

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

NRC-2020-000194

1

RESPONSE  
TYPE

INTERIM



FINAL

**REQUESTER:**

Michael J. Aguirre

**DATE:**

05/08/2020

**DESCRIPTION OF REQUESTED RECORDS:**

Records related to the NRC's inspectors' observations during the initial dry cask runs starting in January 2018; the initial shim design used by SCE, NRC's observations and inspections of the unapproved design, and the results; records of phone calls regarding the August 3rd incident; and details of search resulting in a no records response to NRC-2020-000169

**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 FOIA Online, <https://foiaonline.gov/foiaonline/action/public/home>.
- ☐ 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

- ☐ You will be billed by NRC for the amount indicated.
- ☐ You will receive a refund for the amount indicated.
- ☒ Fees waived.
- ☐ Since the minimum fee threshold was not met, you will not be charged fees.
- ☐ Due to our delayed response, you will not be charged search and/or duplication fees that would otherwise be applicable to your request.

**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 e-mail 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." Only a pre-registered user may file an appeal through FOIA Online, <https://foiaonline.gov/foiaonline/action/public/home>. A user who has not registered an account prior to filing the initial FOIA request may still submit their appeal by one of the above mentioned options.

**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) 415-1276.

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 e-mail 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**

Some records that are responsive to your request are already publicly available in ADAMS as follows:

ML19011A084 - Holtec Letter, "Supporting Documents for Holtec International Meeting", dated January 8, 2019  
ML19011A081 - Holtec Affidavit  
ML19017A099 - Holtec Letter, "Supporting Documents for Holtec International Meeting", dated January 15, 2019  
ML19017A098 - Holtec Affidavit  
ML19228A016 - EA-18-151 - Follow-up Inspection Report No. 07201014/2019-201 and Notice of Violation  
ML18036A853 - EA-18-151 - Inspection Report No. 07201014/2018-201  
ML19015A118 - Holtec's Input to the PEC Proceedings on NRC' Inspection Report No. 7201014/2018-201  
ML19072A128 - EA-18-151 - Inspection Report No. 07201014/2018-201 Division of Spent Fuel Management  
ML19149A462 - Holtec's Reply to Notice of Violation EA-18-151  
ML19149A341 - EAW EA-18-155 SONGS (pgs. 118-133)

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).

Signature - Freedom of Information Act Officer or Designee

**Stephanie A. Blaney**

Digitally signed by Stephanie A. Blaney  
Date: 2020.05.08 10:03:16 -04'00'