PDR

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

April 17, 2000

CHAIRMAN

The Honorable Edward J. Markey
U.S. House of Representatives
Washington, D.C. 20515–2107

Dear Congressman Markey:

I am responding to your letter of March 9, 2000, concerning Nuclear Regulatory Commission (NRC) compliance with requirements of the Government in the Sunshine Act and the openness and transparency of the Commission's regulatory process. The Commission appreciates your concern about and interest in maintaining public trust and confidence in the NRC. Our responses to your specific questions are enclosed.

Your letter raises several questions stemming from an inadvertent set of circumstances in which the Nuclear Energy Institute (NEI) was given a draft of SECY-99-143, "Revisions to Generic Communications Program," about two weeks before it was available to the public through the NRC's Public Document Room (PDR). There was no intent to mislead or deceive you about the information provided in response to your earlier inquiry on this matter. This was confirmed by the NRC Inspector General's Report (Case No. 99-31D, 10/25/99) in its investigation of this matter (initiated at your request). That report explains that the error was the result of certain of the NRC staff's misunderstanding of PDR procedures. Nonetheless, as the attached December 20, 1999 memorandum from the NRC's Executive Director for Operations (EDO) indicates, the EDO has reemphasized the importance of clear and accurate communication to the staff, and the EDO has issued guidance to all office directors and regional administrators on timely availability of public documents. The Commission regrets that the response to your earlier question on this matter contained inaccuracies.

You also expressed concern about the openness with which the NRC conducts its business, particularly in those areas involving discussions between individual Commissioners and industry representatives. Historically, Commissioners have met with interested persons or organizations requesting a meeting with individual Commissioners, provided that such meetings would not violate the agency's ex parte rules. Representatives of public interest organizations are welcomed to the same extent as industry representatives. For example, one or more of the Commissioners have met with representatives from organizations including Public Citizens (PC), Nuclear Control Institute (NCI), Union of Concerned Scientists (UCS), National Congress of American Indians, Nuclear Information and Resource Services (NIRS), Natural Resources Defense Council (NRDC), and West Valley Coalition Citizens Task Force. In addition, the Commission as a whole frequently meets with representatives of public interest groups. In the past year, representatives of states, local governments and tribal organizations as well as public interest organizations, have participated in public Commission meetings; participation included representatives of Public Citizen, the Union of Concerned Scientists, Friends of the

DF02

Coast/New England Coalition on Nuclear Pollution, the National Congress of American Indians, the Nuclear Information Resource Service, the Nuclear Control Institute, Standing for Truth About Radiation (STAR), the Citizens Regulatory Commission, Friends of a Safe Millstone, the Millstone Ad-Hoc Employees Group, and Fish Unlimited, among others. Individual Commissioners also meet with public interest groups in the Regions, such as occurred in a recent trip to Yucca Mountain and during visits to Millstone in the period of extended shutdown.

In recent years, the Commission has made substantial efforts to broaden the scope and depth of its interaction with all stakeholders, whether from industry, public interest groups, the Congress or the States. We have sought stakeholder involvement at both staff and Commission levels in many different areas, such as agency strategic planning, redesigning the oversight process for reactors, rewriting our rules on the use of radioactive materials in medicine, revising our regulations on fuel cycle facilities, reexamining the NRC hearing process and establishing the decommissioning requirements for the West Valley Demonstration Project. I believe that each of these efforts is evidence of the Commission's desire to enhance its openness and to reach out to the public.

The Commission is committed to improving interactions with all of its stakeholders and in enhancing public trust and confidence in the agency. We will continue our efforts to improve in this area.

Sincerely,

Richard A. Meserve

Enclosures:
1. Responses to Questions
2. December 20, 1999 Memorandum

RESPONSES TO QUESTIONS

QUESTION I. In the Millstone case, the OIG found that the discussions with industry representatives did not violate the Sunshine Act, since the discussion never constituted a "meeting." A meeting is defined in 10 CFR 9.101 to require a quorum (three) of Commissioners. Has the NRC ever considered discussions with fewer than three Commissioners "meetings?" Why does the NRC believe only discussions with a quorum constitute a meeting when this may run counter to the Principles of Good Regulation?

ANSWER.

The NRC has never considered a discussion with fewer than three Commissioners to be a "meeting" under the Sunshine Act. In the case of the NRC, the Energy Reorganization Act of 1974 specifies that a "quorum for the transaction of business shall consist of at least three members present." 42 U.S.C. 5841 (a)(1). And the Sunshine Act defines a "meeting" to refer to deliberations of "at least the number of individual agency members required to take action on behalf of the agency." 5 U.S.C. 552b (a)(2). The NRC does not believe that this statutory definition runs counter to the Principles of Good Regulation, which provide for independence, openness, efficiency, clarity and reliability.

QUESTION 2. In the Millstone case, the OIG found that "the public had limited opportunity for direct access to individual Commissioners...due to a lack of Commission invitations and requests by the public for such meetings." What steps will the NRC take to ensure public participation in future discussions? What steps will the NRC take to inform and encourage the public to initiate meetings with the Commissioners?

ANSWER.

The Commission is receptive to requests for meetings from all interested stakeholders, and it already has taken the initiative to ensure public participation in discussions through very active efforts to engage stakeholders in its activities. The NRC regularly solicits public comments on regulatory policy proposals, outside the rulemaking process, through notices in the Federal Register on policy statements, regulatory guides, and standard review plans. It conducts frequent public meetings to invite all interested parties to get involved in the process, such as through public workshops on proposed rules, regulatory guidance, and industry voluntary initiatives to address specific technical issues. In addition, the Commission recently instituted a procedure aimed at obtaining more balanced stakeholder participation in its meetings. The Commission has incorporated guidelines for this process in its Internal Procedures, which are publicly available on the agency's website.

QUESTION 3. Apart from the federal standards for public access to NRC meetings, the NRC has guidelines for openness described in the Principles of Good Regulation. How does the NRC ensure that the Commission and its staff are complying with these principles? Are there other NRC guidelines which govern behavior of NRC Commissioners and staff regarding openness and transparency?

ANSWER.

