

December 18, 2001

The Honorable Harry Reid, Chairman  
Subcommittee on Energy and Water Development  
Committee on Appropriations  
United States Senate  
Washington, D.C. 20510

Dear Mr. Chairman:

The Fiscal Year 2002 Energy and Water Development Appropriations Act, House Report 107-258, directed the Nuclear Regulatory Commission (NRC) to continue to provide a monthly report on the status of its licensing and regulatory duties. The initial reporting requirement arose in the Fiscal Year 1999 Energy and Water Development Appropriations Act, Senate Report 105-206. The FY 2000 Energy and Water Development Appropriations Act, House Report 106-253, expanded the scope of the report requirement to include regulatory reform efforts affecting power reactor operations beyond 10 CFR Part 50, particularly NRC efforts to evaluate NRC security regulations. In FY 2000, we also expanded the monthly report to include the status of all license renewal applications that are under active review and other NRC initiatives in developing implementation guidance for the license renewal rule. In response to increased Congressional interest, in the May 2001 report we began to provide information regarding the status of activities involving power uprate licensing actions. On behalf of the Commission, I am pleased to transmit the thirty-fifth report, which covers the month of October (Enclosure 1).

In the aftermath of the terrorist attacks of September 11<sup>th</sup> and the continuing uncertainty about future terrorist intentions, the NRC staff was directed to undertake a thorough review of its safeguards and physical security programs. The staff's review includes a comprehensive examination of the basic assumptions underlying the current safeguards and physical security program and give focused attention to any necessary adjustments in NRC, licensee, Federal, State, and local response capabilities.

We previously included information on our recent activities related to through-wall circumferential cracks found on control rod drive mechanism (CRDM) penetration nozzles and associated welds at Duke Power Company's Oconee Nuclear Station, Units 2 and 3, located in Seneca, South Carolina. These discoveries raised concerns about the structural integrity of reactor penetration nozzles. The nozzles, which were fabricated from Alloy 600 material, are located in the top of reactor pressure vessels at pressurized water reactors (PWRs) throughout the industry. Due to these concerns, on August 3, the NRC issued a bulletin to the licensees of the 69 PWRs requesting information regarding the structural integrity of reactor vessel head penetrations. The licensees have since submitted the requested information. The staff is in the process of evaluating the information to determine the need for future regulatory action(s). The staff is continuing its dialogue with the industry to resolve this generic technical issue. During this reporting period, the licensee for Oconee Nuclear Station Unit 3, while performing a reactor

vessel head inspection, discovered (and is repairing) additional CRDM nozzles with indications of cracking, including one that appears to be circumferentially oriented. We will continue to keep you informed about this issue.

Since our last report, the Commission and the NRC staff also:

- approved a request by the Nuclear Management Company to increase the generating capacity of the Duane Arnold nuclear power plant by approximately fifteen percent (about 80 megawatts). This power uprate application was submitted to the NRC in November 2000. The NRC staff determined that the licensee could safely increase the power output of the reactor with the replacement of the main transformer and other modifications to plant equipment. The Duane Arnold facility is located near Cedar Rapids, Iowa.
- issued license amendments for the Hope Creek Generating Station; Salem Nuclear Generating Station, Units 1 and 2; and Peach Bottom Atomic Power Station, Units 2 and 3, to reflect the transfer of Atlantic City Electric Company's minority ownership interests in the five units to the majority owners.
- issued a license amendment for Arkansas Nuclear One Unit 1, which replaces the technical specifications in their entirety with the improved standard technical specifications.
- conducted a special inspection at the Three Mile Island Unit 1 nuclear power plant on October 29, to review the circumstances surrounding the separation of two steam generator tubes. While the plant was shutdown, the licensee found that two out-of-service (plugged) tubes had separated from the tube sheet and caused wear on several adjoining tubes. There were no indications of the problem in the prior period of operation. The NRC held a public meeting with the licensee on November 9, in which the licensee provided its root cause assessment of the severed tubes and its planned corrective actions. The degraded tubes did not result in any radioactive releases to the environment.
- issued a draft supplement to the "Final Generic Environmental Impact Statement on Decommissioning of Nuclear Facilities (GEIS), NUREG-0586," for public comment. This supplement was prepared because of technological advances in decommissioning operations, experience gained with shutdown plants, and changes made to the NRC regulations since the GEIS was first published.
- terminated the license of the Moab Mill Reclamation Trust for the former Atlas Corporation on October 30, consistent with the Floyd D. Spence National Defense Authorization Act for fiscal year 2001. The site has been transferred to DOE for site reclamation.
- removed the Lake City Army Ammunition Plant (LCAAP) in Independence, Missouri, from the NRC's Site Decommissioning Management Plan list of sites. NRC licensed the U.S. Army to produce and test munitions containing depleted uranium at the LCAAP. Remediation of several contaminated areas has been completed, however, remediation of some additional areas will not be completed for several years. The Environmental Protection Agency (EPA), the Missouri Department of Natural Resources, and the NRC

have agreed that the remaining remediation could be adequately regulated under the oversight of the EPA and the State of Missouri.

