



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

APR 26 1985

PDR-016

Robert R. Belair, Esquire
Kirkpatrick & Lockhart
1900 M Street, NW
Washington, DC 20036

IN RESPONSE REFER
TO FOIA-85-199

Dear Mr. Belair:

This is in response to your letter dated March 20, 1985, in which you requested, pursuant to the Freedom of Information Act (FOIA), copies of documents related to severe accident source term data.

The documents identified on enclosed Appendix A are being placed in the NRC Public Document Room (PDR) located at 1717 H Street, NW, Washington, DC 20555, in file folder FOIA-85-199 in your name. The documents identified on enclosed Appendix B are already available in the PDR. I have indicated the file location beside each document description.

The documents identified on enclosed Appendix C contain the predecisional legal analyses, opinions and recommendations of the Office of the General Counsel (OGC) and the Office of Policy Evaluation (OPE) for the Commissioners' consideration of the immediate effectiveness review of the October 29, 1984 Licensing Board order authorizing the grant of exemption from GDC-17 for low-power testing of the Shoreham facility, and for the Commissioners' consideration of the petition for review of ALAB-788 regarding the Shoreham facility. Because these documents reflect the predecisional process between OGC, OPE and the Commissioners, the documents are exempt from mandatory disclosure pursuant to Exemption 5 of the Freedom of Information Act, 5 U.S.C. 552(b)(5), and the Commission's regulations, 10 CFR 9.5(a)(5). Release of the documents would tend to inhibit the open and frank exchange of ideas essential to the deliberative process. The documents do not contain any reasonably segregable factual portions. The documents are being withheld in their entirety.

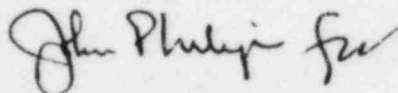
Pursuant to 10 CFR 9.15 of the Commission's regulations, it has been determined that the information withheld is exempt from production or disclosure and that its production or disclosure is contrary to the public interest. The person responsible for this denial is James A. Fitzgerald, Assistant General Counsel.

This denial may be appealed to the Commission within 30 days from the receipt of this letter. Any such appeal must be in writing, addressed to the Secretary of the Commission, 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."

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The search for and review of documents that are subject to your request are continuing. We will notify you upon completion of the search and review.

Sincerely,

A handwritten signature in dark ink, appearing to read "John Philip Felton". The signature is fluid and cursive, with the first and last names being more prominent.

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

Enclosures: As stated

APPENDIX A

Documents Being Placed in the PDR

1. 09/24/82 Letter to Harold Denton from Robert Budnitz Re: Reactor Accident Sequence Probabilities w/enclosure Draft Report - Review and Critique of Previous Probabilistic Accident Assessments for the Shoreham Nuclear Power Station (75 pages)
2. 11/22/82 Memo to Darrell Eisenhut from T. Novak Re: Proposed Board Notification - Shoreham w/attachment Board Notification (15 pages)
3. 12/02/82 Letter to Dr. Charles Graves from Donald Knuth Re: Hand Calculations Performed by "MC w/enclosures References for SAI PRA and various graphs (16 pages)
4. 04/13/83 Memo to Distribution from Jim Martin Re: A Perspective on Emergency Planning, Risk and the Source Term Issue w/enclosure various graphs (13 pages)
5. 09/20/83 Memo to Ashok Thadani from L. Hulman Re: WAPR, Shoreham, Midland and Seabrook PRA Reviews (2 pages)
6. 10/17/83 Letter to Dr. Themis Speis from Walter Kato Re: Form 189 entitled "Review of Probabilistic Risk Assessment for the Shoreham Nuclear Power Plant" (2 pages)
7. 10/17/83 Letter to Ashok Thadani from I. Papazoglou Re: Risk Evaluation Group (2 pages)
8. 10/20/83 Letter to A. Thadani from Walter Kato Re: Monthly Report for Activities w/enclosures Division of Safety Technology Monthly Highlights for September 1983 and Financial Status (4 pages)
9. 10/27/83 Memo to Lester Rubenstein from Frank Rowsome Re: Review of BWR Water Level Measurement Systems w/attachment PRA Review of BWR Water Level Measurement System (16 pages)
10. 11/17/83 Letter to A. Thadani from Walter Kato Re: October Monthly Reportw/enclosures Division of Safety Technology, Monthly Highlights for October 1983, and Financial Status (5 pages)