The Principles of Good Regulation are featured prominently in agency policy and planning papers, such as in its annual Strategic Plan, and in its Mission Statement posted on the NRC website. The Commission and its staff are mindful of these principles in conducting their daily affairs. NRC Management Directives provide guidance and directives for the NRC staff on public attendance at agency meetings and on release of information to the public. These are designed to ensure that the public has a full and fair opportunity to understand the agency's regulatory process and that documents are not provided to a particular licensee or individual unless they can be made publicly available. The Commission also has issued regulations on ex parte communications which apply in agency adjudications. These regulations are scrupulously adhered to and ensure that no outside party to an agency adjudication can engage in "secret" communications with the Commission on matters relevant to an agency adjudication.

QUESTION 4. Before implementing the new Sunshine Act rule restricting the types of meetings that were subject to its provisions, the NRC applied the Sunshine Act requirements to all meetings with a quorum of Commissioners. Is the NRC currently using the more or less restrictive definition of a meeting? If the more restrictive definition is being used, will the NRC continue with this policy in light of the Commerce Committee's approval of legislation to block the NRC effort to exempt additional meetings from the Sunshine Act openness requirements? In addition, if the more restrictive definition is being used, how many NRC closed discussions have taken place that would have been subject to the Sunshine Act meeting requirements under the less restrictive definition of a meeting? What subjects were discussed in these meetings and who participated in them? Were any transcripts, minutes, or other records of these discussions kept?

ANSWER.

The Commission currently is using the definition of meeting that excludes certain discussions by a quorum of agency members from the definition of "meeting" under the Sunshine Act, in conformance with Congressional intent, as confirmed by the Supreme Court in FCC v. ITT World Communications, 466 U.S. 463 (1984). NRC is defending its Sunshine Act rule in the U.S. Court of Appeals for the District of Columbia Circuit, and the agency intends to continue to operate under this definition of meeting pending the outcome of the case, absent the enactment of legislation barring non-Sunshine Act discussions. To date, four such discussions have been held under the revised definition:

1.	September 15, 1999	3:00 - 3:40 p.m.	Hurricane Preparedness Activities (information briefing)
2.	September 22, 1999	1:05 - 1:35 p.m.	Media Streaming (information briefing)
3.	February 18, 2000	2:00 - 3:30 p.m.	Indian Point 2 Steam Generator Tube Leak (event briefing)
4.	March 1, 2000	10:30 - 11:30 a.m.	NRC's Y2K Program Lessons Learned (information briefing)

There were no transcripts kept for these discussions, but a record form was prepared for each. The record forms, which include attendance information, the subject matter and pertinent briefing material associated with these discussions, are attached.

Attachments: Records of Non-Sunshine Act Discussions

QUESTION 5. The NRC is beginning a new document access program known as the Agencywide Document Access and Management System (ADAMS). What is the status of this system? Have there been problems accessing the system? If so, what actions has the NRC taken to correct these problems? What other actions has the NRC considered to ensure the problems related to the release of draft SECY-99-143 to the public document room will not be repeated?

ANSWER.

ADAMS is a multipurpose electronic document management and record keeping system which provides for the electronic filing, distribution, and storage of NRC documents, including most of those which are made publicly available. Because of size or organization, some documents cannot be electronically filed or adequately retrieved. ADAMS is intended to provide for search and retrieval in electronic form of agency public documents released since November 1, 1999. When fully implemented, it will also provide access to information presently stored in the Bibliographic Retrieval System (BRS) and the Nuclear Documents System (NUDOCS). ADAMS is accessible via NRC's public website.

The ADAMS system is being implemented in phases. Beginning November 1, NRC began to centrally capture electronic images of newly-released publicly available documents and make them available to the public in ADAMS via our public website. During the period January 1 through March 31, NRC phased in direct electronic entry of certain documents into ADAMS by the staff. On April 1 ADAMS became the agency's official recordkeeping system and the vast majority of internally-generated documents are being directly entered by the staff. Externally-

generated documents will be entered at a few centralized capture stations at Headquarters and the Regions.

Although there have been a number of difficulties associated with the transition from a centralized, paper-based system to a more decentralized electronic one, ADAMS is intended to make documents available to the public more quickly than under the previous systems. Also, the public now will have electronic access to the majority of publicly available NRC documents in full text, whereas the earlier electronic systems provided this feature for only about 10% of the documents. ADAMS also offers the public the option of downloading and/or printing documents at their local computers, thereby avoiding the cost of ordering paper copies from the PDR (at 10 cents per page).

We are aware that some public users in organizations utilizing firewalls as a network security measure have been unable to access publicly available documents in ADAMS. Whenever NRC has been notified of these situations, we have assisted the organization, if requested, to address the technical problems it may be having. Alternatively, several organizations have opted to use standalone internet access rather than access ADAMS through their Local Area Networks. We also have worked with users to resolve local printing problems. The agency follows a procedure for identifying the problems, prioritizing them for resolution, and tracking the progress of efforts to resolve them. In the event there are problems with public access to the system, the PDR staff can use the internal system to answer queries and continue to provide document reproduction services. These services have not been eliminated.

The ADAMS system was not yet in place at the time when draft SECY-99-143 was released. At that time, it generally took 2 working weeks for most publicly available documents to reach the NRC Public Document Room and 3 weeks for microfiche to reach the local public document rooms. As is the case today, staff was instructed to send advance copies of certain high-interest documents directly to the Public Document Room. Under ADAMS, NRC's goal is to release most internally-generated documents within five working days after they are finalized and dated. The general policy, which was recently revised, states that:

1. Newly received documents from external entities shall be released 5 working days after they are added to the ADAMS Main Library.

2. Documents produced by the staff addressed to external entities shall be released 5 working days after the date of the document.

3. Documents produced by NRC staff addressed to other internal addressees (or documents with no specific addressees) shall be released 5 working days after the date of the document.

There are a number of exceptions to this policy. For example, the agency recognizes that for some documents, such as press releases or documents distributed at public meetings, release should be immediate. Other documents, such as those that contain confidential information, may never be publicly released. Therefore, ADAMS provides the capability to set release dates that may be earlier or later than 5 days after the date the document was finalized.

