



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

PDR-01C

MAY 24 1984

Mr. Steven Sholly
Technical Research Associate
Union of Concerned Scientists
1346 Connecticut Avenue, NW
Washington, DC 20036

IN RESPONSE REFER
TO FOIA-84-175

Dear Mr. Sholly:

This is in further response to your letter dated March 13, 1984, and your appeal dated April 5, 1984, in which you requested four separate categories of documents relating to GESSAR-II.

The documents listed on Appendix A are responsive to your request. These documents are being placed in the NRC Public Document Room in FOIA file folder 84-175 in your name.

Thus far, the staff has identified the PRA itself and a document dated May 5, 1983 - Brookhaven National Laboratory Memorandum to I. A. Papazoglou from N. Hanan, K. Shiu, and R. Karol, subject: "Status of GESSAR-II PRA Review" (54 pages) to contain information which the General Electric Company considers confidential business (proprietary) information. We have asked General Electric to review their proprietary claim, and will let you know as soon as possible whether these documents or any portions thereof may be released to the public.

Sincerely,

A handwritten signature in cursive script, appearing to read "John Philip".

J. M. Felton, Director
Division of Rules and Records
Office of Administration

Enclosure: Appendix A

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APPENDIX A

1. 8/1/83 Memo for Assistant Directors for DSI, DST, DE, and DHFS from R. W. Houston re: REVIEW OF GESSAR-II DESIGN IMPROVEMENT (2 pages)
2. 4/13/84 Letter to G. Sherwood from C. Thomas re: REQUEST FOR ADDITIONAL INFORMATION REGARDING THE SEVERE ACCIDENT REVIEW OF GESSAR II w/enclosure (13 pages)
3. 1/6/84 Memo for Assistant Directors for DSI, DST, DE, DL & DHFS from R. W. Houston re: REVIEW OF GESSAR-II DESIGN IMPROVEMENT w/attachment (5 pages)
4. 3/7/84 Memo for F. Miraglia from R. W. Houston re: REVIEW OF GESSAR-II DESIGN IMPROVEMENT w/attachment (8 pages)
5. 8/1/83 Memo for J. Knight from R. Houston re: DE SUPPORT FOR REVIEW OF GESSAR-II PRA (1 page)
6. 8/11/83 Memo for R. Houston from L. Rubenstein re: REVIEW OF GESSAR-II DESIGN IMPROVEMENT (1 page)
7. 1/19/84 Memo for R. W. Houston from G. C. Lainas re: REVIEW OF GESSAR-II DESIGN IMPROVEMENT (1 page)
8. 1/17/84 Memo for R. W. Houston from W. T. Russell re: REVIEW OF GESSAR-II DESIGN IMPROVEMENT (1 page)
9. 1/23/84 Memo for R. W. Houston from F. Rowsome re: REVIEW OF GESSAR-II DESIGN IMPROVEMENT w/attachment (4 pages)
10. 1/23/84 Memo for R. W. Houston from F. Schroeder re: REVIEW OF GESSAR-II DESIGN IMPROVEMENTS w/enclosed Potential Design Improvements (4 pages)
11. 1/20/84 Memo for R. W. Houston from L. S. Rubenstein re: REVIEW OF GESSAR-II DESIGN IMPROVEMENT (1 page)
12. 9/1/83 Memo for R. W. Houston from D. L. Ziemann re: REVIEW OF GESSAR-II DESIGN IMPROVEMENTS (1 page)
13. 11/14/83 Handwritten Note to John from B. Hardin re: POTENTIAL DESIGN IMPROVEMENTS w/attachment (6 pages)
14. 3/21 GESSAR PRA SCHEDULE (1 page)
15. 11/18 Handwritten Note re: concurrence on attached Memo for Denton from Miraglia re: RECOMMENDED SCHEDULE FOR GESSAR II SEVERE ACCIDENT REVIEW w/enclosure (6 pages)

UNION OF CONCERNED SCIENTISTS

1346 Connecticut Avenue, N.W. • S. 1101 • Washington, DC 20036 • (202) 296-5600

13 March 1984
FREEDOM OF INFORMATION
ACT REQUEST

FOIA-84-175
Rec'd 3-15-84

Mr. J. M. Felton, Director
Division of Rules and Records
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

RE: Freedom of Information Act Request for the GESSAR-II
Probabilistic Risk Assessment and Associated NRC
and NRC-contractor Reviews of that Report (Sholly
FOIA Request Number 84-07)

Dear Mr. Felton:

Pursuant to the Freedom of Information Act, please make
available at the Commission's Public Document Room at 1717 H Street,
N.W., Washington, D.C., copies of documents in the following
categories:

- A. A copy of the General Electric Probabilistic Risk Assessment for the GESSAR-II standard plant design (BWR/6 Mark III), and all updates, amendments, appendices, addenda, supplements, and all other changes thereto.
- B. Copies of all NRC staff reviews of the documents described above in "A".
- C. Copies of all NRC contractor reviews of the documents described above in "A".
- D. For any review identified under "C" above, provide the name of the reviewing organization, the lead investigators, all other investigators, the NRC Contract and FIN numbers assigned to the review project, the funding provided for the review project, and the NRC Form 189 for each such project.

If there are any questions regarding this request, please contact me at 296-5600. It is my understanding that a proprietary claim has been made with respect to some or all of the documents identified in "A" above. This request specifically includes a request to review the bases for the proprietary claim and release all of the documents discussed in "A" above.

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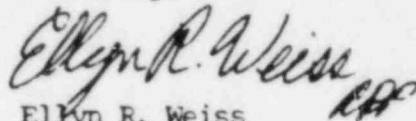
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The definition of "trade secret" is also relatively narrow. It has been defined as an "unpatented, secret, commercially valuable plan, appliance, formula or process which is used for the making, preparing, compounding, treating or processing of articles or materials which are trade commodities. Consumers Union, supra, 301 F.Supp. at 801.

It is impossible to believe that all of the Gessar PRA is legally exempt from disclosure under this standard. For one thing, the Gessar design is not "secret" since it is subject to NRC review and public scrutiny. In addition, it is my understanding that the codes being used are primarily publicly-available codes.

I would appreciate your response as soon as possible.

Sincerely,



Elynn R. Weiss
General Counsel
Union of Concerned Scientists

Enclosure 1