

Dear FOIA Requester:

The FOIA Improvement Act of 2016, which was enacted on June 30, 2016, made several changes to the Freedom of Information Act (FOIA). Federal agencies must revise their FOIA regulations to reflect those changes by December 27, 2016. In addition to revising our regulations, we intend to update the Form 464, which we use to respond to FOIA requests.

In the interim, please see the comment box in Part I.C of the attached Form 464. The comment box includes information related to the recent changes to FOIA that is applicable to your FOIA request, including an updated time period for filing an administrative appeal with the NRC.

Sincerely yours,

*Stephanie Blaney /S/*

Stephanie Blaney  
FOIA Officer



### RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

2017-0005

1

RESPONSE TYPE

INTERIM

FINAL

REQUESTER:

Lawrence Criscione

DATE:

JAN 12 2017

**DESCRIPTION OF REQUESTED RECORDS:**

The records corresponding to items 1 (ML16216A708), 5 (ML16237A004), and 6 (ML16237A005) of your request, as further explained in the Comments Section, below.

#### PART I. -- INFORMATION RELEASED

- Agency records subject to the request are already available in public ADAMS or on microfiche in the NRC Public Document Room.
- Agency records subject to the request are enclosed.
- Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (see comments section) for a disclosure determination and direct response to you.
- We are continuing to process your request.
- See Comments.

#### PART I.A -- FEES

AMOUNT\*

\$

You will be billed by NRC for the amount listed.

None. Minimum fee threshold not met.

\*See Comments for details

You will receive a refund for the amount listed.

Fees waived.

#### PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE

- We did not locate any agency records responsive to your request. *Note:* Agencies may treat three discrete categories of law enforcement and national security records as not subject to the FOIA ("exclusions"). 5 U.S.C. 552(c). This is a standard notification given to all requesters; it should not be taken to mean that any excluded records do, or do not, exist.
- We have withheld certain information pursuant to the FOIA exemptions described, and for the reasons stated, in Part II.
- Because this is an interim response to your request, you may not appeal at this time. We will notify you of your right to appeal any of the responses we have issued in response to your request when we issue our final determination.
- You may appeal this final determination within 30 calendar days of the date of this response by sending a letter or email to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or [FOIA.Resource@nrc.gov](mailto:FOIA.Resource@nrc.gov). Please be sure to include on your letter or email that it is a "FOIA Appeal."

#### PART I.C COMMENTS ( Use attached Comments continuation page if required)

In conformance with the FOIA Improvement Act of 2016, the NRC is informing you that you have the right to seek assistance from the NRC's FOIA Public Liaison.

This interim response addresses three of the seven records listed in your request. Since the date of your request, ML16216A708, ML16237A004, and ML16237005 have been removed from ADAMS. However, because the NRC

[continued on next page]

SIGNATURE - FREEDOM OF INFORMATION ACT OFFICER

*Stephanie A. Blaney Karen Danoff*

2017-0005

1

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

RESPONSE  
TYPE

INTERIM

FINAL

REQUESTER:

Lawrence Criscione

DATE:

JAN 12 2017

**PART I.C COMMENTS (Continued)**

was able to locate them by the accession numbers when your request was received, we have processed the records.

The record responsive to item 1 is enclosed.

Since all but one of the email exchanges included in item 5 are already publicly available as a result of our processing of FOIA-2013-0264, please refer to ML13226A261-ML13226A264, ML13123A204, and ML13226A259. We note that the redactions of personally identifiable information (PII) on the basis of exemption 6 were already applied in the emails as you requested them. We continue to assert exemption 7(F) for the redaction of the cross-section diagram as it appears on slide 18 of the PowerPoint presentation in item 5. We have enclosed the one additional email exchange that had not been the subject of any prior requests; the personally identifiable information (PII) appearing in this record has been redacted under exemption 6.

Finally, item 6 is also already publicly available as a result of our processing of FOIA-2013-0264; please refer to ML13226A259.