To ensure that NRC staff is familiar with the capabilities of ADAMS, and the new document release policies that have been adopted by the NRC, all staff attended formal ADAMS training programs, and detailed agencywide policy and procedures have been updated and issued. Periodically, network announcements are issued to further communicate and expand on specific implementation aspects of the new policies and procedures. We anticipate that there will be a learning curve and occasional instances when the agency's new and aggressive release timing goals may not be met, especially during the current transition period. Even considering these occasional instances, the current ADAMS environment is capable of delivering NRC information to the public considerably faster than the previous approaches and should therefore help to avoid some of the issues surrounding the release of draft SECY-99-143.

QUESTION 6. In the release of SECY-99-143, the OIG report indicated that "none of the drafters of the response to question 7... were given the opportunity to review the final version of the July 19, 1999 letter". What procedures does NRC follow to allow an original drafter to review the final version of any written records that person may have produced? Will the NRC make changes in this procedure as a result of the OIG report on the subject?

ANSWER.

There is no NRC procedure that requires the original drafter to be given the opportunity to review the final version of any document that person originated. There are no current plans to develop such a procedure.

ATTACHMENTS TO QUESTION 4

RECORD OF NON-SUNSHINE ACT DISCUSSIONS

Caution to Participants: As the Commission explained in its Federal Register notices announcing its intention to implement its 1985 rule change regarding the Sunshine Act, non-Sunshine Act discussions among three or more Commissioners are appropriate and legally permissible only when discussions are preliminary, informal, informational, or "big picture." If such a discussion begins to focus on discrete proposals or issues, such as to cause or be likely to cause individual participating members to form reasonably firm positions regarding matters pending or likely to arise before the agency, the discussion should be halted, and continued only in the context of a Sunshine Act meeting, scheduled in accordance with the requirements of that statute.

Date: Wednesday, September 15, 1999

Time begun: 3:00/3:02

Time ended: 3:30/3:40

Commissioners present:

Chairman Dicus	☒
Commissioner Diaz	☒
Commissioner McGaffigan	☒
Commissioner Merrifield	☒

Other Participants: see attached sheet

Topic(s) discussed: Information briefing on hurricane (Floyd) preparedness activities

NAME	ORGANIZATION
Beall, J.	OCM/EXM
Castleman, P.	OCM/NJD
Chan, T.	OCM/GJD
Congel, F.	IRO
Cyr, K.	OGC
Dyer, J.	RIII
Hart, K.	SECY
Hasselberg, R.	IRO
Hiltz, T.	OCM/GJD
Jones, B.	OCM/GJD
McCabe, B.	OCM/JSM
Rathbun, D.	OCA
Shea, J.	OCM/JSM
Smith, G.	OEDO
Thoma, J.	OCM/JSM
Vietti-Cook, A.	SECY
Wert, L.	OEDO

U.S. NRC
INCIDENT RESPONSE PROGRAM

Hurricane Preparedness Activities

Frank Congel, Director, IRO

September 15, 1999

NUCLEAR REGULATORY COMMISSION POLICY ON HURRICANE RESPONSE

The NRC Hurricane Response Policy is as follows:

- Regions I, II, and IV are responsible for monitoring hurricanes as they approach the continental United States.

- If the projected path of the potential hurricane shows impact on a coastline within a Region or Regions within 3 days, the Region will track the progress of the storm.

- Each Region is responsible for providing updates to the Headquarters Operations Center in a timely manner.

- Each Region maintains operational procedures for tracking hurricanes, including explicit scheduling for tracking, updating, and appropriate manning of the Regional Incident Response Center.

- NRC will maintain a presence onsite during hurricanes to evaluate licensee's preparations for the storm, to communicate site activities and status, and to evaluate licensee actions to mitigate consequences of the storm.

NRC RESPONSE ACTIONS IN ANTICIPATION OF A HURRICANE

- Each Regional office will consider providing satellite communications to potentially affected sites.
- Each region should maintain site specific information concerning power plant storm response criteria.
- Lessons learned will be developed within 4 weeks of termination of the response by the affected regions.
- Coordination with the Federal Emergency Management Agency will take place regarding status of the offsite emergency response capabilities prior to any actions taken by the facility to continued operations or restart of the plant.

NRC RESPONSE ACTIONS
IN ANTICIPATION OF A HURRICANE

72 HOURS ESTIMATED TO LANDFALL:

- Region initiates 24 hour tracking of storm.
- Regional Management alerted and provided daily update
- Resident Inspectors polled at the facilities to determine which residents will evacuate or request relief from work schedules to protect personal property from hurricane damage. The purpose of the polling will be to ensure that adequate staffing (a minimum of two persons at each site) is provided for each site.
- Transmit plant storm Emergency Action Levels to Regional Management for review.
- Consider providing satellite communications to potentially affected sites.

NRC RESPONSE ACTIONS IN ANTICIPATION OF A HURRICANE

48 HOURS ESTIMATED TO LANDFALL:

- Dispatch individuals who were selected at the 72-hour estimate to replace resident inspectors. Personnel dispatched to the site should have authorization for the rental of a 4x4 vehicle upon their arrival.

24 HOURS ESTIMATED TO LANDFALL:

- Dispatch the State Liaison Officer (SLO) to the affected State EOC(s) or the Disaster Field Office (DFO). If FEMA has established the DFO, the backup SLO will be dispatched to the State EOC if the SLO is dispatched to the DFO. Authorize rental of 4x4 vehicles.

- Place Region Public Affairs Officer (PAO) on standby and make arrangements for NRC Headquarters representative, if Regional PAO is not available.

- Authorize rental of a 4x4 vehicle for Resident Inspectors staying at sites affected by the storm.

NRC RESPONSE ACTIONS IN ANTICIPATION OF A HURRICANE

12 HOURS ESTIMATED TO LANDFALL THRU STORM PASSAGE:

- Establish Incident Response Center activation (Monitoring or Standby Mode)
- Monitor the progress of the hurricane.
- Determine the status of facilities that could be affected by the hurricane.
- Ensure affected licensees are taking proper precautionary actions in accordance with Technical Specifications and other applicable operating procedures.
- Maintain periodic communications with the NRC onsite personnel, licensee representatives and Headquarters Operations Center.
- Maintain communications with NRC personnel assigned to Federal and State facilities.
- Following storm passage, determine the extent of damage sustained by the licensee(s).
- Coordinate with FEMA to determine offsite emergency response capability before considering plant restart.