- published a new rule, 10 CFR Part 63, which establishes licensing criteria for disposal of spent nuclear fuel and high-level radioactive waste in the proposed geological repository at Yucca Mountain, Nevada. As mandated by the Energy Policy Act of 1992, Public Law 102-486, this final rule changes the Commission's technical requirements and criteria, as necessary, to be consistent with final environmental standards for Yucca Mountain issued by the EPA.
- submitted preliminary comments to the Department of Energy (DOE), indicating that sufficient information, although not available now, will be available concerning a potential high-level radioactive waste repository at Yucca Mountain, Nevada, such that the development of an acceptable license application is achievable. The Nuclear Waste Policy Act of 1982 requires that when DOE makes a recommendation to the President on the suitability of the Yucca Mountain site for high-level waste disposal, it must include the preliminary comments of the NRC concerning DOE's in-depth site characterization analysis and waste form proposal. DOE has not recommended the Yucca Mountain site for a repository and has not submitted an application to the NRC for a license.
- concurred in the DOE's proposed final siting guidelines for evaluating the suitability of Yucca Mountain, Nevada, as a site for the development of a possible nuclear waste repository. This concurrence is conditional on DOE's agreement to notify NRC of any changes to the draft final guidelines. The revised draft guidelines focus on the criteria and methodology to be used for evaluating relevant geological and other related aspects of the Yucca Mountain site.
- completed revisions to the safety evaluation report for the proposed Private Fuel Storage (PFS) facility in Utah on November 13. The revisions affect sections in chapter 15, "Accident Analysis." Specifically, NRC staff concluded that, with regard to aircraft crash hazards and cruise missile testing accidents, PFS still demonstrates compliance with all applicable regulatory requirements in 10 CFR Part 72.
- conducted a public meeting on October 25 with Exelon to discuss the Pebble Bed Modular Reactor (PBMR) pre-application review. Exelon's representatives provided an update on the status of the PBMR project in South Africa (RSA). Exelon noted that the PBMR partners have concluded that the project has shown enough progress and promise to continue. However, due to various technical and other factors, the partners have delayed the decision to build the RSA demonstration plant by one year. A decision is now expected in late 2002. Exelon will continue pre-application activities with the NRC staff.
- conducted a public workshop entitled "Nuclear Industry Consolidation and Deregulation Issues Workshop," on November 1 and 2. The purpose of the workshop was to discuss the impact of consolidation and deregulation on a variety of areas including plant operational safety, licensing issues, the NRC's inspection and enforcement processes, human capital (e.g., skill and experience) and labor relations. Workshop participants included NRC staff members and management, utility executives, a member of an environmental group, and a state public service commission representative. The results

of the workshop will be used to enhance written comments that the NRC has received on these issues and a report will be prepared for the Commission.

- published in the Federal Register on October 17 (66 FR 52721) a proposed rule that would amend the regulations pertaining to the availability of official records. The proposed rule would require those who submit confidential information to the NRC to mark the information so as to reduce the possibility of inadvertent release, would codify NRC's current practices delineating the circumstances under which the NRC will not return confidential documents after they have been submitted, and would clarify that NRC will make copies of copyrighted material sufficient to perform its mission. The comment period on this action closes December 31, 2001.
- published in the Federal Register on November 14 (66 FR 56982) a direct final rule that revises the FuelSolutions™ cask system listing in the list of approved spent fuel storage casks. This action allows the W74 container to be placed in the transfer cask until the storage cask is repaired or replaced, and clarifies the description of the other non-fissile material that may be stored in the cannister. The direct final rule becomes effective on January 28, 2002.
- published in the Federal Register on November 5 (66 FR 55559) a direct final rule that amends the list of approved spent fuel storage casks by terminating Certificate of Compliance No. 1001 for the Westinghouse MC-10 cask system.
- conducted an inspection at the J.L. Sheperd and Associates (JLS&A) facility in San Leandro, California on November 13-15, 2001. The inspection was performed to determine whether JLS&A had complied with provisions of a September 19, 2001, Confirmatory Order that revised certain portions of the original July 3, 2001, Order, which withdrew NRC approval of JLS&A's Quality Assurance program. The revisions specified preconditions that would allow JLS&A to resume limited shipments using DOT 20WC specification packaging. The team determined that JLS&A had met the Order's preconditions and that JLS&A could resume shipments.

I have enclosed (Enclosure 2) the update to the Tasking Memorandum which delineates the schedules for accomplishing high-priority initiatives.

Please do not hesitate to contact me if I may provide additional information.

Sincerely,

*/RA/*

Richard A. Meserve

Enclosures:

1. Monthly Report
2. Tasking Memorandum

cc: Senator Pete V. Domenici

MONTHLY STATUS REPORT ON THE  
LICENSING ACTIVITIES AND REGULATORY DUTIES OF THE  
UNITED STATES NUCLEAR REGULATORY COMMISSION

**OCTOBER 2001**

Enclosure 1

## TABLE OF CONTENTS<sup>1</sup>

|       |  |    |
|-------|--|----|
| I.    | Implementing Risk-Informed Regulations . . . . .   | 1  |
| II.   | Revised Reactor Oversight Process . . . . .  | 1  |
| III.  | Status of Issues in the Reactor Generic Issue Program . . . . .  | 1  |
| IV.   | Licensing Actions and Other Licensing Tasks . . . . .  | 2  |
| V.    | Status of License Renewal Activities . . . . .   | 8  |
| VI.   | Status of Review of Private Fuel Storage, Limited Liability Corporation's Application for a License to Operate an Independent Spent Fuel Storage Installation on the Reservation of the Skull Valley Band of Goshute Indians . . . . . | 9  |
| VII.  | Enforcement Process and Summary of Reactor Enforcement by Region . . . . .   | 9  |
| VIII. | Power Reactor Security Regulations . . . . .   | 11 |
| IX.   | Power Uprates . . . . .  | 11 |

---

<sup>1</sup>Note: The period of performance covered by the report includes activities occurring between the first and last day of the month (e.g., October 31, 2001). The transmittal letter to Congress accompanying this report may provide more recent information in order to keep Congress fully and currently informed of NRC's licensing and regulatory activities.