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

2017-0005

DATE:

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**PART II.A -- APPLICABLE EXEMPTIONS**

Records subject to the request are being withheld in their entirety or in part under the FOIA exemption(s) as indicated below (5 U.S.C. 552(b)).

- Exemption 1: The withheld information is properly classified pursuant to an Executive Order protecting national security information.
- Exemption 2: The withheld information relates solely to the internal personnel rules and practices of NRC.
- Exemption 3: The withheld information is specifically exempted from public disclosure by the statute indicated.
  - 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).
  - 41 U.S.C. 4702(b), which prohibits the disclosure of contractor proposals, except when incorporated into the contract between the agency and the submitter of the proposal.
- Exemption 4: The withheld information is a trade secret or confidential commercial or financial information that is being withheld for the reason(s) indicated.
  - The information is considered to be proprietary because it concerns a licensee's or applicant's physical protection or material control and accounting program for special nuclear material pursuant to 10 CFR 2.390(d)(1).
  - The information is considered to be another type of confidential business (proprietary) information.
  - The information was submitted by a foreign source and received in confidence pursuant to 10 CFR 2.390(d)(2).
- Exemption 5: The withheld information consists of interagency or intraagency records that are normally privileged in civil litigation.
  - Deliberative process privilege.
  - Attorney work product privilege.
  - Attorney-client privilege.
- Exemption 6: The withheld information from a personnel, medical, or similar file, is exempted from public disclosure because its disclosure would result in a clearly unwarranted invasion of personal privacy.
- Exemption 7: The withheld information consists of records compiled for law enforcement purposes and is being withheld for the reason(s) indicated.
  - (A) Disclosure could reasonably be expected to interfere with an open enforcement proceeding.
  - (C) Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
  - (D) The information consists of names and other information the disclosure of which could reasonably be expected to reveal identities of confidential sources.
  - (E) Disclosure would reveal techniques and procedures for law enforcement investigations or prosecutions, or guidelines that could reasonably be expected to risk circumvention of the law.
  - (F) Disclosure could reasonably be expected to endanger the life or physical safety of an individual.
- Other

**PART II.B -- DENYING OFFICIALS**

In accordance with 10 CFR 9.25(g) and 9.25(h) of the U.S. Nuclear Regulatory Commission regulations, the official(s) listed below have made the determination to withhold certain information responsive to your request.

DENYING OFFICIAL	TITLE/OFFICE	RECORDS DENIED	APPELLATE OFFICIAL	
			EDO	SECY
Stephanie Blancy	FOIA Officer	3rd party PII; security-sensitive information	<input checked="" type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

Appeals must be made in writing within 30 calendar days of the date of this response by sending a letter or email to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or [FOIA.Resource@nrc.gov](mailto:FOIA.Resource@nrc.gov). Please be sure to include on your letter or email that it is a "FOIA Appeal."



OFFICE OF THE  
GENERAL COUNSEL

UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

June 13, 2013

Lawrence S. Criscione  
Sent electronically to [LSCriscione@hotmail.com](mailto:LSCriscione@hotmail.com)

Dear Mr. Criscione:

Thank you for your recent correspondence. The General Counsel referred your letter, dated May 24, 2013, to me for a response. I am the Assistant General Counsel for the division within the Office of the General Counsel that is responsible for providing legal advice on the Freedom of Information Act (FOIA).

We appreciate hearing your concerns regarding the agency's obligations under FOIA and with regard to your FOIA requests and appeals. The U.S. Nuclear Regulatory Commission (NRC) and the NRC's Office of the General Counsel take very seriously the agency's responsibilities under FOIA. We strive to respond to FOIA requests and appeals within the prescribed time limits, and to promote the principles of transparency and openness in response to FOIA requests and appeals.

The NRC as a whole is putting forth significant efforts to respond to the many related FOIA requests and appeals that you have submitted, and this requires coordinating among multiple offices within the NRC to ensure that we are taking a consistent approach.

If you need any additional information, please contact me or the member of my staff most familiar with this matter, Michelle Albert, at 301-415-1607.