NRC RESPONSE ACTIONS IN ANTICIPATION OF A HURRICANE

DEACTIVATION

- The Regional Administrator will approve securing from the hurricane response operations.
- All records of the response activities will be assembled and catalogued for review.
- The onsite inspectors will complete any assessments of storm damage prior to leaving the site.
- The responsibilities for recovery operations, if necessary, will be assigned.
- Lessons Learned will be developed

Hurricane Floyd Preparedness Activities

- Region II has been tracking the advance of Hurricane Floyd for well over a week.
- On approach to US, RII entered its hurricane tracking procedure at 0700 on Monday 9/13. NRC entered Monitoring Phase of Normal Mode at 0900 on Tuesday 9/14.
- Extra NRC staff with satellite communications are stationed at sites in projected pathway (east coast of FL, GA, SC, NC, VA) verifying licensee hurricane preparedness.
- NRC staff is working in cooperation with state emergency response officials and FEMA national and regional response centers.
- On-site NRC personnel report to Region II at pre-arranged times, or as conditions warrant. HQ IRO staff monitors updates.
- NRR and NMSS Project Managers for affected sites are on-call (or as storm approaches - physically present in HQ Operations Center).

Hurricane Floyd Preparedness Activities
(continued)

- NRC technical experts and plant systems specialists are available for consultation or response using existing IRO response procedures.

- Additional IRO staff (Headquarters Operations Officers and Response Team Coordinators) are on duty in support of hurricane monitoring activities.

- Region I reports that it has entered its hurricane tracking procedure. Making notifications with States and FEMA regions. Dispatching additional personnel and satellite phones to sites. Preparing to receive official turnover from Region II sometime tonight or tomorrow.

- NRC is providing regular updates to DOE as a support agency under ESF-12 (FRP). DOE is including NRC's updates on NPP status in its overall energy assessment to FEMA. FEMA HQ provides the central location for FRP agencies.

RECORD OF NON-SUNSHINE ACT DISCUSSIONS

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Date: September 22, 1999

Time begun: 1:05 p.m.

Time ended: 1:35 p.m.

Commissioners present:

Chairman Dicus	☐
Commissioner Diaz	☒
Commissioner McGaffigan	☒
Commissioner Merrifield	☒

Other Participants: (see attached list)

Topic(s) discussed: Media Streamlining

ATTENDEES

Commissioner Diaz
Davis, Roger, Asst to Commissioner Diaz

Commissioner McGaffigan
Crockett, Steve, Asst to Commissioner McGaffigan

Commissioner Merrifield

Travers, William, Executive Director for Operations

Vietti-Cook, Annette, Secretary of the Commission
Hart, Ken, Office of the Secretary

Cyr, Karen, General Counsel

Reiter, Stuart, Acting Chief Information Officer
Cloud, Jesse, OCIO
Goldberg, Fran, OCIO
Kirk, Isaac, OCIO
Schaeffer, Jim, OCIO
Sheffler, Tom, OCIO

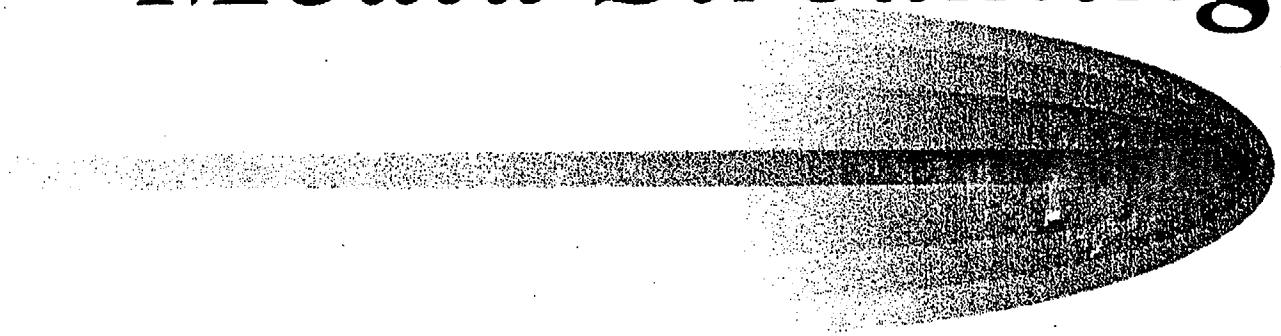
Miraglia, Frank J. Jr., Deputy Executive Director for Reactor Programs

Funches, Jesse, Chief Financial Officer
Pulliam, Tim, OCFO

Springer, Michael L., Director, Office of Administration
Wilson, Valeria, ADM
Marcy, Cynthia, ADM

Greene, Kathryn, EDO

Media Streaming



Technology

September 22, 1999

How Can NRC Use Media Streaming?

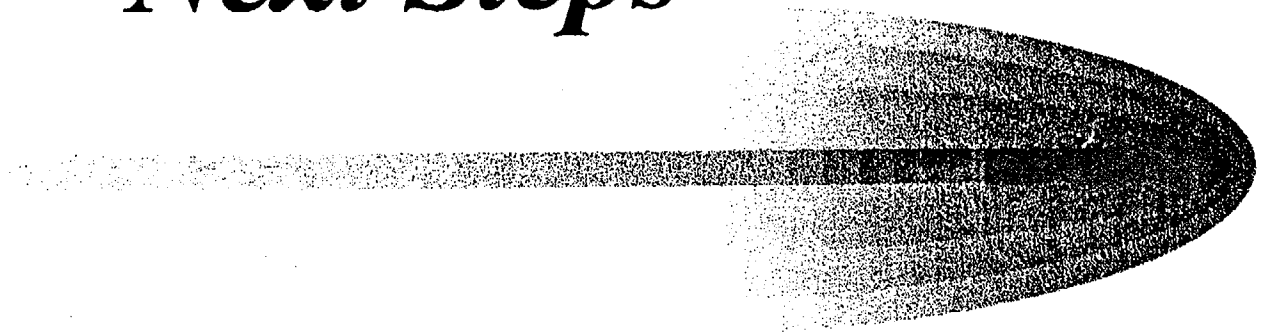
Commission Meetings Can Be Viewed By:

- **Public**
- **Industry**
- **International Organizations**

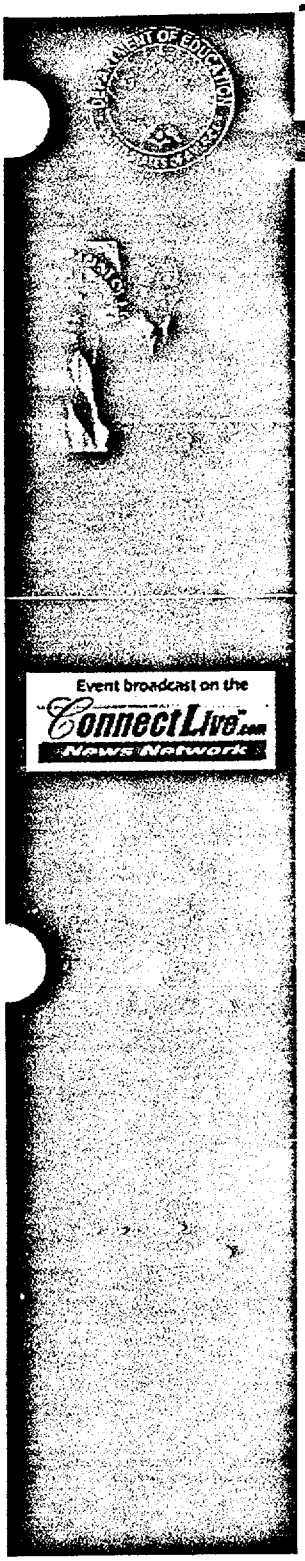
What Would It Cost To Broadcast Commission Meetings To The Public And Stakeholders?

- **One time capital equipment investment of $5,000**
- **Annual telecommunications cost of $15,000**
- **Broadcasting 60 two hour meetings cost $48,000 (estimated $800 per meeting)**
- **Total one year cost: *$68,000***

Next Steps



- **Finalize Service Support Roles**
- **Obtain Funding**
- **Establish Internet Contracting Services**



THE U.S. Department of EDUCATION

ONLINE MULTIMEDIA CENTER

Event broadcast on the ConnectLive.com News Network

This web site contains video of numerous events held by the U.S. Department of Education

"The American High School in the 21st Century"

Wednesday, September 15, 1999

View the Archived Video of the Secretary's Remarks

Free RealMedia G2 Viewing Software Required for viewing (see below for info)

For viewing help, email support@ConnectLive.com

On September 15th, Secretary Riley delivered his annual Back to School Address at the National Press Club Newsmaker Luncheon in Washington, D.C. The speech focused on the American high school in the 21st century. The speech was broadcast live over the internet and is now also archived here.

To view the webcast, here's what you'll need:

realplayer real G2

In order to watch the broadcast, you will need the *FREE* version of RealPlayer G2, which you can (step 1 of 2): download at the following location: download here. After downloading the file, (step 2 of 2): you will need to then INSTALL the file by clicking on it to run the installation program. Also, you will need to have a computer that has speakers so it can play audio (sometimes the little internal speakers will work fine). If your company has a firewall, you may need to check with your company's firewall administrator to get configuration settings.

ARCHIVED BROADCASTS:

The Sixth Annual State of American Education Address by U.S. Secretary of Education Richard W. Riley

EVENT DATE: Tuesday, February 16, 1999

Secretary Riley delivered his 6th annual State of American Education Address at California State University, Long Beach. He presented his view on the nation's schools and colleges as the year 2000 approaches and focused on the critical role of teachers in preparing students for the 21st century. He discussed the nation's efforts to raise educational standards for all children, the need to build and modernize schools nationwide, ways to ensure students master basic skills and are challenged to take rigorous courses to prepare for college and careers, and the increased availability of federal financial aid opportunities.

This video archive is being updated. Please come back in 24 hours.

The Annual Back to School Speech by Secretary of Education Richard W. Riley

EVENT DATE: Tuesday, September 15, 1998

Click here to watch the event from the video archive- RealMedia

Secretary Riley addressed teacher issues and the nationwide need to hire more than two million teachers over the next decade. He discussed the importance of ensuring well trained teachers in all classrooms and the efforts of the Clinton Administration to encourage teaching as a profession. Secretary Riley also discussed ways to improve teacher training and professional development opportunities.

and libraries nationwide

EVENT DATE: Monday, November 23, 1998

Click here to watch the event from the archive - RealMedia

Vice President Al Gore and Secretary of Education Richard Riley announced the first discounted telecommunications services provided to schools and libraries nationwide as a result of the E-rate. With the start of E-rate discounts and the next installment of the Technology Literacy Challenge Fund to states, schools and libraries across the country will be able to connect young people from all walks of life -- urban, suburban, and rural areas -- to the power of the Information Age.

President William J. Clinton and Secretary of Education Richard W. Riley on National School Modernization Day

EVENT DATE: Tuesday, September 8, 1998

Click here to watch the event from the video archive- RealMedia

The President spoke about the importance of providing the nation's students with safe and modern school facilities, educational technology and the personal attention they need in order to excel.

