

FOIA — 96-351

RESPONSE TYPE

FINAL

☒

PARTIAL

1st

DATE

NOV 20 1996

DOCKET NUMBER(S) (if applicable)



RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

REQUESTER

Mr. J. H. O'Neill, Jr. ATTN: W. R. Hollaway

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) A 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. Appendices A & C

☐ 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 listed on Appendix B are copyrighted. Therefore, they are only being made available for inspection in the NRC Public Document Room.

The search for and review of additional records subject to your request is continuing.

PIH
o/i

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

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PDR FOIA
O'NEILL96-351 PDR

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

FOIA NUMBER(S)

FOIA — 96-351

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PART II B — APPLICABLE EXEMPTIONS

Records subject to the request that are described in the enclosed Appendix(es) C are being withheld in their entirety or in part under the Exemption No.(s) and for the reason(s) given below pursuant to 5 U.S.C. 552(b) and 10 CFR 9.17(a) of NRC regulations.

☐ 1. The withheld information is properly classified pursuant to Executive Order. (Exemption 1)

☐ 2. The withheld information relates solely to the internal personnel rules and procedures of NRC. (Exemption 2)

☐ 3. The withheld information is specifically exempted from public disclosure by statute indicated. (Exemption 3)

☒ 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).

☒ 4. The withheld information is a trade secret or commercial or financial information that is being withheld for the reason(s) indicated. (Exemption 4)

☒ The information is considered to be confidential business (proprietary) information.

The information is considered to be proprietary information pursuant to 10 CFR 2.790(d)(1).

The information was submitted and received in confidence pursuant to 10 CFR 2.790(d)(2).

☒ 5. The withheld information consists of interagency or intraagency records that are not available through discovery during litigation. (Exemption 5). Applicable Privilege:

☒ Deliberative Process: Disclosure of predecisional information would tend to inhibit the open and frank exchange of ideas essential to the deliberative process. Where records are withheld in their entirety, the facts are inextricably intertwined with the predecisional information. There also are no reasonably segregable factual portions because the release of the facts would permit an indirect inquiry into the predecisional process of the agency.

Attorney work-product privilege. (Documents prepared by an attorney in contemplation of litigation.)

Attorney-client privilege. (Confidential communications between an attorney and his/her client.)

☐ 6. The withheld information is exempted from public disclosure because its disclosure would result in a clearly unwarranted invasion of personal privacy. (Exemption 6)

☐ 7. The withheld information consists of records compiled for law enforcement purposes and is being withheld for the reason(s) indicated. (Exemption 7)

Disclosure could reasonably be expected to interfere with an enforcement proceeding because it could reveal the scope, direction, and focus of enforcement efforts, and thus could possibly allow recipients to take action to shield potential wrongdoing or a violation of NRC requirements from investigators. (Exemption 7 (A))

Disclosure would constitute an unwarranted invasion of personal privacy. (Exemption 7 (C))

The information consists of names of individuals and other information the disclosure of which could reasonably be expected to reveal identities of confidential sources. (Exemption 7 (D))

OTHER

PART II. C — DENYING OFFICIALS

Pursuant to 10 CFR 9.25(b) and/or 9.25(c) of the U.S. Nuclear Regulatory Commission 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 persons responsible for the denial are those officials identified below as denying officials and the Director, Division of Freedom of Information and Publications Services, Office of Administration, for any denials that may be appealed to the Executive Director for Operations (EDO).

DENYING OFFICIAL	TITLE/OFFICE	RECORDS DENIED	APPELLATE OFFICIAL		
			EDO	SECRETARY	IG
S. Joosten	Executive Assistant Office of the Secretary	C1 - C/3		X	
J. M. Taylor	Executive Director for Operations	C/4		X	

PART II. D — APPEAL RIGHTS

The denial by each denying official identified in Part II.C may be appealed to the Appellate Official identified there. Any such appeal must be made in writing within 30 days of receipt of this response. Appeals must be addressed, as appropriate, to the Executive Director for Operations, to the Secretary of the Commission, or to the Inspector General, 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."