Sincerely,

Patricia K. Hirsch

cc: Allison M. Macfarlane, Chairman  
Hubert T. Bell, Inspector General  
Margaret M. Doane, General Counsel  
Annette Vietti-Cook, Secretary of the Commission  
R. William Borchardt, Executive Director for Operations  
Darren Ash, Chief Freedom of Information Act Officer  
James Flanagan, Director of the Office of Information Services  
Donna Sealing, FOIA/Privacy Act Officer

## Criscione, Lawrence

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**From:** Lawrence Criscione <lcriscione@hotmail.com>  
**Sent:** Thursday, June 13, 2013 11:23 PM  
**To:** Hirsch, Pat; Albert, Michelle  
**Cc:** Sealing, Donna; Vietti-Cook, Annette; CHAIRMAN Resource; Borchardt, Bill; Ash, Darren; Bell, Hubert; Doane, Margaret; Boska, John; Wilson, George; Tom Zeller; paul@times.org; Jim Riccio; Dave Lochbaum; jruch@peer.org; Louis Clark; tomd@whistleblower.org; Billie Garde; sshepherd@cliffordgarde.com  
**Subject:** FW: Response to your letter  
**Attachments:** Errata - Inquiry for FOIA Appeal 2013-004A, 006A, 009A, 010A, 011A and 013A.pdf

Pat,

Thank you for your June 13, 2013 reply to my May 24, 2013 letter.

First, I recognize that the NRC is, of late, putting forth significant efforts to respond to the many related FOIA requests and appeals that I and others have submitted regarding the Jocassee/Oconee issues. I recognize these efforts require coordinating among multiple offices within the NRC to ensure that we are taking a consistent approach. I appreciate these efforts and I would like to see us as an agency put the time forth to get these issues resolved correctly, even if that means not meeting some of the deadlines prescribed by the Freedom of Information Act.

Not all FOIA requests are equal. Some (e.g. FOIA 2012-0325) are impossible to answer in the 30 working day window prescribed by the FOIA. However, others (e.g. 2013-0126, 2013-0127, 2013-0128) can readily be answered, especially when they consist of documents already redacted and release.

I don't know if you have noticed a pattern (I have certainly not tried to hide it), but most of the documents I have been requesting have already been requested - and released - by others (e.g. Koberstein, Zeller, Riccio, Lochbaum). I have been doing this because I do not agree with the redactions we have made to the documents released BUT under the law have no authority to challenge redactions made to the FOIA responses to others. Therefore, in order to appeal these redactions, I must first request the documents myself (since I can only appeal my own FOIA responses). It has been frustrating to me that my FOIA requests cannot be responded to within 20 working days when they consist entirely of documents that have already been reviewed and released under earlier FOIA's. It would help the overburdened NRC technical staff immensely if the FOIA office had a process for easily flagging documents that have already been released in redacted form and immediately responding to those FOIA requests without burdening the technical offices.

Although I am somewhat sympathetic to the challenges facing the technical and FOIA staffs in meeting the time commitments prescribed in the Freedom of Information Act, please note that much of the reason these time limits cannot be met are because of our own flawed processes:

1. The woefully disjointed guidance that exists for the determination of SUNSI.
2. The decision to not require portion marking on "Official Use Only" records
3. The decision to fail towards secretive withholding instead of fail towards transparent release
4. The decision to limit the types of documents routinely released

**With regard to item 1:** Management Directive 12.6 is from 1999 (i.e. two years prior to the drastic information handling changes resultant from the 2001-09-11 attacks) and is woefully out of date as evidenced by the need to sort through conflicting guidance in SECY papers, policy statements and intranet announcements to resolve significant questions. On October 26, 2012 I wrote an 8 page email to my union representation advising them of the poor condition of the guidance for Official Use Only information. I also wrote a two page email on October 25, 2012 to NRC Facilities Security (the program owner for MD 12.6) detailing some of this conflicting guidance. Both these emails were captured in internal NRC ADAMS as ML12313A059. These emails had been meant to point out a problem in the hopes of reaching a dialogue to produce solutions; they were not merely meant to be finger pointing. However, thus far no dialogue has ensued and instead the NRC has labeled ML12313A059 as "Allegation Material". As typical of the so-called "allegations" which others have submitted to the Inspector General in my name, no one investigating it has yet engaged me to discuss it. Since my Office Director and my Union President have been unreceptive to my concerns, I do not expect you to engage me to address them either. But if anyone is interested, my concerns regarding the marking and handling of SUNSI are provided in ML12313A059.

