

February 24, 1985

Mr. J. Felton, Director,  
Division of Rules and Records  
Office of Administration  
US Nuclear Regulatory Commission  
Washington, DC 20555

FREEDOM OF INFORMATION  
ACT REQUEST

FOIA-85-136  
rec'd 03/01/85

## P E T I T I O N

Dear Mr. Felton:

SUBJECT: FOIA REQUEST REGARDING REVIEW OF ZION, 1984 CONTAINMENT LEAK RATE TEST

Pursuant to the Freedom of Information Act, as amended, 5 USC 552, and the Privacy Act of 1974, 5 USC 552a, I hereby request all the information in the NRC possession, regarding the review of the most recent containment leak rate test on Zion Power Plant. I am enclosing a photocopy of Mr. Rehm's letter to me claiming that such information exists.

Such information, as set forth in 10 CFR, Paragraph 9, and in associated regulatory documents must include but is not limited to 1) list of all pertinent documents; 2) calculations; 3) data base for calculations; 4) memoranda from and to all the parties involved; 5) records of telephone conversations, minutes, transcripts or if unavailable, summaries of all meetings including technical meetings involving the subject, and 6) explanation of the appeal procedure.

The Atomic Energy Act of 1954 and the Operating License provide that some of the information in question may not be in the immediate possession of the NRC, however such information must be made available to the NRC immediately upon request. I urge you to immediately request from the depository (Commonwealth Edison Co.) any and all the information not in the possession of the NRC, on the subject.

### BACKGROUND

My concerns are with the safety of citizens (including my relatives and friends) residing in the area vulnerable to a radioactive contamination from the Zion Station. Upon learning about fraudulent Zion tests which had to be repeated to assure compliance of the leak level with the legal limits, and with the intent to perform an independent review of the Zion tests, I examined the materials submitted to me by the CANP of Chicago. Although these materials do not contain the complete raw data, they enabled me to establish conservative estimates of the leak rate in excess of specified by the Operating License. My conclusions were conveyed to Mr. Rehm and, subsequently, the subject review by the NRC has been performed.

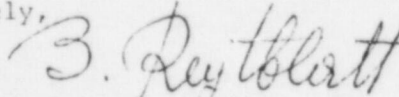
FEE WAIVER REQUEST

I am petitioning for the waiver of the fee on the ground that the people of the USA will benefit from the release of the information as explained below.

The present leak rate testing methodology allows to "determine" any leak rate value from any set of the raw data. This has been proven beyond any reasonable doubt analytically, by worked examples and on actual data (Zion, Unit 1). Fraudulent Zion, Unit 1, tests have been officially found deficient. An independent review of the most recent test is of a special concern of the Chicago area citizens. It is, therefore, in the best interests of the people of the USA that the subject information be made public and that no fee be charged for its release.

I shall expect to hear from you within ten (10) working days as provided by law.

Sincerely,

A handwritten signature in cursive script, reading "Z. Reytblatt".

Zinovy V. Reytblatt, Chair  
Department of Mathematics and  
Computer Science



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

FEB 20 1985

Dr. Zinovy V. Reytblatt, Chairman  
Department of Applied Mathematics &  
Computer Science  
Warren Wilson College  
Swannanoa, North Carolina 28778

Dear Dr. Reytblatt:

This is to acknowledge receipt and consideration of your January 9, 1985 letter directed to me. The content of your letter has been reviewed by the NRC staff with the following comments, which I am passing on to you.

The technical material in your letter has previously been presented by you to the NRC staff in various forms, including written and oral presentations. The staff has had continued dialogue with you on issues related to containment leak rate testing extending over many years, which has included extensive correspondence on the subject. The technical issues raised in your most recent letter have all received NRC staff consideration. Although your specific reference to the software used in the 1984 Zion containment integrated leak rate test is new, the underlying subject is again that of proper use of weight coefficients, which has been previously raised by you and considered by the staff. In any event, the NRC staff has again reviewed a representative sample 1984 Zion test average temperature calculation and is satisfied with the results, based on current practice.

Since the review of prior correspondence reveals that no new technical issues have been raised by your January 9, 1985 letter, the letter provides an insufficient basis for emergency relief on the part of the NRC.

As noted in my letter to you of October 30, 1984, your comments will be considered in the preparation of the regulatory guide addressing ANSI/ANS 56.8-1091. We will follow our normal procedures with regard to public input, and further opportunities will exist for input from the public at large, as well as from you.

Sincerely,

A handwritten signature in dark ink, appearing to read "T. A. Rehm", is written over a horizontal line.

T. A. Rehm  
Assistant for Operations  
Office of the Executive Director  
for Operations

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