APPENDIX A
RECORDS BEING RELEASED IN THEIR ENTIRETY

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
1.	Undated	PSE&G, Salem Unit 1, Reactor Trip.Safety Injection (11 pages)
2.	Undated	Salem Parameter and Setpoint Information (10 pages)
3.	Undated	Draft, NRC Augmented Inspection Team, Exit Meeting (11 pages)
4.	Undated	ECCS Composite diagram (simplified) (1 page)
5.	Undated	Salem Solid State Protection System Functional Diagram (1 page)
6.	Undated	AIT document request and response for AIT-CW-004 (4 pages)
7.	Undated	AIT document request and response for AIT-CW-005 (12 pages)
8.	Undated	AIT document request and response for AIT-CW-037 (6 pages)
9.	Undated	AIT document request and response for AIT-CW-051 (1 page)
10.	Undated	Emergency Operating Procedures used by Control Room crew in responding to 4/7/94 event (14 pages)
11.	Undated	Preliminary Licensee Post-Trip Review of 4/7/94 reactor trip (94 pages)
12.	Undated	Salem Generating Sttion Unit 1, Operations Log (8 pages)
13.	Undated	Charts: Salem SALP Trends 1/88 through 11/94 (7 pages)
14.	Undated	Potential public statements relative to meeting (1 Page)
15.	Undated	Enclosure: "Evaluation of AIT Concerns" (5 pages)

APPENDIX A
(continued)
RECORDS BEING RELEASED IN THEIR ENTIRETY

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
16.	Undated	Discussion of Individual Violations (32 pages)
17.	Undated	Slides, Salem Preliminary Assessment Notes by R. Gallo and J. Jacobson (13 pages)
18.	Undated	Handwritten notes by J. Jacobson (9 pages)
19.	Undated	Exit meeting notes by J. Jacobson (3 pages)
20.	Undated	Salem Final Performance Assessment Results (4 pages)
21.	Undated	Memo for the Record from J. M. Taylor, Subject: Drop-In Visit - Public Service Electric and Gas Company (PSE&G) (2 pages)
22.	Undated	PSE&G Salem Unit 1, Unit 2, and Hope Creek Chronology (8 pages)
23.	Undated	PSE&G Salem Unit 1, Unit 2, and Hope Creek Chronology with annotations (8 pages)
24.	Undated	Mapping the Future, provided to Commissioner Dicus (28 pages)
25.	Undated	PSE&G Nuclear Business Unit, Leon R. Eliason (profile) (1 page)
26.	Undated	Handwritten notes of courtesy visit by Commissioner Dicus with PSE&G officials (1 page)
27.	Undated	R. A. Spence notes on initial information event and AIT composition (1 page)
28.	Undated	Initial outline of AIT report and assignments (11 pages)
29.	Undated	PSE&G table of procedure steps, overhead annunciators, and other indications used in determining procedure requirements for loss of OHAs (5 pages)

APPENDIX A
(continued)
RECORDS BEING RELEASED IN THEIR ENTIRETY

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
30.	Undated	Supplementary Requirements for Loss of OHA's (8 pages)
31.	Undated	Unit 2, OHA Windows with no alternate indication in the CR or CR Equipment Room (4 pages)
32.	Undated	Sections from PSE&G Salem 2 alarm response procedures s2.OP-AR.ZZ-0001(Q) (6 pages)
33.	Undated	A-K Annunciator window panel layouts S2.OP-AR-ZZ-0001(Q) (10 pages)
34.	Undated	Note to C. Vondra from M. Morroni, Subject: Overhead Annunciator with attachments (2 pages)
		Attachment A - 12/21/92 Memo to D. Lyons from M. Bursztein, Subject: Engineering Position Regarding System Lockup (1 page) & 12/21/92 Memo to M. Bursztein from J. Carey, Jr., Subject: Functional Status of the Salem Overhead Annunciator System (2 pages) & 12/21/92 Memo to J. Carey from R. McDade, Subject: Functional Status of the Hathaway/Beta SER 4100R and 1500 Distributed Annunciator (1 page) & 12/20/92 Memo to J. Carey from M. van der Helm (3 pages)
		Attachment B - Revised OHA problem descriptions (3 pages)
		Attachment C - 12/21/92 Memo to D. Lyons from D. Silver, Subject: Overhead Enunciator Workstations Virus Scan Outcome (1 page)
35.	Undated	Procom Plus Command Menu (2 pages)
36.	07/11/91	Memo for the Record from J. M. Taylor, Subject: Drop-In Visit - Delmarva Power and Light (1 page)