**With regard to item 2:** Secret and Top Secret documents must be portion marked. When looking at a Top Secret document, it is readily apparent which paragraphs cannot be released (they are marked with either a "(TS)", "(S)", or "(C)") and it is readily apparent which paragraphs can be released (they are marked with "(U)" for "Unclassified"). This methodology was not prescribed to make FOIA releases easier; it was prescribed in order to protect classified information. Consider an environment in which Top Secret documents were not portion marked. In such an environment, individuals working with the documents would not be definitively certain what exactly was classified and what was not. If an individual was attempting to prepare a power point presentation with an overall classification of "Secret" and wanted to ensure there was no "Top Secret" information included, without portion markings he would need to use his own individual judgment and individual interpretation of the classification guidelines when reviewing his Secret and Top Secret references. Not only is this tedious, but it is ripe for error. Having a trained classifier portion mark the paragraphs when the document is written will ensure the individuals utilizing the information definitively understand the classification level of the various pieces and do not need to rely on individual judgment and interpretation.

If the Jocassee/Oconee documents which I requested under the Freedom of Information Act had been portion marked, then they could not only have been readily redacted for release (and thus ensure the agency meets its time commitments under the Freedom of Information Act) but there would have been none of the inconsistencies that have been rampant between the information provided to Green Peace (Riccio) yet withheld from the Union of Concerned Scientists (Lochbaum) and the *Cascadia Times* (Koberstein). The reason for the inconsistencies which have been bogging down your OGC staff of late is because the varied technical staffers in NRR have had to individually use their judgment and interpretation of the highly disjointed SUNSI guidance to decide what can and cannot be released instead of relying on portion markings supplied by a trained SUNSI designator.

Requiring portion marking places the burden upon those who wish to withhold information in that in order to withhold information the individual desiring secrecy must specifically state what portions of a document are "Official Use Only" and why. Not requiring portion marking places the burden upon those who wish to transparently share information in that once an entire document or even an entire issue (e.g. the flooding concerns at Oconee) has been designated "Official Use Only" the individual desiring "Open Government" must specifically justify - often to several concerned parties any one of which can un-informedly veto the decision - why a particular piece of information can be shared with the public.

**With regard to item 3:** We are no longer the AEC. We do not build nuclear weapons and run enrichment facilities - those functions of the AEC were relegated to the Department of Energy which, by

the nature of its mission, must be secretive. We are the NRC. We regulate the commercial nuclear industry. The public must be able to trust our ability to be an impartial and competent regulator. Secrecy is as fatal to that public trust as transparency is vital to it. If a mid-level bureaucrat (e.g. George Wilson or John Boska) believes an important safety vulnerability (e.g. a potential Fukushima-style scenario in South Carolina due to a dam break) must be kept from the public due to concerns regarding dam security, then he needs to be challenged. We need to make sure that, not only is the security threat real (i.e. it is not mere "*speculative or abstract fears*"), but also that its secrecy takes precedence over our vital mission of transparently informing the American public (which includes elected decision makers, emergency responders, concerned homeowners, etc.) of potential safety concerns arising at nuclear facilities we regulate. Controlling security-sensitive information is important, but it is not of such importance that it must be our conservative default position. Much harm can be done by secrecy to not only our public confidence but also to our ability to proactively stir internal and external debate regarding important safety topics such as flooding due to dam failures. A mid-level bureaucratic should not be able to squelch our mission of transparency by taking an overly conservative stance on what can and cannot be publicly released. At the NRC we need to default to transparency and require those desiring secrecy to rigorously make their case.

