

PDR-016



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

March 1, 1985

Ms. Billie Pirner Garde
Ms. Lynne Bernabei
Government Accountability Project
1555 Connecticut Avenue, NW, Suite 202
Washington, DC 20036

IN RESPONSE REFER
TO FOIA-84-455 AND
84-A-56 (84-455)

Dear Ms. Garde and Ms. Bernabei:

This is in further response to your letter dated May 31, 1984, in which you requested, pursuant to the Freedom of Information Act (FOIA), all records relevant to and/or generated in connection with any report or study of the basemat cracking and water leakage and seepage problems at the Waterford III Steam Electric Station conducted and issued subsequent to the formation of the NRC Waterford Task Force. This is also in response to your letter dated June 6, 1984, in which you appealed the NRC's lack of response to your FOIA request.

By letters dated August 20, 1984, and February 22, 1985, the NRC provided partial responses to your FOIA request and informed you that additional records subject to your request were undergoing further review for disclosure determinations. That review has now been completed.

The records identified on enclosed Appendix E and portions of the records identified on enclosed Appendix F are being placed in the NRC's Public Document Room (PDR) for your inspection and copying. The records will be filed in PDR folder FOIA-84-455 under your names.

The NRC is partially or wholly withholding the records identified on Appendix F because the information relates to predecisional deliberations, consists of personal information the disclosure of which would be an unwarranted invasion of personal privacy, relates to ongoing investigations, and would reveal the identities of confidential sources, as noted in the description of deletions on Appendix F. The information in these records is, therefore, being withheld pursuant to Exemptions 5, 6, and 7(A), (C) and (D) of the FOIA (5 U.S.C. 552(b)(5), (6), and (7)(A), (C) and (D)) and 10 CFR 9.5(a)(5), (6), and (7)(i), (iii), and (iv) of the Commission's regulations.

Pursuant to 10 CFR 9.9 and 9.15 of the Commission's 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 person responsible for denial of the information in records 1, 4 and 12 is Ben B. Hayes, Director, Office of Investigations. The persons responsible for the remaining denials are the undersigned and Mr. Harold R. Denton, Director, Office of Nuclear Reactor Regulation.

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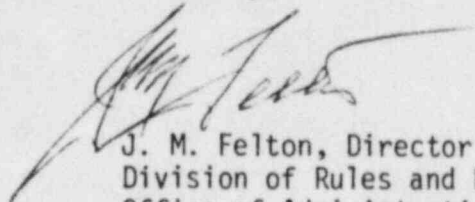
Ms. Garde and Ms. Bernabei

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The denials by Mr. Harold R. Denton and myself may be appealed to the Executive Director for Operations within 30 days from the receipt of this letter. Any such appeal must be in writing, addressed to the Executive Director for Operations, 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." The denial by Mr. Ben B. Hayes may be appealed within 30 days to the Commission and should be addressed to the Secretary of the Commission.

This completes the NRC's action on your FOIA request.

Sincerely,



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

Enclosures: As stated

APPENDIX E

A. RECORDS ALREADY IN PDR FILES

1. 10/17/83 Letter to R. S. Leddick, LP&L, from George W. Knighton, NRR, Subject: "Request for Additional Information Concerning Concrete Mat Cracking and Water Seepage Issues at Waterford 3" (Acc. No. 8311010480/PDR/ADOCK/50-382A) (4 pages)
2. 10/31/83 Letter to G. W. Knighton, NRR, from K. W. Cook, LP&L, Subject: "Response to NRC Letter of October 17, 1983 Regarding Basemat Questions" (Acc. No. 8311070108/PDR/ADOCK/50-382A) (9 pages)

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B. RECORDS IN PDR FILE FOIA-84-455