**APPENDIX A
(continued)
RECORDS BEING RELEASED IN THEIR ENTIRETY**

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
37.	12/20/91	Memo for the Record from J. M. Taylor, Subject: Drop-In Visit - Public Service Electric and Gas Company (PSE&G) (2 pages)
38.	1/92	Excerpts of NUMARC/NESR-007, Rev. 2, Methodology for Development of Emergency Action Levels (4 pages)
39.	03/03/92	Salem Unit 1/2/ Operations, Procedure Number SC.OP-DD.ZZ-0D03(Z), Rev. 0 (6 pages)
40.	06/25/92	PSE&G Salem/Operations, S1.OP-AB-ANN-0001(Q), Rev. 0, Overhead Annunciators Operation (50 pages)
41.	12/13/92	PSE&G report to Lower Alloways Creek Police Department (1 page)
42.	12/14/92	PSE&G NRC Notification Data Sheet (4 pages)
43.	12/14/92	Note to B. Gallagher from B. Lowry, Subject: Interim operability check of the Beta OHA Annunciator System (1 page)
44.	12/15/92	PSE&G, Salem Unit 2, Overhead Annunciator Lockup with R. Spence notes (15 pages)
45.	12/15/92	Note to B. Ruland from B. Spence, subject: Salem 2 Dec 13, 1992 Loss of Annunciators AIT (4 pages)
46.	12/17/92	Handwritten notes by R. A. Spence, simulator test notes (1 page)
47.	12/19/92	Note to R. Gallaher from D. Lyons, Subject: Control of OHA Remote Control Workstation (1 page)
48.	12/19/92	Justification for Interim Operation of Salem Units 1 and 2 with Overhead Annunciator Concerns (4 pages)
49.	12/21/92	Note to V. Polizzi from R. Gallaher, Subject: OHA Questions (1 page)

APPENDIX A
(continued)
RECORDS BEING RELEASED IN THEIR ENTIRETY

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
50.	12/23/92	Nuclear Licensing Work Standard, NRC Inspection Management, Attachment 1, Question and Answer Tracking Form (1 page) with attached 12/29/92 PSE&G faxed answers (3 pages)
51.	12/29/92	PSE&G Salem/Operations, S2.OP-AB-ANN-0001(Q), Rev. 0, Loss of Overhead Annunciator System (55 pages)
52.	12/29/92	Significant Event Response Team, Report No. 92-05 (36 pages)
53.	06/30/93	Letter to D. Perkins from J. Gasperini, Subject: Inadvertent ECCS Actuation at Power (6 pages)
54.	08/02/93	Memo for the Record from J. M. Taylor, Subject: Drop-In Visit - Public Service Electric and Gas Company (2 pages)
55.	03/09/94	Letter from Thomas Martin to Steven Miltenberger on Notice of Violation and Proposed Imposition of Civil Penalty (10 pages)
56.	04/07/94	Slides, Salem Unit 1 Reactor Trip with Multiple Safety Injections (16 pages)
57.	04/08/94	Salem AIT Analysis - Review of the Circumstances Surrounding the Salem Unit 1 Trip on April 7, 1994 and the Unexpected Response of Plant Systems (10 pages)
58.	04/08/94	Salem AIT Analysis - Review of the Circumstances Surrounding the Salem Unit 1 Trip on April 7, 1994 and the Unexpected Response of Plant Systems (8 pages)
59.	04/08/94	Event Notification 27053 (2 pages)
60.	04/08/94	Letter to S. Miltenberger from T. Martin, Subject: Confirmatory Action Letter 1-94-005 (8 pages)