With regard to item 4: In 10 CFR § 9.21 we list 6 records of NRC activities that are available for public inspection and copying. We need to expand that list to include:

- (7) all correspondence between the NRC and its licensees concerning inspections, including correspondence following through on issues which arise during inspections
- (8) all correspondence between the NRC and its licensees concerning license amendments, including correspondence following through on issues which arise during the evaluation of license amendments
- (9) all correspondence between the NRC and its licensees concerning allegations, including correspondence following through on issues which arise as the result of the investigation of an allegation

It is unconscionable that our correspondence with a licensee (Duke Energy) regarding a significant safety concern (the Jocassee/Oconee flooding issues) has been kept from the public for six years. Even if Wilson and Boska are right and all information regarding "*dam failure probabilities, specifics of nuclear power events caused by dam failure, and flood elevations resulting from dam failure*" must be withheld from the public due to security concerns, that does not justify withholding six years worth of correspondence on the issue. All the documents I have requested under the FOIA should have been portion marked and the non-Official Use Only portions should have been voluntarily released by the NRC so that the American public would have at least known about the non-security sensitive aspects of the issue. The American public deserves to be aware of our correspondence with a licensee regarding a significant safety concern. It is my opinion that NRR withheld this correspondence for malicious reasons. It is my position that NRR found it embarrassing that the NRC did not have a ready solution to the flooding concerns at Duke Energy and welcomed the "Official Use Only" designations - required by the supposed security concerns - which prevented the voluntary release of this information to the public. I am not stating this to you as an allegation; I am merely informing you of my position. Were 10 CFR § 9.21 to include official correspondence with licensees as documents routinely made public, it would have gone a long way to ensure transparency on the Oconee/Jocassee flooding issue.

I do not need a response from you on the above four items. They are merely my observations to you and you can take them for what they are worth. However, I would like you or Ms. Albert to provide me the following:



- A date when I can expect to receive a response to FOIA request 2013-0129 and FOIA appeal 2013-013A concerning emails between the NRC and other federal agencies (USACE, FEMA, FERC, DHS, TVA) regarding redactions to the GI-204 Screening Analysis Report.
- A date when I can expect to receive a response to FOIA request 2013-0127 and FOIA appeal 2013-010A concerning a copy of my 2012-09-18 email and attached letter to Chairman Macfarlane
- A date when I can expect to receive a response to FOIA appeal 2013-004A concerning redactions to ML081640244 contained in ML12363A132, redactions to ML082750106 contained in ML12363A129, redactions to ML090570779 contained in ML12363A133, redactions to ML091380424 contained in ML12363A134, and redactions to ML092020480 contained in ML12363A135
- A date when I can expect to receive a response to FOIA appeal 2013-006A concerning redactions to ML110740482 contained in ML12188A239
- A date when I can expect to receive a response to FOIA appeal 2013-009A concerning redactions to ML111460063 contained in ML13099A247, redactions to ML100780084 contained in ML13039A084, and redactions to ML101900305 contained in ML13039A086
- A date when I can expect to receive a response to FOIA appeal 2013-011A concerning redactions to ML091170104

I am at the stage in the process where my next step is to sue in federal court to obtain your responses to my FOIA appeals and to contend any disagreements I have with those responses. I was planning on preparing such a suit this weekend and filing it next week. However, in light of the agency's recent engagement with me (i.e. your June 13, 2013 letter) and in light of your stated efforts regarding "*coordinating among multiple offices within the NRC to ensure that we are taking a consistent approach*", I am willing to forgo the filing of a FOIA suit provided you can provide me with reasonable dates for the completion of responses to my FOIA appeals and requests mentioned in the bullet-ed items above. Please note that I consider reasonable dates as dates which fall within June or July of 2013. The appeals mentioned above are already fourteen to six weeks old and I believe expecting an answer within the next 30 working days (i.e. six weeks) is wholly reasonable on my part.