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11. 12/20/83 Letter to A. Thadani from Walter Kato Re: November Monthly Report w/enclosures Division of Safety Technology, Monthly Highlights for November 1983, and Financial Status (5 pages)
12. 12/29/83 Memo to Harold Denton from Roger Mattson Re: Shoreham Reactor Building - Internal Flood Protection (2 pages)
13. 01/1984 State of the Art of Reactor Containment Systems, Dominant Failure Modes, and Mitigation Opportunities - Final Report (294 pages)
14. 01/16/84 Letter to A. Thadani from Walter Kato Re: December Monthly Report w/enclosures Division of Safety Technology, Monthly Highlights for December 1983, and Financial Status (5 pages)
15. 01/30/84 Memo to A. Thadani from A. Schwencer Re: Shoreham Flooding (1 page)
16. 02/16/84 Letter to A. Thadani from Walter Kato Re: January Monthly Report w/enclosures Division of Safety Technology, Monthly Highlights for January 1984, and Financial Status (5 pages)
17. 03/16/84 Letter to A. Thadani from Walter Kato Re: February Monthly Report w/enclosures Division of Safety Technology, Monthly Highlights for February 1984, and Financial Status (5 pages)
18. 03/30/84 Memo to Albert Schwencer from Ashok Thadani Re: Shoreham Flooding w/enclosures Evaluation of Shoreham Flooding and Preliminary BNL Report (66 pages)
19. 04/1984 Status Report for the Month of April 1984 - Shoreham PRA Review (14 pages)
20. 04/16/84 Letter to Thadani from Walter Kato Re: March Monthly Report w/enclosures Division of Safety Technology, Monthly Highlights for March 1984, and Financial Status (5 pages)
21. 05/1984 Probabilistic Risk Assessment Shoreham Nuclear Power Station Low Power Operation Up to 5% of Full Power (141 pages)
22. 05/07/84 Letter to A. Thadani from Ioannis Papazoglou Re: Flood-Initiator (1 page)
23. 05/09/84 Memo to Albert Schwencer from Ashok Thadani Re: Shoreham Flooding w/enclosure BNL Final Report on Shoreham Flooding (83 pages)

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24. 05/16/84 Letter to A. Thadani from Walter Kato Re: April Monthly Report w/enclosures Division of Safety Technology, Monthly Highlights for April 1984, and Financial Status (6 pages)
25. 06/05/84 Letter to A. Thadani from Ioannis Papazoglou Re: Shoreham PRA Review (1 page)
26. 06/12/84 Letter to Ashok Thadani from Robert Youngblood Re: Shoreham PRA Review (1 page)
27. 06/18/84 Letter to A. Thadani from Walter Kato Re: May Monthly Report w/enclosures Division of Safety Technology, Monthly Highlights for May 1984, and Financial Status (5 pages)
28. 06/19/84 Memo to Albert Schwencer from Ashok Thadani Re: Shoreham PRA Review (1 page)
29. 06/22/84 Letter to Gregory Ogeka from Themis Speis Re: BNL Technical Assistance to the Division of Safety Technology "Review of Probabilistic Risk Assessment for the Shoreham Nuclear Power Plant w/enclosure NRC Form 173 (11 pages)
30. 06/28/84 NRC Form 189 - Review of Probabilistic Risk Assessment for the Shoreham Nuclear Power Plant (2 pages)
31. 07/02/84 Letter to Davis Schweller from H. Grahn Re: Review of Probabilistic Risk Assessment for the Shoreham Nuclear Power Plant w/enclosure NRC Form 189 (3 pages)
32. 07/31/84 Project Identification Summary - Review of PRA for the Shoreham Nuclear Power Plant (3 pages)
33. 09/1984 Letter to Gregory Ogeka from Themis Speis Re: Review of Probabilistic Risk Assessment for the Shoreham Nuclear Power Plant w/enclosure NRC Form 173 (2 pages)
34. 09/18/84 Letter to A. Thadani from Walter Kato Re: August Monthly Report w/enclosures Division of Safety Technology, Monthly Highlights for August 1984, and Financial Status (5 pages)
35. 09/27/84 Memo to W. Pratt from K. Perkins and S. Hsieh Re: Preliminary Review of the Containment Response Analyses in the Shoreham PRA (38 pages)