Speech by U.S. Secretary of Education Richard W. Riley "Technology and Education: An Investment in Equity and Excellence"

Potential NRC Benefits

What Programs Will Benefit ?	Who Will Benefit ?							What Are The Benefits?								
	NRC Staff	Media	Industry	General Public & Academic Community	States	International Other Federal Agencies	Improves Public Confidence	Greater Effectiveness	Timeliness Improvements in Clarity	Wider Distribution of Information	Brings Information to the Desktop	Improves Efficiency of Communication	Potential for Reducing WAN Requirements	Reduces On-site Presence	
Commission															
- Commission Meetings	*		*	*	*	*	*	*	*	*	*	*	*		*
- Public Meetings	*		*	*	*		*	*	*	*	*	*	*		*
- Congressional Hearings	*		*	*	*	*	*		*	*	*	*	*		*
- Agency Wide Briefings/Meetings	*								*	*	*	*	*		*
Public Affairs															
- NR[illegible] Videos			*	*	*	*		*	*		*	*	*	*	*
- F[illegible] Conferences	*		*	*	*	*	*	*	*		*	*	*		*
- Crises Communications	*	*	*	*	*	*	*		*	*	*	*	*		*
Training															
- OPM Live Satellite Broadcast	*								*	*	*	*	*		
- Regulatory Seminars	*		*	*	*	*	*	*	*	*	*	*	*		
- Agency Mandatory Training	*								*	*	*	*	*		
- New Employee Orientation	*							*		*	*		*		
Reactor Safety															
- Nuclear Emergency	*		*	*	*	*	*	*	*	*	*	*	*		*
- Reactor Oversight Communications	*	*	*	*	*			*	*	*		*	*		
Administrative															
- Cable TV	*								*		*	*	*		*
- Health Programs	*								*	*	*	*			*
- AV Library (PA/ADM)	*	*	*	*	*	*	*	*	*	*	*	*	*		*
Information Technology															
- IT Architecture (ADAMS, STARFIRE)	*			*			*		*	*	*	*	*		
- NT	*								*	*	*	*	*		
- [illegible]nfrastructure	*										*	*	*	*	
- Security Training	*								*	*	*	*	*		
- Y2K	*								*	*	*	*	*		

As of 5/18/1999

RECORD OF NON-SUNSHINE ACT DISCUSSIONS

Caution to Participants: As the Commission explained in its Federal Register notices announcing its intention to implement its 1985 rule change regarding the Sunshine Act, non-Sunshine Act discussions among three or more Commissioners are appropriate and legally permissible only when discussions are preliminary, informal, informational, or "big picture." If such a discussion begins to focus on discrete proposals or issues, such as to cause or be likely to cause individual participating members to form reasonably firm positions regarding matters pending or likely to arise before the agency, the discussion should be halted, and continued only in the context of a Sunshine Act meeting, scheduled in accordance with the requirements of that statute.

Date: 3/1/00 Time begun: 10:30 am Time ended: 11:30 am

Topic(s) discussed: NRC's Y2K Program Lessons Learned

Commissioners present:

Chairman Meserve	☒
Commissioner Dicus	☐
Commissioner Diaz	☒
Commissioner McGaffigan	☒
Commissioner Merrifield	☒

Other Attendees:

(See page 2)

Other Attendees:

Bates, Andy, SECY
Beecher, Bill, OPA
Breskovic, Clarence, OIP
Castleman, Pat, OCM/NJD
Chan, Terence, OCM/RAM
Chiramal, Matt, NRR
Congel, Frank, IRO
Cyr, Karen, OGC
Dunn Lee, Janice, OIP
Grimsley, Donnie, CIO
Gritter, Joe, IRO
Hiltz, Tom, OCM/GJD
Levin, Moe, CIO
McCabe, Brian, OCM/JSM
Miraglia, Frank, EDO
Paperiello, Carl, EDO
Ramsey, Jack, OIP
Schaeffer, James, CIO
Sharkey, Jeff, OCM/EXM
Voglewede, John, CIO

NRC'S INTERNAL Y2K PROGRAM - LESSONS LEARNED

BRIEFING TO THE COMMISSION

MARCH 1, 2000

- MAJOR ISSUES
- TRANSITION PLAN
- LESSONS LEARNED

MAJOR ISSUE

- DETERMINING SCOPE OF PROBLEM

TRANSITION PLAN

- INFRASTRUCTURE
- APPLICATIONS

LESSONS LEARNED

- VALUE OF PRECISE REQUIREMENTS DEFINITION AND ADEQUATE RESOURCES
- VALUE OF FORMAL APPLICATIONS MANAGEMENT METHODOLOGY
- VALUE OF "BUSINESS" SPONSOR SYSTEM OWNERSHIP

NRC Y2K Contingency Planning Process
Lessons for the Future

Commission Briefing
March 1, 2000

Y2K Lessons for the Future

How well did the plan work?

- NRC Y2K plan and procedures were effective
  - International and domestic plant status information was rapidly obtained and communicated as part of the early warning plan
  - Effective communication between HQ operations center, regional incident response centers, on-site inspectors, ICC, and NRC representative at DOE
  - Good coordination with Federal partners on Y2K glitches reported at foreign nuclear facilities
- Increased Media/White House interest
  - Three U.S. reactor trips in 36 hours prior to transition (none related to Y2K)
  - Prompt NRC reports on minor Y2K glitches

Y2K Lessons for the Future

Future Applications--Vital Infrastructure

- Y2K planning effort bolstered NRC's Continuity of Operations Plan (Presidential Decision Directive 67)
  - Contingency Plans for HQ Operations Center Mission Critical Systems
  - Region IV designated as back-up Operations Center
  - Upgrade of Region IV infrastructure (telecommunications and emergency power)
- Improved capability of communicating with Federal, State, and licensee decisionmakers in an emergency
  - Portable satellite phones at all NPP sites
  - NRC operations center now connected to two nationwide emergency telecommunication networks
  - Increased use of Government Emergency Telecommunications Service by NRC licensees

Future Applications--Incident Response

- Better prepared to respond to multiple simultaneous events
- Value of reactor manufacturer contacts
- Need to reinforce the concept of the Federal Government speaking "with one voice"

Y2K Lessons for the Future

Future Applications--Information Sharing

- Interagency information coordination procedures for foreign events
  - Established procedures for communication between NRC, DOE, EPA, and the State Department
  - Successfully used during Y2K exercises and Y2K transition
  - IRO is working with Federal partners to adopt this procedure on a permanent basis
- Y2K Early Warning System (YEWS)
  - Reports from over 300 nuclear facilities in 29 different countries
  - Proved advantages of Internet-based system over existing methods
  - NRC plans to propose using an Internet-based system like YEWS for sharing International Nuclear Event Scale (INES) reports

RECORD OF NON-SUNSHINE ACT DISCUSSIONS

Caution to Participants: As the Commission explained in its Federal Register notices announcing its intention to implement its 1985 rule change regarding the Sunshine Act, non-Sunshine Act discussions among three or more Commissioners are appropriate and legally permissible only when discussions are preliminary, informal, informational, or "big picture." If such a discussion begins to focus on discrete proposals or issues, such as to cause or be likely to cause individual participating members to form reasonably firm positions regarding matters pending or likely to arise before the agency, the discussion should be halted, and continued only in the context of a Sunshine Act meeting, scheduled in accordance with the requirements of that statute.