## **XVIII. Implementing Risk-Informed Regulations**

The staff continues to make progress on tasks involving use of probabilistic risk information in many areas. Although various activities are in progress, in October 2001 we did not reach a milestone of significance that warrants separate reporting. The milestone schedule for significant risk-informed activities is included in the Commission Tasking Memorandum (Enclosure 2 to the letter from Richard A. Meserve, NRC Chairman, forwarding the October 2001 monthly report to Congress on the status of NRC licensing and regulatory duties.)

### **II. Revised Reactor Oversight Process**

NRC commenced initial implementation of its Reactor Oversight Process (ROP) at all nuclear plants in April 2000. The NRC has continued meeting with interested stakeholders on a periodic basis to collect feedback on the efficacy of the process and considers this feedback in making refinements to the ROP. Recent activities include:

- a. NRR staff conducted another of a continuing series of public meetings on October 17-18, with the industry's working group on the Reactor Oversight Process (ROP). The key issues discussed included: changes to the initiating events unplanned scrams replacement performance indicator; ROP industry trends; planned revisions to Inspection Manual Chapter (IMC) 0305, "Operating Reactor Assessment Program"; NEI 99-02, "Regulatory Assessment Performance Indicator Guideline"; and IMC 0610\*, "Power Reactor Inspection Reports"; significance determination process issues; and a review of one frequently asked question. Also, at this meeting, the NRC/Industry Safety System Unavailability (SSU) Working Group discussed and reviewed issues associated with SSU performance indicators and a draft of the guidance for a pilot program to test the long-term changes to the SSU indicators. On October 31, the NRC conducted another public meeting with the working group to finalize the draft Revision 2 of NEI 99-02 and discuss the draft SSU pilot program guidance.
- b. NRR staff is continuing efforts to interface with internal stakeholders to discuss ROP initial implementation issues. For example, on October 17-18, NRR staff hosted a counterpart meeting in Headquarters for the regional managers. This was the latest in a series of periodic meetings held to discuss ROP development and implementation issues between regional and Headquarters staff. Topics included upcoming revisions to various program documents based on feedback and lessons learned. In addition, participants discussed modifications to the ROP resource model and the planned approach to identify efficiency gains.

### **III. Status of Issues in the Reactor Generic Issue Program**

Changes in the status or resolution dates for Generic Safety Issues (GSI) since the September 2001 report are described below:

GSI NUMBER: 191

TITLE: Assessment of Debris Accumulation on Pressurized Water Reactor (PWR) Sump Performance

STATUS: This issue addressed the possibility of debris accumulating on the emergency core cooling system (ECCS) sump screen and resulting in the loss of net positive suction head (NPSH) margin. A loss of NPSH could impede or prevent the flow of water from the sump necessary to meet the criteria of 10 CFR 50.46, "Acceptance Criteria for Emergency Core Cooling Systems for Light-Water Nuclear Power Reactors." A technical assessment was completed in September 2001. The assessment concluded that additional action may be warranted to ensure an adequate NPSH margin for ECCS pumps taking suction from PWR containment sumps. Based on its research and the results of the technical assessment, the staff will develop technical guidance for plant-specific analyses to determine whether debris accumulation will impede or prevent ECCS operation. Licensees will have to implement corrective actions if plants do not meet the criteria of 10 CFR 50.46.

#### **IV. Licensing Actions and Other Licensing Tasks**

Licensing actions are defined as requests for: license amendments, exemptions from regulations, relief from inspection or surveillance requirements, topical reports submitted on a plant-specific basis, notices of enforcement discretion, or other licensee requests requiring NRC review and approval before it can be implemented by the licensee. The FY 2002 NRC Performance Plan incorporates two output measures related to licensing actions. These are number of licensing action completions per year and age of the licensing action inventory.

Other licensing tasks are defined as: licensee responses to NRC requests for information through generic letters or bulletins, NRC responses to 10 CFR 2.206 petitions, NRC review of licensees' topical reports, NRR responses to regional requests for assistance, and NRC review of licensees' 10 CFR 50.59 analyses and FSAR updates. The FY 2002 NRC Performance Plan incorporates one output measure related to "other licensee tasks completed."

The actual FY 2000 and FY 2001 results, the FY 2002 goals and the actual FY 2002 results, as of October 31, for the four NRC Performance Plan output measures for licensing actions and other licensing tasks are shown in the table below.