1. 05/16/72 Mat Under Reactor BLVG Re: Floating Raft FDN (4 pages)
2. 01/09/75 Report of Summary of Mix Design (4 pages)
3. 11/24/75 Memo to J. O. Booth from R. F. Vine Re: Concrete Design Mix (3 pages)
4. 04/77 LP&L Report Re: Allowable Mat Bearing Pressure (10 pages)
5. 08/05/77 Memo to P. Grossman from A. W. Peabody Re: Corrosion of Reinforcing Steel and Steel Containment Vessel Plates in Contact With Water (1 page)
6. 07/81 Pages 2-18 and 2-19 from the Waterford SER (1 page)
7. 02/18/82 Memo to George Lear from Raymond Gonzales Re: Meeting Summary w/enclosure Summary (5 pages)
8. 02/20/82 Handwritten Note by Ray Gonzales to George Knighton Re: Meeting Announcement Memo from Frank Maraglia (2 pages)
9. 06/03/82 Memo to Frank Miraglia from George Lear Re: Hydrologic Engineering Input to Supplement 4 of the Safety Evaluation Report w/enclosure Suppl. to SER (8 pages)

APPENDIX E

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Re: FOIA-84-455

10. 08/12/83 Memo to George Lear from David Jeng Re: Waterford 3 Base Mat Crack Allegations w/enclosure Memo to Dircks from J. Collins dated 08/05/83 Re: Response to Congressman G. Long Re: Waterford-3 w/attached draft ltr. to G. Long (15 pages)
11. 09/09/83 Identification of Leachate To Harstead Engineering Assoc. Inc. from Twin City Testing and Engineering Laboratory, Inc. (10 pages)
12. 03/26/84 Questions on Waterford 3 Basemat (13 pages)
13. 03/31/84 Note to G. Lear from J. Knight Re: Waterford Basemat (1 page)
14. 04/02/84 Handwritten Note to B. D. Liaw from G. Lear Re: Corrosion Effect on Re Bar w/enclosure Passivation Mechanism in Reinforced Concrete (10 pages)
15. 04/02/84 Handwritten Notes Re: Concrete Mix (1 page)
16. 04/03/84 Q/A Corporation Receipt (1 page)
17. 04/03/84 Handwritten Note by John Ma Re: Additional Structural Questions (1 page)
18. 04/04/84 Question by John Ma for LP&L entitled "Capacity and Design Shear Stress Question" (1 page)
19. 04/05/84 Plant Systems Common Foundation Basemat Limiting Condition for Operation (5 pages)
20. 04/12/84 Note to George Lear, NRR, from Victor Benaroya, NRR, entitled "Corrosion Effects on Basemat Rebar at Waterford III" (3 pages)
21. 04/12/84 Waterford 3 Structural Engineering Paper (7 pages)
22. 04/16/84 Enclosure 2 - Safety Evaluation of the Structural Adequacy of Waterford 3 Base Mat, draft by John Ma (6 pages)
23. 04/16/84 Enclosure 2 - Safety Evaluation of the Structural Adequacy of Waterford 3 Base Mat, draft by John Ma (6 pages)
24. 04/17/84 Handwritten Note to G. Lear, L. Heller and J. Chen Re: Waterford Team Briefing (1 page)
25. 04/19/84 Handwritten Note to G. Lear, L. Heller, J. Chan and J. Ma from D. C. Jang Re: Waterford 3 Basemat SGEB Evaluation Report, 1st Draft (1 page)
26. 04/19/84 Letter to R. S. Leddick, LP&L, from Darrell Eisenhut, NRR, Re: Waterford Unit 3 Technical Specifications w/enclosure Technical Specifications (4 pages)