Date: 2/18/00 Time begun: 2:00 pm Time ended: 3:30 pm

Topic(s) discussed: Indian Point Unit 2 Steam Generator Tube Leak Event Briefing

Commissioners present:

- Chairman Meserve ☒
- Commissioner Dicus ☒
- Commissioner Diaz ☒
- Commissioner McGaffigan ☒
- Commissioner Merrifield ☒

Other Attendees: (See next page)

Other Attendees:

Beall, Jim, OCM/EM
Benner, Eric, NRR
Black, Susie, NRR
Castleman, Pat, OCM/NJD
Chan, Terrence, OCM/RAM
Chandler, Larry, OGC
Clifford, Jim, NRR
Collins, Sam, NRR
Crockett, Steve, OCM/EXM
Cyr, Karen, OGC
Gray, Joe, OGC
Harold, Jefferey, NRR
Hayden, Beth, OPA
Hill, Bill, SECY
Hiltz, Tom, OCM/GJD
Levin, Alan, OCM/RAM
Marsh, L. B., NRR
McCabe, Brian, OCM/JSM
Miller, Hub, Region I (conducted the briefing by phone)
Murphy, Emmett, NRR
Portner, Linda, OCA
Rubin, Alan, RES
Shea, Joe, EDO
Tracy, Glenn, OCM/RAM
Travers, Bill, EDO
Tschiltz, Mike, EDO
Vietti-Cook, Annette, SECY
Wessman, Richard, NRR

UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PA 19406-1415

February 18, 2000

MEMORANDUM TO: Wayne Lanning, Director, Division of Reactor Safety
A. Randolph Blough, Director, Division of Reactor Projects

FROM: Hubert J. Miller
Regional Administrator

SUBJECT: AUGMENTED INSPECTION TEAM (AIT) CHARTER - INDIAN POINT 2 STEAM GENERATOR TUBE FAILURE

You are directed to perform an Augmented Inspection Team (AIT) to review the steam generator tube failure event of February 15, 2000 and associated Indian Point 2 licensee's actions. In addition, the team will gather information regarding the licensee's actions to meet steam generator inspection and maintenance commitments. The cause and nature of the steam generator tube failure will be the subject of a separate NRC review. The team will review the facts surrounding the occurrence of the failure and the licensee's response. The inspection shall be conducted in accordance with NRC Management Directive 8.3, Part III, Augmented Inspection Team and the guidance provided in Inspection Procedure 93800, and Regional Instruction 1010.1. This memorandum and the attached inspection plan provide additional specific instructions, which details the scope of the inspection.

DRS is assigned responsibility for the overall conduct of this inspection. DRP is assigned responsibility for resident inspector and clerical support and coordination with other NRC offices. Mr. Larry Doerflein is the Team Manager for this inspection. Mr. Raymond Lorson is designated as the onsite Team Leader. Team composition is described at the end of this memorandum. Team members will work for Mr. Lorson and are assigned to this task until the report is completed. Evaluation of risk assessments will be performed by the regional office. DRS is responsible for the timely issuance of the inspection report and identification of any potential generic issues. DRS, in coordination with DRP, is responsible for the identification of followup of issues raised during the AIT, including possible enforcement actions.

The inspection entrance meeting was held on February 18, 2000. In accordance with MD 8.3 the inspection report must be transmitted to the Region I Administrator by March 20, 2000, unless relief is appropriately granted.

Attachment: Augmented Inspection Team (AIT) Charter and Membership

G. Evaluate the timeliness, appropriateness and effectiveness of the actions taken by the emergency response organization for this event; determine whether emergency plan implementation procedures were followed; and assess the performance of the emergency response organization relative to weaknesses identified previously (e.g., response to the August 31, 1999 Unusual Event at IP2).

H. Evaluate the adequacy of the licensee post-trip technical evaluations and any planned or implemented corrective actions.

TEAM COMPOSITION

The assigned team members are as follows:

Team Manager:	Larry Doerflein, DRS
Onsite Team Leader:	Raymond Lorson, DRP
Assistant Team Leader:	David Kern, DRP
Onsite Team Members:	Barry Norris, DRS
	Gregory Cranston, DRS
	James Noggle, DRS
	Craig Smith, DRP
	Events Analysis Specialist, NRR

Regional Assistance:	
Risk:	Jim Trapp
Emergency Planning:	Nancy McNamara

ATTACHMENT

AUGMENTED INSPECTION TEAM (AIT) CHARTER AND MEMBERSHIP

CONDUCT OF THE INSPECTION

The team should understand the scope and direction of the licensee's investigations and assessment of the events, and their initial responses. Through sampling and independent verification, the team may use facts and information collected by the licensee's investigation teams. The pace and nature of team activities should be gauged to assure, where practicable, that they do not unduly impact the licensee's efforts.

The team leader shall develop an inspection plan, that outlines the areas of responsibility for the team members to ensure the identification and documentation of the relevant facts to support the objectives below.

Inspection procedure 93800 provides guidance on the general conduct of an AIT.

OBJECTIVES

Conduct a timely, thorough, and systematic review of the circumstances surrounding the February 15, 2000, steam generator tube failure reactor trip and Alert. Use collected information and documentation to complete the following:

A. Determine the sequence of events and causal factors for significant occurrences in the sequence. Document any equipment problems, failures, and/or personnel errors which may have occurred related to the event.

B. Compare the actual plant response with the design basis; evaluate any procedure and process issues; and determine the relationship of precursors, if any, to this event, as appropriate.

C. Evaluate operator response to the event including the use of emergency operating procedures. Evaluate subsequent operator actions for restoring equipment. Evaluate the quality of procedures, controls, and engineering support available to cope with this event.

