

# UNION OF CONCERNED SCIENTISTS

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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.

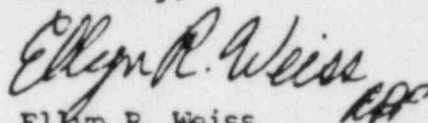
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The definition of "trade secret" is also relatively narrow. It has been defined as an "unpatented, secret, commercially valuable plan, appliance, formula or process which is used for the making, preparing, compounding, treating or processing of articles 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,



Ellyn R. Weiss  
General Counsel  
Union of Concerned Scientists

Enclosure 1