and copied at the NRC Local Public Document Room identified in the Comments section.
<input type="checkbox"/>	Enclosed is information on how you may obtain access to and the charges for copying records located at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC.
<input checked="" type="checkbox"/>	Agency records subject to the request are enclosed.*
<input type="checkbox"/>	Records subject to the request have been referred to another Federal agency(ies) for review and direct response to you.
<input checked="" type="checkbox"/>	Fees (none)
<input type="checkbox"/>	You will be billed by the NRC for fees totaling \$ _____
<input type="checkbox"/>	You will receive a refund from the NRC in the amount of \$ _____
<input type="checkbox"/>	In view of NRC's response to this request, no further action is being taken on appeal letter dated _____, No. _____

PART II. A - INFORMATION WITHHELD FROM PUBLIC DISCLOSURE

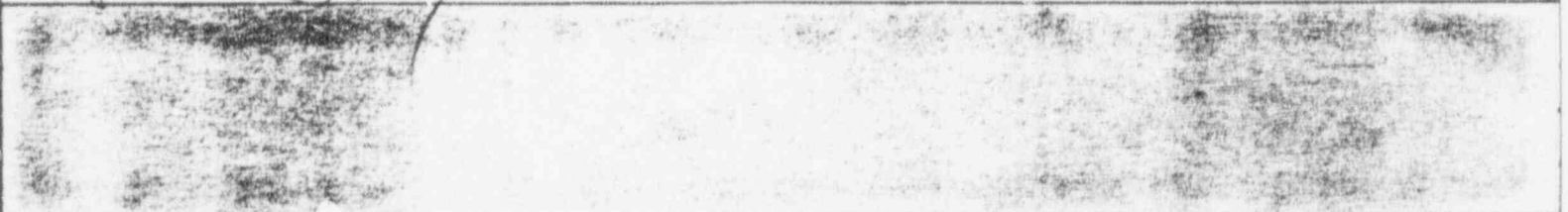
<input checked="" type="checkbox"/>	Certain information in the requested records is being withheld from public disclosure pursuant to the exemptions described in and for the reasons stated in Part II, B, C, and D. Any released portions of the documents for which only part of the record is being withheld are being made available for public inspection and copying in the NRC Public Document Room, 2120 L Street, N.W., Washington, DC in a folder under this FOIA number.
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COMMENTS

*Agency records subject to your FOIA request that are identified on the enclosed Appendix A are enclosed.

This completes NRC's action on your request.

SIGNATURE, DIRECTOR, DIVISION OF FREEDOM OF INFORMATION AND PUBLICATIONS SERVICES



9505150253

**RESPONSE TO FREEDOM OF
INFORMATION ACT (FOIA) REQUEST
(CONTINUATION)**

FOIA NUMBER(S)

DATE

FOIA — 94-507

DEC 29 1994

PART II B — APPLICABLE EXEMPTIONS

Records subject to the request that are described in the enclosed Appendix(es) B are being withheld in their entirety or in part under the Exemption No.(s) and for the reason(s) given below pursuant to 5 U.S.C. 552(b) and 10 CFR 9.17(a) of NRC regulations.

- 1. The withheld information is properly classified pursuant to Executive Order. (Exemption 1)
 - 2. The withheld information relates solely to the internal personnel rules and procedures of NRC. (Exemption 2)
 - 3. The withheld information is specifically exempted from public disclosure by statute indicated. (Exemption 3)
 - 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).
 - 4. The withheld information is a trade secret or commercial or financial information that is being withheld for the reason(s) indicated. (Exemption 4)
 - The information is considered to be confidential business (proprietary) information.
 - The information is considered to be proprietary information pursuant to 10 CFR 2.790(d)(1).
 - The information was submitted and received in confidence pursuant to 10 CFR 2.790(d)(2).
 - 5. The withheld information consists of interagency or intraagency records that are not available through discovery during litigation. (Exemption 5). Applicable Privilege:
 - 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.)
 - 6. The withheld information is exempted from public disclosure because its disclosure would result in a clearly unwarranted invasion of personal privacy. (Exemption 6)
 - 7. The withheld information consists of records compiled for law enforcement purposes and is being withheld for the reason(s) indicated. (Exemption 7)
 - Disclosure could reasonably be expected to interfere with an enforcement proceeding because it could reveal the scope, direction, and focus of enforcement efforts, and thus could possibly allow recipients to take action to shield potential wrongdoing or a violation of NRC requirements from investigators. (Exemption 7 (A))
 - Disclosure would constitute an unwarranted invasion of personal privacy. (Exemption 7(C))
 - The information consists of names of individuals and other information the disclosure of which could reasonably be expected to reveal identities of confidential sources. (Exemption 7 (D))
- OTHER

PART II C — DENYING OFFICIALS

Pursuant to 10 CFR 9.25(b) and/or 9.25(c) 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 persons responsible for the denial are those officials identified below as denying officials and the Director, Division of Freedom of Information and Publications Services, Office of Administration, for any denials that may be appealed to the Executive Director for Operations (EDO).

DENYING OFFICIAL	TITLE/OFFICE	RECORDS DENIED	APPELLATE OFFICIAL		
			EDO	SECRETARY	IG
William T. Russell	Director, Office of Nuclear Reactor Regulation	Appendix B	XX		

PART II D — APPEAL RIGHTS

The denial by each denying official identified in Part II C may be appealed to the Appellate Official identified there. Any such appeal must be made in writing within 30 days of receipt of this response. Appeals must be addressed, as appropriate, to the Executive Director for Operations, to the Secretary of the Commission, or to the Inspector General, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should clearly state on the envelope and in the letter that it is an "Appeal from an Initial FOIA Decision."

