



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

FOIA or Reference Number

NRC-2021-000179

Response Number

3

Response Type



Interim



Final

Requester:

Daniel Ford

Date:

06/16/2023

**Description of Requested Records:**

Records on the Surrey issue/ interface LOCA discovered during the WASH-1400 study that were discussed with named individual; memos/documents sent to or received by named individual or by NRC staff relating to studies on siting criteria for nuclear plants that were drafted circa 1991-1992; and memos on files of other commissioners

**PART I. -- INFORMATION RELEASED**

- The NRC has made some, or all, of the requested records publicly available through one or more of the following means: (1) <https://www.nrc.gov> ; (2) public ADAMS, <https://www.nrc.gov/reading-rm/adams.html>; (3) microfiche available in the NRC Public Document Room; or the NRC Public Access Link (PAL), at <https://foia.nrc-gateway.gov/app/Home.aspx>.
- 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 Part I.D -- Comments) for a disclosure determination and direct response to you.
- We are continuing to process your request.
- See Part I.D -- Comments.

**PART I.A -- FEES**

- |        |  |  |
|--------|--|--|
| AMOUNT | <input type="checkbox"/> You will be billed by NRC for the amount indicated. | <input type="checkbox"/> Since the minimum fee threshold was not met, you will not be charged fees.  |
|        | <input type="checkbox"/> You will receive a refund for the amount indicated. | <input type="checkbox"/> Due to our delayed response, you will not be charged search and/or duplication fees that would otherwise be applicable to your request. |
|        | <input type="checkbox"/> 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"). See 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 90 calendar days of the date of this response. If you submit an appeal by mail, address it to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Mail Stop T-6 A60M, Washington, D.C. 20555-0001. You may submit an appeal by email to [FOIA.resource@nrc.gov](mailto:FOIA.resource@nrc.gov). You may fax an appeal to (301) 415-5130. Please be sure to include on your submission that it is a "FOIA Appeal." You may file an appeal through the NRC Public Access Link (PAL) at <https://foia.nrc-gateway.gov/app/Home.aspx>.

**PART I.C -- REFERENCES AND POINTS OF CONTACT**

You have the right to seek assistance from the NRC's FOIA Public Liaison by submitting your inquiry at <https://www.nrc.gov/reading-rm/foia/contact-foia.html>, or by calling the FOIA Public Liaison at (301) 415-0717.

If we have denied your request, you have the right to seek dispute resolution services from the NRC's Public Liaison or the Office of Government Information Services (OGIS). To seek dispute resolution services from OGIS, you may email OGIS at [ogis@nara.gov](mailto:ogis@nara.gov), send a fax to (202) 741-5789, or send a letter to: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001. For additional information about OGIS, please visit the OGIS website at <https://www.archives.gov/ogis>.



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## PART I.D -- COMMENTS

Upon receipt of your request, we had tasked the Offices of the Secretary to the Commission (SECY), Nuclear Reactor Regulation (NRR), Nuclear Regulatory Research (RES) and Executive Director for Operations (EDO) to search for any responsive records. This office issued an initial interim response to your request on August 12, 2022, providing you with a ADAMS report with records that are already publicly available. This office issued a second interim response to your request on November 23, 2022, providing you with some of the records located by SECY, which had been released to you in their entirety. This third interim response is providing additional records from NRR, RES and EDO that are responsive to your request. These records are enclosed.

Please note: The NRC is providing the following records that are now publicly available:

- ML19347A218
- ML19352E892
- ML19355D647
- ML19330E556
- ML19339E891
- ML20007G222
- ML20007G225
- ML20007G214
- ML20006G997
- ML20007A147
- ML20046D730

Records with a ML Accession Number are publicly available in the NRC's Public Electronic Reading Room at <https://www.nrc.gov/reading-rm.html>. If you need assistance in obtaining these records, please contact the NRC's Public Document Room (PDR) at 301-415-4737 or 1-800-397-4209, or by email to [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov).

We expect to issue one or more additional responses regarding the remaining records in the near future. We appreciate your continued patience.

Signature - Freedom of Information Act Officer or Designee

**Lezlie J. Colbert**

Digitally signed by Lezlie J. Colbert  
Date: 2023.06.16 12:57:21 -04'00'