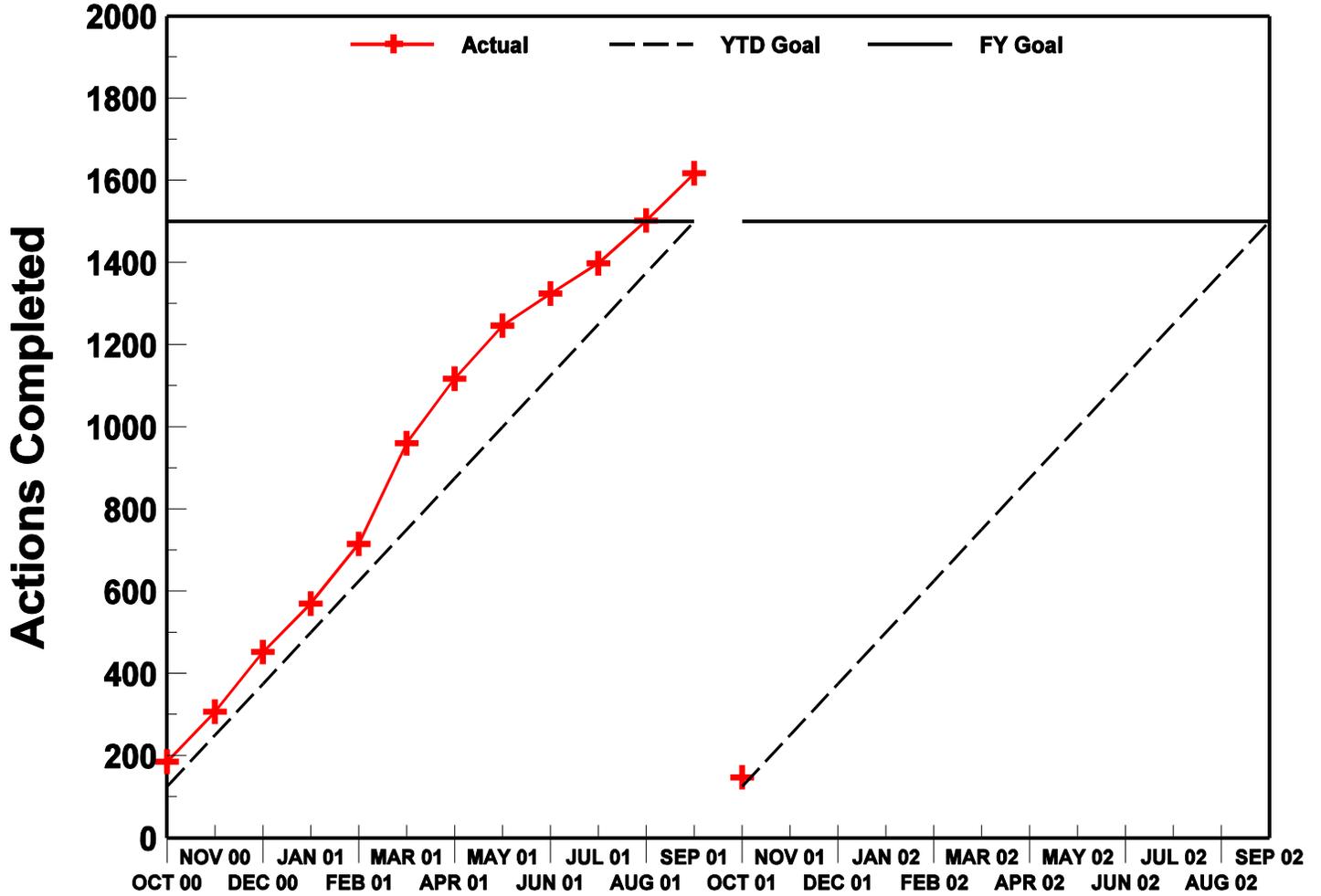
| PERFORMANCE PLAN                               |                                       |                                       |  |                                   |
|--|---------------------------------------|---------------------------------------|--|-----------------------------------|
| Output Measure                                 | FY 2000 Actual                        | FY 2001 Actual                        | FY 2002 Goals                          | FY 2002 Actual (thru 10/31/2001)  |
| Licensing actions completed/year               | 1574                                  | 1617                                  | ≥ 1500                                 | 147                               |
| Age of licensing action inventory <sup>2</sup> | 98.3% ≤ 1 year; and<br>100% ≤ 2 years | 96.9% ≤ 1 year; and<br>100% ≤ 2 years | 95% ≤ 1 year and<br>100% ≤ 2 years old | 96.2% ≤ 1 year;<br>100% ≤ 2 years |
| Size of licensing action inventory             | 962                                   | 877                                   | N/A                                    | 872                               |
| Other licensing tasks completed/year           | 1100                                  | 523                                   | ≥ 550                                  | 24                                |

---

<sup>2</sup>The figures shown in the above table for “Age of licensing action inventory” do not include Improved Technical Specification conversion or license renewal activities, while the graphical representation of this performance measure on page 4 does incorporate those items, which accounts for the slight difference between the actual figures for FY02 (see graphs next four pages).

