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September 29, 2020

Chief Division of Freedom of Information and Publication Services
Office of Administration U.S. Nuclear Regulatory Commission
Washington, DC 20555
Via email only to foia@nrc.gov

Subject: Beyond Nuclear / Don't Waste Michigan FOIA Request Pertaining to
Palisades Nuclear Power Plant

Dear FOIA Officer:

Pursuant to the Freedom of Information Act (FOIA); 5 U.S.C. 552(b), *et seq.*, Beyond Nuclear and Don't Waste Michigan hereby request information for the subject matter described as follows. This request covers, but is not limited to, all draft and final reports, correspondence, memoranda, notes, records of telephone contacts, electronic communications including fax transmissions and email, or other written records, whether in paper or digital format, preserved via the use of any medium (e.g., paper documents, final notes, or word processors or computer discs, diskettes, hard drives, or network systems.) In addition, this request includes studies, analyses, work papers, internal or external communications of any sort, testimony, press releases, reports, diagrams and drawings, memoranda of the like and photographs in print or digital format concerning, recording or in any way related to the following:

1) All records dated on and after September 8, 2020 [related to the discovery of degradation of a principal safety barrier at Penetration 34 and Penetration 17 first publicly articulated on September 11, 2020 [at Event Number: 54897] of analyses, assessments, discussions, and/or evaluation of the risk implications of operation of Palisades reactor pressure vessel head with alternative 21.8-month repair Penetration weld 34 and Penetration weld 17 versus standard established weld 27-year repair for Penetration welds.

Included within the scope of this request are records dated on and after September 8, 2020, commenting on and/or discussing risk analyses, assessments, discussions and/or evaluations of the risk implications of catastrophic failure of Penetration welds leading to loss of

coolant accident (LOCA) cascading into Pressurized Thermal Shock (PTS) of the dangerously neutron-embrittled reactor pressure vessel, after activation of the Emergency Core Cooling System, risking through-wall fracture, and inevitable core meltdown.

2) All records regarding the NRC's assessment of the significance of findings and observations from February 1, 2018 forward pertaining to Penetration welds repairs performed in the Spring of 2018, including Penetration Quality Assurance provided by Framatome, Entergy and the NRC; Documents from 2018 Penetration examinations; Documentation indicating QA review by the NRC.

3) All documentation demonstrating previous approval of 21.8 months Penetration weld repair at any U.S. reactor elsewhere that have had exact weld repair proposed with 21.8 months. Request for methodology utilized including metallurgical failure analysis justifying lesser repairs without Stress Relief and Pressure Testing as proposed at Palisades. Also, all documentation referencing 27 year weld repair vs. 21.8 month weld repair. All documentation showing the Inspection Records of remaining / balance of Penetration welds at Palisades. Please include documentation that these Penetration weld Inspections have been reviewed and approved by the NRC.

4) Request "Palisades CEDM Nozzle IDTB Repair- Life Assessment Summary," Document Number 51-5047343-009, referred to herein as "Document." The Non-Proprietary document has been identified as: PNP 2020-031 Framatome Document No. 51-9292503-002, Palisades CEDM Nozzle IDTB Repair- Life Assessment Summary. We request provision of the Proprietary edition. Citations 2 through 9 have been redacted, please provide these documents. This document has been identified by Framatome to be reviewable on a need-to-know basis. FOIA Petitioners have a need to know, and we stand amenable to nondisclosure if it is provided to an independent expert of our choosing. There is absolutely no intent to use this information to commercial advantage or disclosure. If there are additional legal requests or hurdles to be able to obtain this document, please advise.

5) Please provide all documents and communications prepared or utilized by, in the possession of, or routed through the NRC related to items 1, 2, 3 and 4 above.

For any portion of the request that you deny, Beyond Nuclear and Don't Waste Michigan request that you describe the information that is denied, identify the exception to the FOIA on which you rely, and explain how that exception applies to the withheld information.