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36. 10/1984 Monthly Highlights for October 1984 - Review of the Probabilistic Risk Assessment for the Shoreham Nuclear Power Plant w/enclosure Financial Status (3 pages)
37. 10/01/84 Letter to Marc Wigdor from Kenneth Perkins Re: Containment Response Analyses (1 page)
38. 10/02/84 Memo to Robert Bernero from L. Hulman Re: Proposed Plan for Commission Policy Paper on Source Term Use in Regulation (3 pages)
39. 10/19/84 Letter to A. Thadani from Walter Kato Re: September Monthly Report w/enclosures Division of Safety Technology, Monthly Highlights for September 1984, and Financial Status (5 pages)
40. 11/84 Objectives of Emergency Response and the Potential Benefits of Evacuation and Shelter (8 pages)
41. 11/16/84 Letter to A. Thadani from Walter Kato Re: October Monthly Report (1 page)
42. 11/26/84 Memo to Themis Speis from Robert Bernero Re: Proposed Commission Paper on the Regulatory Uses of Source Term Research w/attachments Charter for Management Group to Develop a Commission Policy Paper on Integration of the Radiological Source Term, ltr. dated 2/22/83 to William Dircks and Design Basis Radiological Accident Source Terms (20 pages)
43. 12/17/84 Letter to Ak. Thadani from Walter Kato Re: November Monthly Report w/enclosures Monthly Highlights for November 1984, and Financial Status (4 pages)
44. 12/31/84 Memo to Darrell Eisenhut from Themis Speis Re: Preliminary Review of Shoreham PRA Study w/enclosures Preliminary Review of Shoreham PRA Study, and "A Review of the Shoreham Nuclear Power Station Probabilistic Risk Assessment (16 pages)
45. 01/18/85 Letter to A. Thadani from Walter Kato Re: December Monthly Report w/enclosures Monthly Highlights for December 1984, and Financial Status (4 pages)
46. 01/23/85 Letter to Gregory Ogeka from Themis Speis Re: Review of Probabilistic Risk Assessment for the Shoreham Nuclear Power Plant w/enclosure NRC Form 173 (6 pages)
47. 02/1985 An Evaluation of Unisolated LOCA Outside the Drywell in the Shoreham Nuclear Power Station (54 pages)
48. 02/06/85 Memo to Ashok Thadani from Brian Sheron Re: RSB Comments on Preliminary Review of Shoreham PRA Study (1 page)