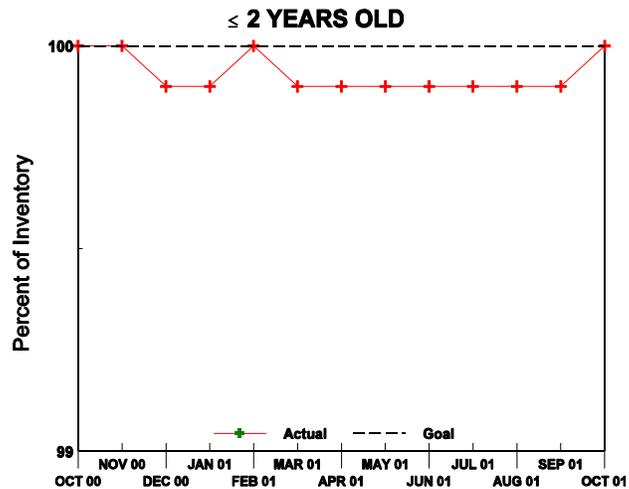
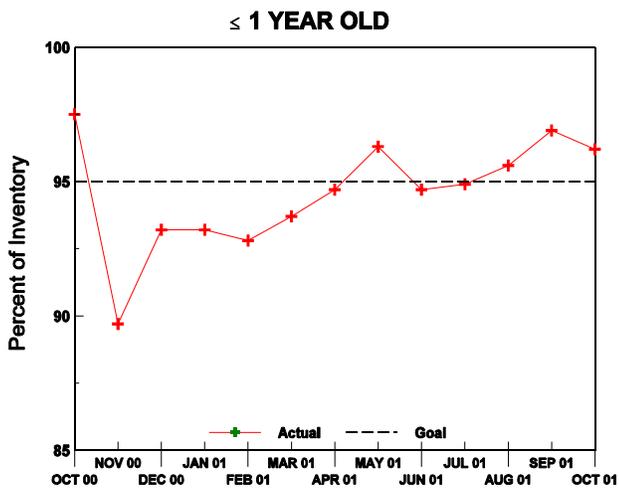
# Nuclear Reactor Safety - Reactor Licensing

Performance Plan Target: Completed Licensing Actions



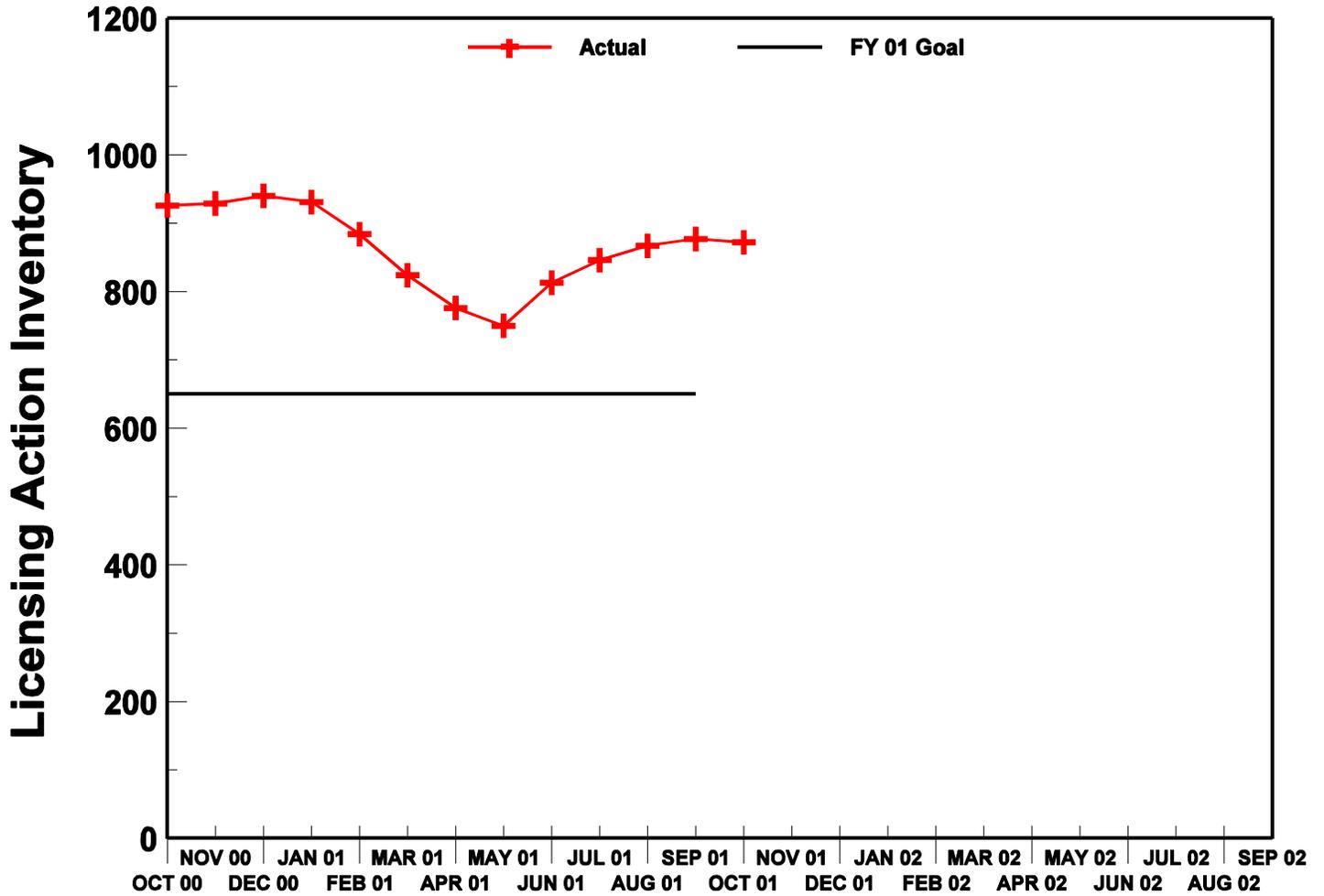
# Nuclear Reactor Safety - Reactor Licensing