APPENDIX A
(continued)
RECORDS BEING RELEASED IN THEIR ENTIRETY

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
61.	04/14/94	Fax of Preliminary Notification, PN1-9425A (1 page)
62.	04/29/94	Fax of letter to T. Martin from S. Miltenberger, Subject: Request for Supplemental Information (29 pages)
63.	05/04/94	Fax of 4/5/89 Salem 2 LER 89-005, Rev. 0 (5 pages)
64.	05/17/94	Letter to J. Jacobson from D. Zannoni, Subject: New Jersey DEP Compilation Salem 1 and 2 Performance Data with attached 07/19/94 letter to J. Jacobson from D. Zannoni, Subject: New Jersey DEP Compilation Salem 1 and 2 Performance Data with attached excerpts from 1993 NES Annual Report (30 pages)
65.	06/24/94	Letter to S. Miltenberger from J. Wiggins, Subject: NRC Augmented Inspection Team (AIT) Report Nos. 50-272/94-80 and 50-311/94-80 with attached Inspection Report (56 pages)
66.	07/06/94	Letter from James Wiggins to Steven Miltenberger on Apparent Violations Relative to the April 7, 1994 E (7 pages)
67.	07/28/94	NRC Enforcement Conference (37 pages)
68.	12/13/94	Memo for the Record from J. M. Taylor, Subject: Drop-In Visit - Public Service Electric and Gas Company (PSE&G) (1 page)
69.	04/11/95	Letter from Thomas Martin to Vincent Polizzi on Letter of Reprimand - Enforcement Conference (OI Investigation 1-93-021R) (3 pages)
70.	04/11/95	Letter from Thomas Martin to Lawrence Reiter on Enforcement Conference (OI Investigation 1-93-021R) (2 pages)

APPENDIX A
(continued)
RECORDS BEING RELEASED IN THEIR ENTIRETY

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
71.	04/11/95	Letter from Thomas Martin to Calvin Vondra on Notice of Violation - Enforcement Conference (OI Investigation 1-93-021R) (6 pages)
72.	04/12/95	NRC Public Affairs News Release entitled, "NRC Staff Proposes to Fine Public Service Electric & Gas Company for Alleged Violation at its Salem Nuclear Generating Station (2 pages)
73.	06/02/95	Memo for the Record from J. M. Taylor, Subject: Drop-In Visit - Public Service Electric and Gas Company (PSE&G) Salem Units 1 & 2 (2 pages)
74.	06/23/95	NRC Position on Salem - 6/23/95 (2 pages)
75.	12/01/95	Memo for the Record from J. L. Milhoan, Subject: Drop-In Visit Public Service & Gas Company (1 page)
76.	02/27/96	Memo for the Record from J. M. Taylor, Subject: Drop-In Visit - Public Service Electric and Gas Company with attached 12/13/95 letter to R. Busch from W. Russell (4 pages)
77.	02/29/96	Letter to C. Browsher from J. Biden (2 pages)
78.	07/18/96	Executive Profile of E. James Ferland (1 page)
79.	07/24/96	E-mail to Chairman Jackson from G. Schuetze, Subject: Utility Meeting (1 page)
80.	08/15/96	E-mail to Chairman Jackson from G. Schuetze, Subject: Utility Meeting (1 page)

APPENDIX B
COPYRIGHTED RECORDS BEING RELEASED TO THE PDR

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
1.	12/17/92	Newspaper article, Today's Sunbeam, Salem 2 under scrutiny (1 page)
2.	03/21/95	The Morning Report Compiled by Corporate Communications, Star Ledger 3/21/95, Page 17 Regulators meeting with PSE&G chiefs to 'get their attention' on Salem (2 pages)
3.	07/19/96	Newspaper article, Gloucester County Times, No word games from PSE&G nuclear execs (1 page)
4.	07/23/96	Newspaper article, Gloucester County Times, Salem reactor's restart delayed (1 page)
5.	08/14/96	Newspaper article, Today's Sunbeam, PSE&G considering nuclear merger with PECO (1 page)

APPENDIX C
RECORDS BEING WITHHELD IN PART

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)/EXEMPTIONS</u>
1.	10/04/95	Routing Slip regarding SECY-95-246 (1 page) EX. 5
2.	08/23/96	Note for Chairman Jackson from C. Miller, Subject: August 26, 11-11:30 Drop-In, PSE&G executives (3 pages) EX. 5
3.	08/23/96	Memo for Commissioner Dicus from T. Chan, Subject: Courtesy Visit by Public Service Electric and Gas Co. (PSE&G) (2 pages) EX. 5
4.	09/13/96	Memo for the Record from J. M. Taylor, Subject: Drop-In Visit - Public Service Electric and Gas Company (2 pages) EX. 4