49. 02/12/83 Letter to David Schweller from H. Grahn Re: Review of Probabilistic Risk Assessment for the Shoreham Nuclear Power Plant w/enclosure NRC Form 189 (3 pages)
50. 02/13/85 Letter to Gregory Ogeka from Themis Speis Re: Review of the Probabilistic Risk Assessment for the Shoreham Nuclear Power Plant w/enclosure NRC Form 173 (3 pages)
51. 02/13/85 Note for Themis Speis from Arthur Buslik Re: Interim Report on HPCI/RCIC/RWCU Line Break in Shoreham Reactor Building (3 pages)
52. 02/25/85 Letter to Harold Denton from John Leonard Re: LILCO Comments on Preliminary Review of Shoreham PRA study w/attachment SNRC-1149 (7 pages)
53. 02/20/85 Letter to A. Thadani from Walter Kato Re: January Monthly Report w/enclosures Monthly Highlights for January 1985, and Financial Status (4 pages)
54. 03/01/85 Letter to David Schweller from H. Grahn Re: Review of Probabilistic Risk Assessment w/enclosure NRC Form 189 (3 pages)
55. 03/19/85 Letter to A. Thadani from Walter Kato Re: February Monthly Report w/enclosures Monthly Highlights for February 1985, and Financial Status (4 pages)
56. 03/22/85 Memo to Hugh Thompson from Themis Speis Re: Unisolated LOCA Outside Drywell in Shoreham w/enclosure An Evaluation of Unisolated LOCA Outside Drywell in the Shoreham Nuclear Power Station (74 pages)
57. 03/25/85 Letter to Gregory Ogeka from Themis Speis Re: Review of the Probabilistic Risk Assessment for the Shoreham Nuclear Power Plant (1 page)
58. 03/25/85 Letter to Gregory Ogeka from Themis Speis Re: Review of the Probabilistic Risk Assessment for the Shoreham Nuclear Power Plant w/enclosure NRC Form 173 (2 pages)
59. Undated Major Milestones for Completion and Publication of NUREG-0956 (5 pages)
60. Undated Testimony of Robert Weatherwax, Mohamed El-Glasseir and Gregory Minor on Behalf of Suffolk County (95 pages)

APPENDIX B

Documents Already Available in the PDR

1. 12/02/82 Letter from J. L. Smith, LILCO, to H. R. Denton, subject: Evaluation on Internal Flooding-Shoreham Nuclear Power Station, Unit 1. Accession No. 8212070219
2. 04/18/84 Memo from R. J. Mattson to Various Addresses, subject: Review and Concurrence on Draft NUREG-1070, "NRC Policy on Future Reactor Designs: Decisions on Severe Accident Issues in Nuclear Power Plant Regulation" [Advance copy filed in PDR with NUREGs, as a re-draft].
3. 10/29/84 Initial Decision by Licensing Board re: Shoreham Unit 1, LBP-84-45. [Available in Docket File No. 50-322-OL-4]
[NOTE: This document is Attachment E to SECY-85-38, which is being addressed in Appendix C]

APPENDIX C

Documents Being Withheld

1. 02/04/85 SECY-85-38, memorandum from M. Malsch, Deputy General Counsel, and J. Zerbe, Director of Office of Policy Evaluation, to the Commissioners, Subject: Shoreham-Immediate Effectiveness Review of October 29, 1984 Licensing Board Order Authorizing Grant of Exemption from GDC-17 for Phases III and IV of Low Power Testing. (20 pages)
2. Attachment A to SECY-85-83 Undated paper by OGC attorney entitled "Summary of Board Decision." (18 pages)
3. Attachment B to SECY-85-83 Undated paper entitled "Analysis of Parties' Comments on Licensing Board's Decision Authorizing Grant of Exemption. (42 pages)
4. Attachment C TO SECY-85-83 Undated paper entitled "Prior History (Detailed)." (2 pages)
5. Attachment D to SECY-85-83 Undated draft Memorandum and Order re: Shoreham. (4 pages)
6. 03/21/85 SECY-85-101, memorandum from J. Fitzgerald, Assistant General Counsel, and J. Zerbe, Director Office of Policy Evaluation to the Commissioners, Subject: Petition for Review of ALAR-788 (LILCO). (5 pages)
7. Attachment to SECY-85-101 Undated paper entitled "Analysis of Issues Raised by Suffolk County in Its Petition for Review." (16 pages)