## Performance Plan Target: Age of Licensing Action Inventory



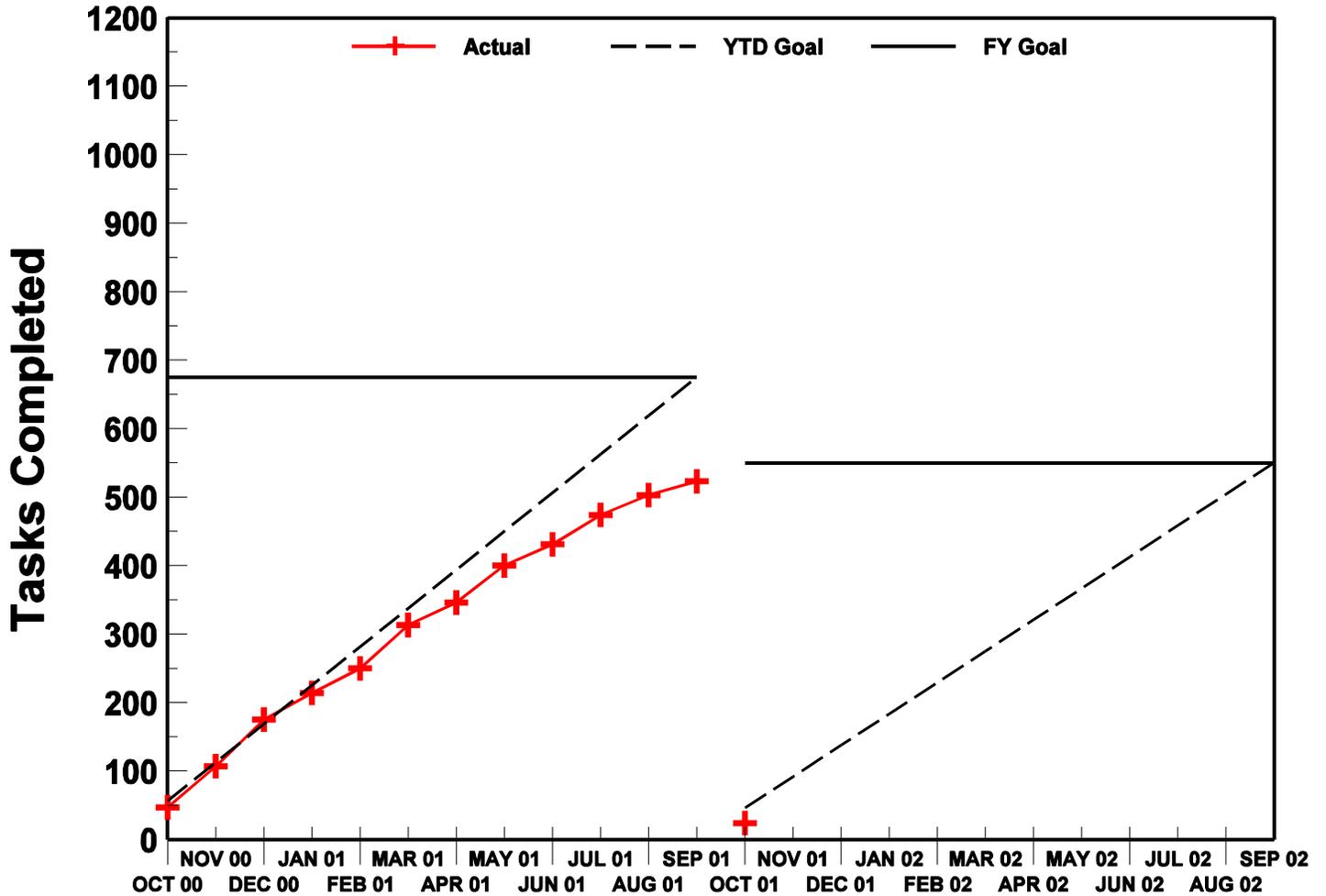
# Nuclear Reactor Safety - Reactor Licensing

## Licensing Action Inventory



# Nuclear Reactor Safety - Reactor Licensing

Performance Plan Target: Completed Other Licensing Tasks



## **V. Status of License Renewal Activities**

### Hatch, Units 1 and 2, Renewal Application

The review of the Hatch renewal application is on schedule. The final supplemental environmental impact statement (SEIS) was issued in May 2001. The staff issued the safety evaluation report on October 5, finding that there are no safety concerns preventing the NRC from extending the Hatch licenses. A Commission decision regarding issuance of the renewed license is expected by March 2002.

### Turkey Point, Units 3 and 4, Renewal Application

The review of the Turkey Point renewal application is on schedule. The safety evaluation report identifying open items was issued in August 2001 and the NRC staff and applicant are working to resolve the open items and issue the completed report by April 2002. The draft SEIS was issued for comment in June 2001. After addressing the comments received on the draft SEIS, the final SEIS will be issued by January 2002.

### Surry, Units 1 and 2, and North Anna, Units 1 and 2, Combined Renewal Applications

The Surry and North Anna renewal applications are currently under review and the staff is issuing requests for additional information. The environmental review and scoping process have begun and public scoping meetings were held in the vicinity of Surry on September 19 and in the vicinity of North Anna on October 18. All safety requests for additional information were scheduled to be issued by November 2001 and all environmental requests by December 2001. No requests for hearing were received and the schedule has been revised to complete the review in 25 months, with a decision date on the license now scheduled for July 2003.