D. Determine whether the licensee actions immediately prior to, during, and after the event were focused on understanding and limiting future risk.

E. Evaluate whether the licensee had been meeting established commitments related to inspecting, maintaining, and monitoring the performance of steam generator tubes. However, issues related to the licensing basis for steam generator tubes and the cause and nature of the steam generator tube failure are outside the scope of the team charter. These will be separately evaluated by NRR.

F. Assess the risk and safety significance of the event related to any problems identified. Provide sufficient information so that the overall risk significance of the event and the subsequent licensee actions may be assessed.

W. Lanning
A. Blough

Distribution w/attachments:
T. Marsh, NRR
J. Shea, OEDO
J. Harold, PM, NRR
J. Wiggins, DRA, RI
B. Holian, DRS
R. Crlenjak, DRP
S. Barber, DRP
P. Eselgroth, DRP
D. Screnci, PAO
R. Bores, SLO
W. Raymond, Indian Point 2 SRI
AIT Members

Indian Point Unit 2

- W 4-loop plant with Model 44 steam generators (SGs), Alloy 600 tubes
  - Replacement SGs with Alloy 600 tubes are on site.
- Received operating license in Sept 73
- SG Tube Degradation Summary
  - denting (severe, including hourglassing)
  - pitting
  - Outer diameter stress corrosion cracking (ODSCC) at support plate intersections
  - ODSCC in sludge pile
  - ODSCC in TS crevice
  - Primary water stress corrosion cracking (PWSCC) at roll transitions
  - PWSCC in U-bends
  - Broken plugs (explosive type)
- Last SGs inspection completed - June 1997
  - 100% of tubes inspected full length
  - insitu pressure testing of 6 tubes, including axial indication above tubesheet
  - 173 tubes plugged
- Total plugging to date:
  - SG 21 - 313 tubes (9.6%)
  - SG 22 - 405 tubes (12.4%)
  - SG 23 - 301 tubes (9.2%)
  - SG 24 - 306 tubes (9.4%)
- IP-2 restart from refueling/inspection outage on June 13, 1997
- Oct 27, 1997 to August 5, 1998: maintenance outage

- Tech Specs require inspections every 24 calendar months. Thus, reinspection of the SGs was required by June 1999.

- In Dec 1998, licensee requested and staff approved extension of the required inspection interval to June 2, 2000.

  -- By June 2, 2000, IP-2 will have accumulated 26 calendar operating months or 21.5 EFPM

  Basis:

  - Layup conditions were maintained during maintenance outage consistent with the EPRI guidelines.

  – During operation, secondary water chemistry was maintained in accordance with EPRI guidelines with no significant chemistry transients reported.

  – Operational assessment was performed by licensee for each degradation mechanism. The results indicated that tube integrity would be maintained through the end of the current fuel cycle (June 2, 2000).

  – Multiple methods available for the early detection of SG leakage, including N-16 monitors. Administrative leakage limits in place which are more restrictive than tech spec LCO limits.

- IP-2 has had a very low level of primary to secondary leakage (slightly above 1 gallon per day (gpd) total, all SGs) in three of the four SGs since October 1999.

- Summary of steam generator tube rupture history is attached.

Table 12. Summary of the leak rate, degradation mechanism, rupture size, rupture location, and stressor information associated with the ten ruptures discussed in Section 4.

Date	Plant, SG Model	Maximum Leak Rate GPM	Degradation Mechanism	Rupture Size	Rupture Location	Stressors and Contributing Factors
02/26/75	Point Beach-1 W-44	125	Wastage	2 adjacent ruptured bulges each about 20 mm long and wide	Slightly above the tubesheet, outer row on the hot leg side	Large sludge pile, ineffective cleaning
09/15/76	Surry-2 W-51	330[1]	PWSCC	114.3 mm long axial crack	Top of U-bend (apex) in Row 1, Column 7	High stresses and ovalization caused by inward movement of the legs due to support plate deformation
06/25/79	Doel-2 ACE-44	135	PWSCC	100 mm long axial crack	Top of the U-bend in Row 1, Column 24	High residual stresses due to ovalization during fabrication
10/02/79	Prairie Is.-1 W-51	336[1]	Loose Parts Wear	38 mm long axial fishmouth opening	Tube bundle outer surface, 76 mm above the tubesheet on the hot leg side, Row 4, Column 1	Sludge lancing equipment left in the steam generator
01/25/82	Ginna W-44	760[1]	Loose Parts Wear, Fretting	100 mm long axial fishmouth opening	127 mm above the tubesheet on the hot leg side, Row 42, Column 55 (third row in from the bundle periphery)	Loose parts (baffle plate debris) left in the steam generator, wear of peripheral tubes, fretting of inner tubes
05/16/84	Fort Calhoun CE	112	ODSCC	32 mm long axial crack (small fishmouth opening)	Horizontal run at the top, between the vertical batwing support bars on the hot leg side, Row 84, Column 29, the rupture faced down	Tube deformation caused by corrosion of the vertical batwing support bars, caustic impurities on the secondary side
07/15/87	North Anna-1 W-51	637	High-Cycle Fatigue	360° circumferential break	Top of the 7th upper tube support plate on the cold leg side, Row 9, Column 51	High-cycle vibration, denting, lack of AVB support
03/07/89	McGuire-1 W-D2	500	ODSCC	95 mm long axial crack in a 645 mm long groove, 9.5 mm wide at the maximum point	711 mm above the tubesheet at the lower tube support plate on the cold leg side, Row 18, Column 25	Long shallow groove, possibly a contaminant
02/09/91	Mihama-2 MHI-44	≈700[2]	High-Cycle Fatigue	360° circumferential break	Top of the 6th (upper) tube support plate on the cold leg side, Row 14, Column 45	High-cycle vibration, lack of AVB support
03/14/93	Palo Verde-2 CE-80	240	ODSCC	65 mm long axial fishmouth opening in a 250 mm long axial crack	Freespan region between the 08H and 09H tube support structures on the hot leg side, Row 117, Column 144	Tube-to-tube crevice formation, bridging deposits, caustic secondary water chemistry, susceptible material

[1]NRC estimates

[2]Estimate based on similarities to the North Anna rupture