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Re: FOIA-84-455

27. 04/19/84 Handwritten Note to G. Lear, L. Heller, J. Chan and J. Ma
Re: Waterford 3 Basemat SGEB Evaluation Report, 1st Draft
(1 page)
28. 04/23/84 Enclosure 2 - Structural Adequacy and Safety Evaluation of
Waterford 3 Base Mat, by John Ma (6 pages)
29. 04/24/84 Handwritten Note to D. Jeng from J. Ma Re: Waterford 3
Base Mat (1 page)
30. 05/84 Memo to Dennis Crutchfield, NRR, from Richard Vollmer, NRR,
Re: Waterford 3 Basemat Evaluation w/enclosure Basemat
Evaluation (43 pages)
31. 05/01/84 Memo to George Lear from John Chen Re: Geotechnical
Engineering Safety Evaluation Waterford No. 3 w/enclosure
Evaluation Report (13 pages)
32. 05/04/84 Handwritten Note to G. Lear, D. Jeng, L. Heller, J. Chen,
M. Reich and P. Wang from J. Ma Re: The Use of ACI Shear
Strength Formulas w/enclosed article from ACI Journal
(March, 1967) entitled "How Safe are Our Large Reinforced
Concrete Beams?" (17 pages)
33. 05/17/84 Safety Evaluation of the Structural Adequacy of Waterford 3
Base Mat, draft by John Ma (11 pages)
34. 05/21/84 Geotechnical Engineering Evaluation of Concrete Cracking
in the Basemat - John T. Chen (11 pages)
35. 06/07/84 Memo to George Knighton from James Wilson Re: LP&L Company
Meeting w/enclosure Agenda for Meeting (6 pages)
36. 06/01/84 Handwritten Note to J. Knight, D. Jeng and P. T. Kuo from
G. Lear Re: L. Shao's Civil/Mech Report (1 page)
37. 06/08/84 Handwritten Note Re: Waterford Meeting (1 page)
38. 06/22/84 Handwritten Note from G. Lear Re: NDT Techniques (1 page)
39. 06/28/84 BNL's Summary on Waterford 3 Base Mat (2 pages)
40. 07/12/84 Handwritten Note Re: NDT Exam of Mat (1 page)
41. Undated Request for Additional Information Waterford NPP -
Geotechnical Engineering (2 pages)
42. Undated Concrete Cracking in the Basemat - John T. Chen (8 pages)

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Re: FOIA-84-455

43. Undated LP&L Recharge Program (7 pages)
44. Undated Structural Engineering Evaluation of Concrete Cracking
in the Basemat by John Ma (12 pages)
45. Undated Resume of William F. Gundaker (3 pages)
46. Undated Selected documents Re: NCR W3-5997, "Clam Shell Filter
Blanket Under the Nuclear Plant Island" (264 pages)

APPENDIX F

Re: FOIA-84-455
AND FOIA-84-A-56

Doc.#	Description of Document	Date	Total Pages	Location of Deletion (pg)	Exemption	Description of Deletions
1	Investigative Interview of _____ (name withheld) 01*	w/h	240	entire-ty	6,7a 7c, & 7d	The entire transcript of interview conducted by an NRC investigator and an inspector from NRC's Region IV with a person who came forward with allegations of wrongdoing at the Waterford 3 construction site is being withheld. The transcript contains the alleged's name and other identifying information as well as the names and other identifying information of persons accused of wrongful conduct at the Waterford 3 site. Release of this transcript would breach the promise of confidentiality granted by the NRC to the alleged and would impose an unwarranted invasion of privacy on persons accused of wrongdoing. The investigation of the allegations identified throughout this interview transcript is ongoing and persons identified may or may not be found to have committed the allegations asserted by the person interviewed. Also, the date of this transcript is being withheld because it could lead to the possible identification of the confidential source. Release of this transcript would interfere with an ongoing NRC investigation and may in the future interfere with a

* Offices responsible for denials are noted in handwriting beside the document description

Doc.#	Description of Document	Date	Total Pages	Location of Deletion (pg)	Exemption	Description of Deletions
						possible Department of Justice investigation if warranted by NRC's findings. For the above stated reasons, the entire transcript is being withheld pursuant to Exemptions 6, 7a, 7c, and 7d.
2	Handwritten notes - author unknown - re: scope of review of construction practices relating to concrete pours <i>NRR</i>	undtd.	6	1 line on page 6	7d	Name of "Confidential Source"
3	Handwritten notes - author unknown - of conference all related to Gambit article on basemat <i>NRR</i>	undtd.	1	1 line pg. 1	7d	Name of "Confidential Source"
4	Handwritten note - author unknown - entitled "Problem Statement" <i>01</i>	undtd.	1	2nd ¶, 6 lines	7a, 7d	"Commentary" information related to ongoing investigation supplied by confidential source; paragraph includes name of confidential source. Release would interfere with ongoing investigation.
5	Handwritten note - author unknown - WAT-3: _____ <i>NRR</i>	undtd.	3	pg. 2, 6 lines & pg. 3 1 line	6,7c, 7d 6,7c	Information provided by confidential source in ongoing investigation; unwarranted invasion of personal privacy and confidential source(s) named. Release would interfere with ongoing investigation.