### McGuire, Units 1 and 2, and Catawba, Units 1 and 2, Combined Renewal Applications

The McGuire and Catawba renewal applications are currently under review and the staff is issuing requests for additional information. The environmental review and scoping process have begun and a public scoping meeting was held in the vicinity of McGuire on September 25 and in the vicinity of Catawba on October 23. All safety requests for additional information are scheduled to be issued by January 2002 and all environmental requests by December 2001.

Two petitions were received requesting a hearing on the renewal of the McGuire and Catawba licenses. In response, the Commission issued an Order on October 4, referring the requests to the Atomic Safety and Licensing Board Panel for assignment of a Licensing Board to rule on the petitions and conduct any proceeding should a hearing be granted. The Order also provided Commission guidance to the Licensing Board for the conduct and scheduling of the proceeding, with specific milestones set for various steps of the proceeding.

### Peach Bottom, Units 2 and 3, Renewal Application

The Peach Bottom renewal application is currently under review and the staff is preparing requests for additional information. The environmental review and scoping process has begun and two public scoping meetings were held in the vicinity of Peach Bottom on November 7. All safety requests for additional information are scheduled to be issued by March 2002 and all environmental requests by December 2001.

**VI. Status of Review of Private Fuel Storage, Limited Liability Corporation's Application for a License to Operate an Independent Spent Fuel Storage Installation on the Reservation of the Skull Valley Band of Goshute Indians**

During this reporting period, NRC staff continued its review of the license application amendments submitted by Private Fuel Storage, Limited Liability Company (PFS). The NRC (as lead Federal agency) held a government-to-government meeting with the Surface Transportation Board and the U.S. Department of Interior's Bureau of Indian Affairs and Bureau of Land Management (the cooperating Federal agencies) to discuss completion of the Final Environmental Impact Statement for the proposed PFS facility.

Litigation in the adjudicatory proceeding on the PFS application continued during this reporting period: (1) the NRC Staff and PFS responded to the State of Utah's petition to suspend the proceeding due to the terrorist events of September 11, (2) the NRC Staff and PFS responded to the State of Utah's request for admission of a new contention to address those terrorist events, (3) the parties addressed the status of the Skull Valley Band's representational status in the proceeding, in light of recent elections by the Band, and (4) the parties continued to conduct discovery related to the State's contention concerning PFS's request for an exemption from certain seismic regulations.

**VII. Enforcement Process and Summary of Reactor Enforcement by Region**

Reactor Enforcement by Region

|                    |             | Reactor Enforcement Actions* |             |            |             |       |
|--------------------|-------------|------------------------------|-------------|------------|-------------|-------|
|                    |             | Region I                     | Region II** | Region III | Region IV** | TOTAL |
| Severity Level I   | Sep 2001    | 0                            | 0           | 0          | 0           | 0     |
|                    | FY 2001 YTD | 0                            | 0           | 0          | 0           | 0     |
|                    | FY 00 Total | 0                            | 0           | 0          | 0           | 0     |
|                    | FY 99 Total | 0                            | 0           | 0          | 0           | 0     |
| Severity Level II  | Sep 2001    | 0                            | 0           | 0          | 0           | 0     |
|                    | FY 2001 YTD | 0                            | 1           | 0          | 0           | 1     |
|                    | FY 00 Total | 1                            | 2           | 0          | 0           | 3     |
|                    | FY 99 Total | 5                            | 0           | 2          | 0           | 7     |
| Severity Level III | Sep 2001    | 0                            | 0           | 0          | 0           | 0     |
|                    | FY 2001 YTD | 1                            | 1           | 1          | 1           | 4     |
|                    | FY 00 Total | 5                            | 0           | 4          | 4           | 13    |
|                    | FY 99 Total | 9                            | 2           | 7          | 8           | 26    |

|                                     |             | <b>Reactor Enforcement Actions*</b> |     |     |     |      |
|-------------------------------------|-------------|-------------------------------------|-----|-----|-----|------|
| Severity Level IV                   | Sep 2001    | 0                                   | 0   | 0   | 0   | 0    |
|                                     | FY 2001 YTD | 1                                   | 0   | 2   | 1   | 4    |
|                                     | FY 00 Total | 4                                   | 1   | 3   | 5   | 13   |
|                                     | FY 99 Total | 52                                  | 42  | 57  | 60  | 211  |
| Non-Cited Severity Level IV & Green | Sep 2001    | 18                                  | 0   | 26  | 1   | 45   |
|                                     | FY 2001 YTD | 279                                 | 105 | 201 | 139 | 724  |
|                                     | FY 00 Total | 313                                 | 190 | 289 | 258 | 1050 |
|                                     | FY 99 Total | 343                                 | 267 | 334 | 305 | 1249 |

\*Numbers of violations are based on enforcement action tracking system (EATS) data that may be subject to minor changes following verification. The number of Severity Level I, II, III listed refers to the number of Severity Level I, II, III violations or problems. The monthly totals generally lag by 30 days due to inspection report and enforcement development.

\*\* Violation totals for Regions II & IV reflect a shift from a 6 week inspection period to a quarterly inspection period.

|   |               | <b>Escalated Reactor Enforcement Actions Associated with the Revised Reactor Oversight Process</b> |           |            |           |       |
|---|---------------|--|-----------|------------|-----------|-------|
|   |               | Region I   | Region II | Region III | Region IV | Total |
| NOVs related to white, yellow or red findings | Sep 2001 -Red | 0  | 0         | 0          | 0         | 0     |
|   | -Yellow       | 1  | 0         | 0          | 0         | 1     |
|   | -White        | 1  | 0         | 1          | 0         | 2     |
|   | FY 2001 YTD   | 8  | 4         | 4          | 3         | 19    |
|   | FY 00 Total   | 6  | 1         | 0          | 0         | 7     |

### **Description of Significant Actions taken in September 2001**

#### Constellation Nuclear (Calvert Cliffs) EA 01-206

On September 19, a Notice of Violation was issued for a violation associated with a yellow SDP finding involving the failure of the auxiliary feedwater pump (AFW) turbine bearing. The violation cited the licensee's failure to follow procedures involving reassembly of the AFW pump outboard bearing housing.

