



FOIA — 96-322

RESPONSE TYPE

FINAL

☒ PARTIAL (4th)

DATE OCT 09 1996

DOCKET NUMBER(S) (if applicable)

RESPONSE TO FREEDOM OF
INFORMATION ACT (FOIA) REQUEST

REQUESTER

Dennis Dums

PART I.—AGENCY RECORDS RELEASED OR NOT LOCATED (See checked boxes)

☐ No agency records subject to the request have been located.☐ No additional agency records subject to the request have been located.☐ Requested records are available through another public distribution program. See Comments section.☐ Agency records subject to the request that are identified in Appendix(es) _____ are already available for public inspection and copying at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC.☒ Agency records subject to the request that are identified in Appendix(es) E are being made available for public inspection and copying at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC, in a folder under this FOIA number.☐ The nonproprietary version of the proposal(s) that you agreed to accept in a telephone conversation with a member of my staff is now being made available for public inspection and copying at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC, in a folder under this FOIA number.☐ Agency records subject to the request that are identified in Appendix(es) _____ may be inspected and copied at the NRC Local Public Document Room identified in the Comments section.☐ Enclosed is information on how you may obtain access to and the charges for copying records located at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC.☒ Agency records subject to the request are enclosed. *☐ Records subject to the request have been referred to another Federal agency(ies) for review and direct response to you.

Fees

☐ You will be billed by the NRC for fees totaling \$ _____.☐ You will receive a refund from the NRC in the amount of \$ _____.☐ In view of NRC's response to this request, no further action is being taken on appeal letter dated _____, No. _____.

PART II. A—INFORMATION WITHHELD FROM PUBLIC DISCLOSURE

☐ Certain information in the requested records is being withheld from public disclosure pursuant to the exemptions described in and for the reasons stated in Part II, B, C, and D. Any released portions of the documents for which only part of the record is being withheld are being made available for public inspection and copying in the NRC Public Document Room, 2120 L Street, N.W., Washington, DC in a folder under this FOIA number.

COMMENTS

*The records identified on enclosed Appendix E are responsive to your request. Copies of these records are enclosed.

The staff is continuing to review several records which may be responsive to your request. You will be notified promptly once this review is complete.

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SIGNATURE, DIRECTOR, DIVISION OF FREEDOM OF INFORMATION AND PUBLICATIONS SERVICES

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APPENDIX E

RECORDS MAINTAINED IN THE PDR UNDER THE ABOVE REQUEST NUMBER

NUMBER	DATE	DESCRIPTION/PAGES
1.	Undtd	Chronology of Relevant Dry Cask Operations, (2 pgs.).
2.	Undtd	Preliminary Information Paper, (1 pg.).
3.	Undtd	Urgent Bulletin: Chemical, Galvanic, or Other Reactions in Spent Fuel Storage and Transportation Casks, (2 pgs.).
4.	Undtd	Summary of NRC Bulletin 96-04, (3 pgs.).
5.	Undtd	Proposed Response to F. Shillinglaw 6/20/96 Letter to the Chairman, (1 pg.).
6.	6/10/96	Draft Information, (3 pgs.).
7.	6/10/96	E-Mail from R. Strasma to Multiple Addressees, subject: Point Beach Exit Meeting, (2 pgs.).
8.	6/14/96	E-Mail from W. Beckner to Marcus and Roe, subject: ANO Fuel Casks, (1 pg.).
9.	6/26/96	CRGR Meeting on Urgent Bulletin Titled, "Chemical, Galvanic, and Other Reaction in Spent Fuel and Transportation Casks," (80 pgs.).
10.	7/1/96	Memo to E. Leeds from J. Stokley, subject: "Maximum Over-Pressure Achievable on Burning of Hydrogen-Air Mixtures," (3 pgs.).

APPENDIX E
RECORDS MAINTAINED IN THE PDR UNDER THE ABOVE REQUEST NUMBER
(Continued)

NUMBER	DATE	DESCRIPTION
11.	7/2/96	Office Memo to Eric from John, subject: "Max Over-Pressure," (1 pg.).
12.	7/24/96	E-Mail from W. Reckley to J. Jankovich, subject: Shillinglaw Letter, (1 pg.).
13.	7/24/96	E-Mail from J. Jankovich to W. Reckley, subject: Shillinglaw Letter - Reply, (1 pg.).
14.	7/24/96	E-Mail from J. Jankovich to F. Sturz and C. Interrante, subject: Shillinglaw Letter - Forwarded, (1 pg.).
15.	7/26/96	E-Mail from E. Leeds to M. Bailey and F. Sturz, subject: Response to Bulletin 96-04, (1 pg.).
16.	7/26/96	E-Mail from C. Castell to A. Howell, subject: Carbozinc Temperatures, (1 pg.).
17.	8/9/96	Memo for F. Sturz from A. Howell, subject: "Estimate of Hydrogen Production from Radiolysis in Spent Fuel Casks," (6 pgs.).