In writing this response to you, I noted some errors in my May 24, 2013 letter. Attached is a revised copy with changes to pages 3, 5 and 6. I apologize for any confusion my errors may have caused.

Very respectfully,

Larry Criscione  
573-230-3959

---

From: Pat.Hirsch@nrc.gov  
To: LSCriscione@hotmail.com  
CC: Donna.Sealing@nrc.gov; Michelle.Albert@nrc.gov  
Date: Thu, 13 Jun 2013 12:47:58 -0400  
Subject: Response to your letter

Pat Hirsch

Assistant General Counsel for Legal Counsel,

Legislation and Special Projects

Alternate Agency Ethics Official

Office of General Counsel

Nuclear Regulatory Commission

Mail Stop O-15 D21

301-415-1607



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Larry Criscione  
573-230-3959

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From: Pat.Hirsch@nrc.gov  
To: LSCriscione@hotmail.com  
CC: Donna.Sealing@nrc.gov; Michelle.Albert@nrc.gov  
Date: Thu, 13 Jun 2013 12:47:58 -0400  
Subject: Response to your letter

Pat Hirsch

Assistant General Counsel for Legal Counsel,

Legislation and Special Projects

Alternate Agency Ethics Official

Office of General Counsel

Nuclear Regulatory Commission

Mail Stop O-15 D21

301-415-1607



-----Original Message-----

From: Boska, John <[John.Boska@nrc.gov](mailto:John.Boska@nrc.gov)>  
To: Colleen Payne <(b)(6)>; Pascarelli, Robert <[Robert.Pascarelli@nrc.gov](mailto:Robert.Pascarelli@nrc.gov)>  
Sent: Mon, Mar 25, 2013 8:04 am  
Subject: RE: Duke Energy meeting

Colleen, we receive such a high volume of requests that we do not have the time to communicate with individuals on these items. We have established an email listserver for each of the power reactors, and if you sign up for the listserver, you will be emailed a copy of all the public documents we issue for Oconee Nuclear Station. The listserver is automated, I cannot add people or remove them or even see who is on the list. If you want to sign up, please go to <http://www.nrc.gov/public-involve/listserver/plants-by-region.html> and sign up for Oconee. The meeting notice for 3/25/13 was issued on the listserver on 3/18/13 and was placed on the NRC web site on 3/19/13.

I will add your name to the security list for today's meeting (although it is not a requirement, any member of the public can attend, they just have to register with security when they get here). Attached are the slides for today's meeting. Copies will be available at the meeting. Please call my cell phone <(b)(6)>, after you pass through security and I will ensure an escort brings you to the meeting room.

John Boska  
Oconee Project Manager, NRR/DORL  
U.S. Nuclear Regulatory Commission  
301-415-2901  
email: [john.boska@nrc.gov](mailto:john.boska@nrc.gov)

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**From:** Colleen Payne [[\(b\)\(6\)](mailto:(b)(6))]  
**Sent:** Saturday, March 23, 2013 10:05 AM  
**To:** Pascarelli, Robert; Boska, John  
**Subject:** Re: Duke Energy meeting

John and Robert,

Could you please keep me informed, I thought from last meetings, correspondence and my request that I was clear on receiving all current, future meetings re: Lake Jocassee/Oconee/Duke Energy & NRC. I receive daily updates and continually monitor NRC site, however, somehow I missed the upcoming 3/25 meeting re flooding issues/Duke/NRC.

Thank you, Colleen Payne

-----Original Message-----

From: Colleen Payne <(b)(6)>  
To: robert.pascarelli <[robert.pascarelli@nrc.gov](mailto:robert.pascarelli@nrc.gov)>; john.boska <[john.boska@nrc.gov](mailto:john.boska@nrc.gov)>  
Sent: Sat, Mar 23, 2013 9:56 am  
Subject: Re: Duke Energy meeting  
Good morning John and Robert,

Is Monday's, 3/25 meeting re: "to discuss the licensee's flooding hazard reevaluation report for the three Oconee units..." a rescheduled or new meeting? I was not made aware nor was this posted until just recently - within past few days.