		APPENDIX F		Location		Exemp- tion	Description of Deletions
Doc.#	Description of Document	Date	Total Pages	of Dele- tion (pg)			
6	Memo to V.M. Burgard fm. A. Cochran, Subj: Louisiana Power & Light Co. Waterford Steam Electric Station 1983-1165 MW Installation - Unit No. 3 Disposition of NCR-W3-5997 <i>NRR</i>	6/22/83	2	1 & 2		6,7c	Portions which contain the names, work experience, and identifying information of certain individuals are being withheld to prevent an unwarranted invasion of personal privacy.
7	EBASCO Nonconformance Rpt. No. W3-7150; Subj: Concrete Placement Package--Common Foundation (w/33 pg. attachment) <i>NRR</i>	10/21/8	Rpt. 1 Att. 33	Att. 1, 2, & 22-32		6,7c	Portions containing names and personal identifiers; i.e., personal address, phone number, social security number, and date of birth are deleted throughout report to protect individuals from an unwarranted invasion of personal privacy.
8	EBASCO Nonconformance Rpt. W3-7152; Subj: Concrete Placement Packages - Common Foundation <i>NRR</i>	10/21/83	Rpt. 3 Att. 29	Att. 3, 6-11, 13-19 & 21-29		6,7c	Portions containing names and personal identifiers; i.e., personal address, phone number, social security number, and date of birth are deleted through report to protect individuals from an unwarranted invasion of personal privacy.

APPENDIX F

Location
of Dele-
tion (pg)

Exemp-
tion

Description of Deletions

Total
Pages

Date

Doc. # Description of Document

9	Ltr. fm. Robert E. Philleo, Consulting Engineer to Lawrence Shao, Div. of Engineering Technology, NRC - transmitting rpt. entitled "Evaluation of Concrete in the Basemat, Waterford Unit No. 3" also forwards brief resume & extended resume <i>NRR</i>	5/7/84	14	pg. 1 of resume	6,7c	Portions deleted which contain personal address, phone number, date and place of birth, and marital status. Release of this information would constitute an unwarranted invasion of personal privacy.
10	NRC Memo to D. Crutchfield, Special Waterford Team Leader from L.C. Shao, Dep. Dir., DET/RES, Subj: Consultant's Evaluation of Construction Adequacy of Waterford Basemat w/att - (1) Evaluation of Concrete Construction Adequacy, (2) brief resume, & (3) extended resume of Robert E. Philleo <i>NRR</i>	5/21/84	15	pg. 1 of att. 3 - extended resume	6,7c	Portions deleted which contain personal address, phone number, date and place of birth, and marital status. Release of this information would constitute an unwarranted invasion of personal privacy.
11	NRC memo to Jos. F. Scinto fm. Sherwin Turk, Subj: Draft SER Concerning the Waterford Base Mat w/attached Draft Rpt. on "Safety Evaluation of the Structural Adequacy of the Waterford 3 Basemat" dtd. 4/27/84 <i>NRR</i>	5/4/84	50	entire-ty	5	Predecisional draft document prepared by NRC staff member contains analyses, opinions and recommendations prepared by one NRC staff office for use by another NRC staff office in preparation of the Safety Evaluation Report on Waterford 3.

APPENDIX F

Re: FOIA-84-455
AND FOIA-84-A-56

Doc. #	Description of Document	Date	Total Pages	Location of Deletion (pg)	Exemption	Description of Deletions
12	Drafts of 8 separate allegations prepared by MEBR for inclusion in the Waterford 3 "Safety Evaluation Rpt., Supplement 7" as follows:	6/26/84				
	Allegation No. A-107	6/26/84	2	1	5&7a	
	" A-116	6/26/84	2	1	5&7a	
	" A-129	8/30/84	3	3	5&7a	
	" A-132	8/30/84	3	2	5&7a	
	" A-134	5/23/84	2	2	5&7a	
	" A-258	7/11/84	4	3	5&7a	
	" A-259	7/1/84	2	1 & 2	5&7a	
	" A-260	6/21/84	1	1	5&7a	

OI, NRR

Portions of each document are being withheld because the release of the information would interfere with OI's ongoing investigation of potential wrongdoing at Waterford Unit 3. In addition, the portions entitled "Potential Violations" are being withheld because they contain the pre-decisional opinions and recommendations of NRR.