CITIZENS' UTILITY BOARD

• 16 N. Carroll St., Suite 300 • Madison, WI 53703 • (608) 251-3322 • FAX (608) 251-7609 •

August 5, 1996

Mr. Russell Powell
Branch Chief FOIA/LPDR
Nuclear Regulatory Commission
Washington, D.C.
20555

FREEDOM OF INFORMATION
ACT REQUEST

FOIA-96-322
Rec'd 8-12-96

Re: Freedom of Information Act Request

Dear Mr. Powell:

Pursuant to the Freedom of Information Act, 5 U.S.C. 522, as amended and 10 C.F.R. Part 9.41, the Wisconsin Citizens' Utility Board (CUB) requests the following documents:

1. Please provide any and all documents that make a specific reference to the event at the Point Beach nuclear power plant, Dockets 50-266 and 50-301, involving a gaseous ignition incident during the welding of a spent fuel cask. This event was identified by the NRC in Preliminary Notification of Event or Unusual Occurrence PNO-III-96-033 on May 28, 1996;
2. Please provide any and all documents that address the generation of explosive gases during any phase of operation of the VSC-24 system;
3. Please provide any and all documents that address the ignition of explosive gases during any phase of operation of the VSC-24 system.

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¹ On June 4, 1996 CUB submitted a FOIA request to the NRC requesting documents responsive to items 1-3. The NRC completed its response to CUB's June 4, 1996 FOIA, identified by the NRC as FOIA-96-244/June 10, 1996, on July 25, 1996. CUB is re-submitting its FOIA request for items 1-3 to obtain documents in the agencies possession for the period of time following the date the NRC received CUB's June 4, 1996 FOIA to the date the NRC receives this FOIA request.

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4. Please provide any and all documents that address increased neutron multiplication in the fuel in a cask because of boron precipitation from a chemical reaction among the borated water and cask materials.
5. Please provide any and all documents that address the effect of a precipitate formed by a chemical reaction of zinc with acidic borated water from a spent fuel pool on fuel cladding integrity.
6. Please provide any and all documents that address the effect of a precipitate formed by a chemical reaction of zinc with acidic borated water from a spent fuel pool on the heat transfer characteristics of a VSC dry storage cask.
7. Please provide any and all documents that address the behavior of a precipitate formed by a chemical reaction of zinc with acidic borated water from a spent fuel pool under long-term exposure to neutron and gamma radiation.
8. Please provide any and all documents that address the behavior of a precipitate formed by a chemical reaction of zinc with acidic borated water from a spent fuel pool under high temperatures.
9. Please provide any and all documents that address the effect of a zinc reaction with the acidic borated water from a spent fuel pool on the characteristics of MSB anti-corrosion coatings.
10. Please provide any and all documents that address the effect of a zinc reaction with the acidic borated water from a spent fuel pool on the retrievability of spent fuel.
11. Please provide any and all documents that address the effect of a zinc reaction with the acidic borated water from a spent fuel pool on the reactor coolant system.

For purposes of this request, please consider "documents" to include reports, studies, test results, correspondence, memoranda, meeting notes, meeting minutes, working papers, graphs, charts, diagrams, notes and summaries of conversations and interviews, computer records, and any other form of written communications including internal NRC memoranda.

Pursuant to and in compliance with 10 C.F.R. 9.41 of the agency's regulations and 5 U.S.C. 552 governing requests for waiver of fees, CUB puts forth the following information.

CUB was incorporated pursuant to Chapter 181, 1979, of the

Wisconsin Statutes. CUB is exempt from Federal income tax under Section 501(c)(4) of the Internal Revenue Code. CUB is also exempt from Wisconsin franchise tax.

The restricted fund (public interest fund) is exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code. The fund is also exempt from Wisconsin income taxes. The restricted fund (public interest fund) was established on February 1, 1981, and reorganized on April 28, 1986 to correspond to the new structure of the CUB. The fund engages in charitable, scientific, literary and educational activities on behalf of CUB.

CUB has 20,000 members who are residential ratepayers in Wisconsin. CUB represents the more than two million residential ratepayers in the state. CUB's purpose continues to be the statutory purpose set forth under sec. 199.02, Wis. Stats.:

...to promote the health, welfare and prosperity of all the citizens of this state by ensuring effective and democratic representation of individual farmers and other individual residential utility consumers before regulatory agencies, the legislature and other public bodies and by providing for consumer education on utility service costs and on benefits and methods of energy conservation.