I will be attending this meeting, please add my name to security list.

Thank you, Colleen Payne  
(b)(6)

-----Original Message-----

From: Colleen Payne <(b)(6)>  
To: Robert.Pascarelli <[Robert.Pascarelli@nrc.gov](mailto:Robert.Pascarelli@nrc.gov)>  
Sent: Mon, Mar 11, 2013 2:36 pm  
Subject: Re: Duke Energy meeting  
Bob,

Yes, that is correct. Thank you.

I just received notice from John Boska, 3/19 meeting has been rescheduled to 4/9.

Colleen

-----Original Message-----

From: Pascarelli, Robert <[Robert.Pascarelli@nrc.gov](mailto:Robert.Pascarelli@nrc.gov)>

To: Colleen Payne <(b)(6)>

Sent: Mon, Mar 11, 2013 1:40 pm

Subject: RE: Duke Energy meeting

Colleen,

I believe that you are referring to the April 16-18 industry meeting in Columbia, SC. It is an industry-sponsored meeting that the Office of New Reactors (NRO) has been invited to speak at for the last few years. Due to budget restrictions, NRO is not planning to attend this year.

Bob Pascarelli

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**From:** Colleen Payne [[\(b\)\(6\)](mailto:(b)(6))]  
**Sent:** Thursday, March 07, 2013 4:43 PM  
**To:** Pascarelli, Robert  
**Subject:** Re: Duke Energy meeting

Bob,

Do you know who will be speaking at the SMR Conference April 16-17? I was registered for that event, but will not be able to attend.

Thank you, Colleen

-----Original Message-----

From: Pascarelli, Robert <[Robert.Pascarelli@nrc.gov](mailto:Robert.Pascarelli@nrc.gov)>

To: Colleen Payne <(b)(6)>

Sent: Thu, Mar 7, 2013 2:29 pm

Subject: RE: Duke Energy meeting

Colleen,

It's possible that the meeting could occur as late as May. We coordinate resources with our Region II office to ensure that we can conduct all of the site meetings within a few months following the issuance of the annual assessment letters. I'll let you know as soon as we have a tentative date. Have a nice day.

Bob

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**From:** Colleen Payne [[\(b\)\(6\)](mailto:(b)(6))]  
**Sent:** Thursday, March 07, 2013 2:14 PM  
**To:** Pascarelli, Robert  
**Subject:** Re: Duke Energy meeting

Bob

Thank you for this information. Any chance of scheduling assessment meeting in May? I would like to attend and mid-May would work for me. (smile, I am joking - but doesn't hurt to ask)

Colleen

-----Original Message-----

From: Pascarelli, Robert <[Robert.Pascarelli@nrc.gov](mailto:Robert.Pascarelli@nrc.gov)>

To: Colleen Payne <(b)(6)>

Sent: Thu, Mar 7, 2013 10:35 am  
Subject: RE: Duke Energy meeting  
Ms. Payne,

It was a pleasure to speak with you on Tuesday afternoon and I look forward to seeing you on March 19<sup>th</sup>. Another meeting that you may be interested in is the annual end-of-cycle assessment meeting that is held in the Oconee visitor's center. Although we have not finalized a date, our annual meeting will most likely occur in the early April timeframe. I encourage you to consider attending if you are in the area. Additionally, please feel free to contact myself or John Boska if you have any questions or concerns. Have a great day!

Bob Pascarelli, Chief  
Plant Licensing Branch II-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

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**From:** Colleen Payne [mailto:(b)(6)]  
**Sent:** Thursday, March 07, 2013 9:52 AM  
**To:** Pascarelli, Robert  
**Subject:** Duke Energy meeting

Bob,

Just a quick note to thank your for your time on Tuesday, March 5 during and after Duke meeting.

I appreciate you taking the time to discuss some of the concerns regarding NRC's position regarding Oconee site.

I look forward to seeing you on the 19<sup>th</sup> - or rescheduled date.

Have a good rest of week,

Colleen