### Detroit Edison Company (Fermi 2 Nuclear Power Plant) EA 01-092

On September 14, a Notice of Violation was issued for a violation associated with a white SDP finding involving a catastrophic bearing failure of the emergency diesel generator (EDG). The violation was cited against the licensee's failure to establish adequate design control measures for modifying the oil sight glass indicator and associated piping for the EDG outboard bearing.

### PPL Susquehanna, LLC (Susquehanna Steam Electric Station) EA 01-187

On September 13, a Notice of Violation was issued for a violation associated with a white SDP finding involving certain emergency preparedness functions for an emergency at the site not being met. The violation involved the failure to ensure that procedures were adequate and staffing levels were maintained to meet the site's emergency plan requirements.

## **VIII. Power Reactor Security Regulations**

In response to the terrorist attacks on September 11, the NRC and the nuclear industry have taken a number of actions to ensure the security at nuclear power plants. Although nuclear power plants are among the most hardened and secure civilian facilities in the United States, the recent attacks have focused attention on the need to review policies and practices related to protecting civilian nuclear facilities against attack.

Immediately following the terrorist attacks on the World Trade Center and the Pentagon, the NRC advised nuclear power plant licensees to go to the highest level of security (i.e., Level 3), and all licensees promptly did so. The Nation's nuclear power plants remain at the highest level of security and the NRC continues to monitor the situation.

For the longer term, the Chairman, with the full support of the Commission, has directed the NRC staff to reevaluate the NRC safeguards and physical protection programs. This reevaluation will be a top-to-bottom analysis involving all aspects of the agency's safeguards and physical protection programs.

Given the nature of the attacks on September 11, the identification of any necessary adjustments to the safeguards and physical security measures for civilians must involve other U.S. national security organizations. The NRC is currently interacting with the FBI, other intelligence and law enforcement agencies, the Department of Defense, and the recently established Office of Homeland Security to ensure any changes to the NRC's programs will consider all are informed by pertinent input from all relevant U.S. agencies.

## **IX. Power Uprates**

The staff has assigned power uprate license amendment reviews a high priority. The staff considers power uprate applications among the most significant licensing actions and is, therefore, conducting power uprate reviews on accelerated schedules.

Licensees have been applying for and implementing power uprates since the 1970s as a way to increase the power output of their plants. The staff has been conducting power uprate reviews since then and, to date, has completed 67 such reviews. Approximately 7800 MWt (2600 MWe) or an equivalent of more than two large nuclear power plant units has been gained through implementation of power uprates at existing plants. During the month of October the staff completed reviews of two applications for "measurement uncertainty recapture" power uprates (one for 1.4 percent and the other for 0.4 percent), and one application for a stretch

power uprate of 4.5 percent. The staff currently has 13 plant-specific applications and two General Electric Nuclear Energy topical reports for power uprates under review.

Based on the licensees' voluntary responses to NRC Regulatory Issue Summary (RIS) 2001-08, "Operating Reactor Licensing Action Estimates," and the results of a staff survey of all licensees in June 2001 to obtain information regarding the industry's future plans related to power uprate applications, the staff estimates that licensees plan to submit 38 additional power uprate applications in the next 5 years. Based on the information provided, planned power uprates are expected to result in an increase of about 3600 MWt (1200 MWe) (equivalent to approximately one large nuclear power plant unit). The staff will utilize the information provided in response to the RIS and the June survey for planning and allocating resources for power uprate reviews and to assure the staff's readiness and availability to perform the technical reviews for these applications when they arrive.

Identical letter to:

The Honorable Harry Reid, Chairman  
Subcommittee on Energy and Water Development  
Committee on Appropriations  
United States Senate  
Washington, D.C. 20510  
cc: Senator Pete V. Domenici

The Honorable Harry Reid, Chairman  
Subcommittee on Transportation, Infrastructure  
and Nuclear Safety  
Committee on Environment and Public Works  
United States Senate  
Washington, D.C. 20510  
cc: Senator James M. Inhofe

The Honorable Joe Barton, Chairman  
Subcommittee on Energy and Air Quality  
Committee on Energy and Commerce  
United States House of Representatives  
Washington, D.C. 20515  
cc: Representative Rick Boucher

The Honorable Sonny Callahan, Chairman  
Subcommittee on Energy and Water Development  
Committee on Appropriations  
United States House of Representatives  
Washington, D.C. 20515  
cc: Representative Peter J. Visclosky

The Honorable W.J. "Billy" Tauzin, Chairman  
Committee on Energy and Commerce  
United States House of Representatives  
Washington, D.C. 20515  
cc: Representative John D. Dingell

The Honorable James M. Jeffords, Chairman  
Committee on Environment and Public Works  
United States Senate  
Washington, D.C. 20510  
cc: Senator Bob Smith

The Honorable Pete V. Domenici  
United States Senate  
Washington, D.C. 20510