CUB seeks the requested information to become informed of the causes, consequences, and remedies of and for an incident which took place on May 28, 1996 involving the use of the VSC-24 storage system for spent nuclear fuel.

CUB intends to use the information to assist in its participation in any proceedings before the NRC, before state regulatory agencies, and as part of CUB's ongoing effort to educate the public on nuclear waste storage issues in Wisconsin.

The information sought, is not, to the best of our knowledge, in the public domain. The general public in Wisconsin has displayed great interest in nuclear waste issues and have a direct interest in NRC actions regarding the VSC-24 dry cask storage system.

CUB has demonstrated its ability and commitment to inform the public on all important nuclear waste storage issues in Wisconsin. CUB provides this information free of charge through newsletters, educational pamphlets, and correspondence to its members, other residential ratepayers, legislators, and policy makers, and has neither a commercial nor a private interest in the agency records sought.

Under the amended fee waiver standard, CUB is clearly entitled to a full waiver of all search, review and duplication fees. This standard calls for such a waiver, "if disclosure of the information is in the public interest because it is likely to contribute significantly to the public understanding of the operation or

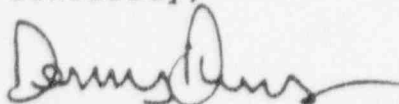
activities of the government and is not primarily in the commercial interest of the requester." 5 U.S.C. 552 (1)(4)(A)(iii).

In light of the foregoing, CUB meets this standard on its face. CUB has no commercial interest in this matter, but rather seeks this information to help the general public better understand the role of government in regulating the nuclear industry's radioactive waste storage activities.

For the reasons cited above, CUB's request falls squarely within the Congressional intent in enacting the Freedom of Information Act and the fee waiver provision. CUB, therefore, asks that the NRC grant a full fee waiver for this FOIA request.

Thank you for your anticipated cooperation. If you have any questions in regards to this request, please feel free to contact me at your earliest convenience. Please contact me before acquiring and sending the requested information if the fee waiver is not applied.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dennis Dums", with a stylized, flowing script.

Dennis Dums
Research Director

From: R. Jan Strasma
To: wmb, jtg, eah, sfg - *W Becker, J Hilland, F Hayden, A Hogue*
Date: 6/10/96 3:02pm
Subject: Point Beach Exit Meeting

I know Angela provided you with a summary of the Point Beach AIT on Friday. Here are some additional details:

The Point Beach AIT exit was attended by about 75 persons -- about half were associated with the licensee. The meeting went very well. Each of the team members presented his findings, and they were then summarized by Roy Caniano, the team leader. Jack Grobe, R:III Division Director, and Carl Paperiello, Director NMSS, provided more general comments. Jack, in introducing the meeting explained why the NRC staff did not consider the hydrogen burn to be an explosion (i.e. the lack of loud noise, damage, and type of mechanical "violence" associated with term explosion. One welder was standing on top of lid when burn occurred -- heard popping sound but did not even feel lifting of lid.) Following the AIT exit, there were questions and comments from members of the public. The total meeting lasted about 2 1/2 hours.

Three Green Bay TV stations, three print reporters, and a Wisconsin Public Radio reporter attended. Resulting news coverage seemed to be balanced and accurate.

Jack Grobe stated that we were disappointed that the licensee had not acted on the precursor events. Several times it was noted that the hydrogen burn incident might have been avoided if the licensee had recognized the significance of the hydrogen burn which occurred during the welding of the second cask and the water seepage indicating a pressure buildup. A licensee chemist had analyzed the effect of the cask coating on the spent fuel pool water, but had not noted the effect of the spent fuel pool water on the cask. Jack said the licensee had not applied the appropriate rigor to monitoring the cask activities.

In his concluding remarks, Carl Paperiello stated:

The VSC-24 cask can not be used until:

1. The generation of hydrogen can be either prevented or control measures are in place.

AND

2. Even with the generation of hydrogen being controlled, we have assurance that the chemical reaction has no adverse effect on the spent fuel pool, the fuel, or the function of the cask.

He added:

If the chemical reaction has adverse effect on the stored fuel or the functionality of the cask, then currently stored fuel will have to be addressed.

In response to a question, Carl also made a commitment that the NRC staff would not make a decision on resumption of cask use at Point Beach until 2 weeks after the licensee's response to the confirmatory action letter was placed in the public document room. This would provide interested members of the public time to review the response and provide any comments to the NRC staff.

The basic conclusions of the AIT were provided in the updated PN issued on Friday, June 7. A copy of the PN is attached.

CC: asd, CJP1, jag

Files: R:\PN\PN39633C.TXT