APPENDIX A
DOCUMENTS BEING PLACED IN THE PDR

NUMBER	DATE	DESCRIPTION
1.	various	Affidavits for items 1 through 13 of Appendix B (32 pages)

APPENDIX B
DOCUMENTS BEING WITHHELD IN THEIR ENTIRETY

NUMBER	DATE	DESCRIPTION
1.	06/20/94	TES Report No. 94V70-13; "Metallurgical Analysis of Fermi 2 LP3 Eighth Stage Turbine Blading" (25 pages) Exemption 4
2.	07/21/94	Memorandum from J.E. Schaefer to L.C. Fron, subject: Metallurgical Examination of Fermi-2 Low Pressure Seventh Stage Turbine Blading (10 pages) Exemption 4
3.	07/22/94	Memorandum from J.D. Black to L.C. Fron, subject: Metallurgical Analysis of Fermi-2 Low Pressure Seventh and Eighth Stage Turbine Blading (TES Report No. 94V70-30 (3 pages) Exemption 4
4.	07/30/94	Memorandum from P.K. Hudson to L.C. Fron, subject: N.D.E. Testing of LP and HP Turbine Rotors (3 pages) Exemption 4
5.	07/1994	DECo Report; "Fermi 2 - Main Turbine Generator - December 25, 1993 - Forced Outage - Root Cause Analysis" (44 pages) Exemption 4
6.	08/08/94	GEC Report; "Root Cause Investigation Conclusions Based on Information Available Up To 30th June 1994" (22 pages) Exemption 4
7.	07/26/94	FPI Report; "Interim Status Report - Independent Root Cause Analysis Assessment of the Detroit Edison Fermi 2 Turbine-Generator Event on December 25, 1993" (97 pages) Exemption 4
8.	09/27/94	STI Technical Report PB942; "Failure Investigation on the Fermi 2 LP L-1 Stage Blades" (44 pages) Exemption 4

**APPENDIX B
DOCUMENTS BEING WITHHELD IN THEIR ENTIRETY**

NUMBER	DATE	DESCRIPTION
9.	06/08/94	GEC NDT Reports; "LP Rotor Inspections" (Report Nos. T3366, T3367, & T3365) (44 pages) Exemption 4
10.	06/06/94	Wesdyne Report; "Nondestructive Examination - LP1, LP2, and LP3 Turbine Rotor Disks - Enrico Fermi Unit 2 - Detroit Edison Company" (19 pages) Exemption 4
11.	06/27/94	Wesdyne Report; "Nondestructive Bore Examination and Condition Assessment of GEC Alstrom HP Rotor - Enrico Fermi Nuclear Station, Unit 2 - Detroit Edison Company" (57 pages) Exemption 4
12.	07/21/94	Memorandum from L.C. Fron to W.D. Romberg, subject: LP Turbines Operated With 7th and 8th Stage Pressure Plates (100 pages) Exemption 4
13.	09/1994	GE Nuclear Energy Report; "Enrico Fermi 2, Materials and Fuels Evaluation Final Report" (339 pages) Exemption 4

APPENDIX B

1. 6/20/94 TES Report No. 94V70-13, "Metallurgical Analysis of Fermi 2 LP# Eighth Stage Turbine Blading (25 pages) (RELEASE)
2. 7/21/94 Memorandum to L.C. Fron from J.E. Schaefer, Subject: Metallurgical Examination of Fermi-2 Low Pressure Seventh Stage Turbine Blading (10 pages) (RELEASE)
3. 7/22/94 Memorandum to L.C. Fron from J.D. Black, Subject: Metallurgical Analysis of Fermi-2 Low Pressure Seventh and Eighth Stage Turbine Blading (3 pages) (RELEASE)
4. 7/30/94 Memorandum to L.C. Fron from P.K. Hudson, Subject: N.D.E. Testing of LP and HP Turbine Rotors (3 pages) (WITHHELD IN PART, EXEMPTION 4)
5. 7/94 Fermi2 Main Turbine Generator December 25, 1993 - Forced Outage Root Cause Analysis Report (44 pages) (WITHHELD IN PART, EXEMPTION 4)
6. 8/8/94 Fermi 2 Turbine Generator Incident 25th December 1993 Root Cause Investigation Conclusions Based on Information available up to 30th June 1994 (19 pages) (WITHHELD IN PART, EXEMPTION 4)
7. 7/26/94 Interim Status Report Independent Root Cause Analysis Assessment of the Detroit Edison Fermi 2 Turbine - Generator Event on December 25, 1993 (39 pages) (WITHHELD IN PART, EXEMPTION 4)
8. 9/27/94 Technical Report PB942 Failure Investigation on the Fermi 2 LP L-1 Stage Blades (16 pages) (WITHHELD IN PART, EXEMPTION 4)
9. 6/8/94 Fermi2 LP Rotor Inspections NDT Reports, Large Steam Turbines Construction & Service (45 pages) (RELEASE)

10. 6/6/94 Nondestructive Examination LP1, LP2 and LP3 Turbine Rotor Disks Enrico Fermi Unit 2 Detroit Edison Company (19 pages) (RELEASE)
11. 6/27/94 Nondestructive Bore Examination and Condition Assessment of GEC Alstrom HP Rotor Enrico Fermi Nuclear Station, Unit 2 Detroit Edison Company (57 pages) (RELEASE)
12. 7/21/94 Memorandum to W.D. Romberg from L.C. Fron, Subject: LP Turbines Operated with 7th and 8th Stage Pressure Plates (95 pages) (WITHHELD IN PART, EXEMPTION 4)
13. 9/94 Enrico Fermi 2 Materials and Fuels Evaluation Final Report (309 pages) (WITHHELD IN PART, EXEMPTION 4)