Pursuant to federal regulations at 10 CFR § 9.41, Beyond Nuclear and Don't Waste Michigan request that any search and copy fees incurred as a result of this search be waived, and provide the following information in response to the eight criteria listed in § 9.41(b):

1) Purpose of request: The purpose of the request is to gather information on NRC oversight and enforcement of regulation regarding the operation of nuclear power generating

stations and public safety. The requested information is currently not publicly available through the agency's public document room. The public interest is served by the release of requested documents.

2) Extent to which Beyond Nuclear and Don't Waste Michigan will extract and analyze the substantive content of the records: Beyond Nuclear and Don't Waste Michigan are qualified to make use of the requested information. Beyond Nuclear and Don't Waste Michigan with expert consultation and legal counsel have in the past demonstrated the ability to interpret information and communicate that information in a form comprehensible to the general public. Beyond Nuclear and Don't Waste Michigan have demonstrated competent participation in NRC 2.206 Petitions, Interventions before the Atomic Safety Licensing Board. Additionally, they have evinced public interest and advocated for environmental protection and nuclear safety at the Palisades NPP, as well as many other reactors, for decades. Beyond Nuclear and Don't Waste Michigan staff and researchers have thirty plus years of working relationship with physicists, structural and nuclear engineers, federal policy analysts and other respected professionals who contribute to the full understanding of NRC oversight and enforcement of regulation regarding the operation of nuclear power generating stations and public safety.

3) Nature of the specific activity or research in which the records will be used: Beyond Nuclear and Don't Waste Michigan have qualifications to utilize the information to contribute to public understanding of NRC oversight and enforcement of regulation regarding the operation of nuclear power generating stations and public safety, particularly the Palisades NPP in Michigan.

4) Likely impact on the public understanding of the subject as compared to the level of understanding of the subject prior to disclosure: Public understanding of the issues regarding NRC oversight and enforcement of requirements for the protection of public safety will be increased by the disclosure of this information particularly because it involves an urgent repair with almost no public notification in advance.

5) Size and nature of the public to whose understanding a contribution will be made: Don't Waste Michigan regularly provides resource material to electronic and print media outlets with very broad outreach to its constituency and the interested public, particularly in Michigan, where the Palisades NPP is located. Don't Waste Michigan regularly provides documents and information to email network listservs with upwards of two thousand registrants. Beyond Nuclear performs similar public communications services, including to its own twelve thousand plus members and supporters nation-wide, but also via dozens of nation-wide listservs, as well as by maintaining an educational website.

6) Means of distribution of the requested information: Beyond Nuclear and Don't Waste Michigan will utilize regional and national media contacts in both electronic and print media outlets to provide very broad outreach to the public and interested stakeholders on this issue. Beyond Nuclear and Don't Waste Michigan will also share information with interested parties concerned about NRC oversight and enforcement of public safety requirements. Additionally, Beyond Nuclear and Don't Waste Michigan will post information on regional and state

Environmental Networks and Newsletters. Beyond Nuclear will post FOIA-released documents at its website.

7) Whether free access to information will be provided: Yes. Beyond Nuclear and Don't Waste Michigan have always and will continue to provide the information obtained through FOIA without charge to the general public. Information from the FOIA requested will be prepared to be electronically posted material on Environmental web sites, including Beyond Nuclear's own for downloading free of charge. Beyond Nuclear and Don't Waste Michigan will provide electronic copy of information to all interested members of the public without charge.

8) No commercial interest by Beyond Nuclear and Don't Waste Michigan or any other party: Beyond Nuclear and Don't Waste Michigan have no commercial interest in obtaining the requested information. This information is provided to all public requests without charge. The interest of Beyond Nuclear and Don't Waste Michigan is to promote an open policy debate on the NRC oversight and enforcement of requirements for the protection of public health and safety. The interest of Beyond Nuclear and Don't Waste Michigan is to participate in all avenues afforded by the NRC and to utilize FOIA responses to do so.

Please send responses to all three email addresses listed below. Thank you.

Sincerely,

/s/ Kevin Kamps

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