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

OCTOBER 2002

Enclosure 1

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[1]Note: The period of performance covered by this report includes activities occurring between the first and last day of October 2002. 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.

I. Implementing Risk-Informed Regulations

The staff continues to make progress on tasks involving use of probabilistic risk information in many areas. The milestone schedule for significant risk-informed activities is included in the Chairman's Tasking Memorandum (Enclosure 2). Recent activities include:

Risk-Informed Revisions to 10 CFR 50.44 (Combustible Gas Control)

On August 2, 2002, proposed rulemaking was published in the Federal Register (67 FR 50374) that risk-informs the Commission's regulations for combustible gas control in light water reactor containment. The proposal was published with a 75-day comment period. The public comment period closed on October 16, 2002. Comments are being categorized and evaluated.

Risk Management Technical Specifications (RMTS) Initiative 1 on Technical Specification Actions End States Modifications

The Combustion Engineering Owners Group and the Boiling Water Reactor Owners Group topical report safety evaluations have been completed. Changes to the technical specifications are being evaluated to determine if they can be offered to licensees via the Consolidated Line Item Improvement Process. RMTS Initiative 1 permits entry into hot shutdown rather than cold shutdown to repair equipment, subject to performance of a risk assessment and consideration of risk management.

II. Revised Reactor Oversight Process

The NRC continues to implement the Reactor Oversight Process (ROP) at all nuclear power plants. The NRC has continued meeting with interested stakeholders on a periodic basis to collect feedback on the efficacy of the process and considers stakeholder feedback in making refinements to the ROP. Recent activities include the following:

a. The NRC Office of Nuclear Reactor Regulation has developed and is implementing a set of strategies and associated action plans for improving the Significance Determination Process (SDP). Implementation of these strategies is expected to provide for continued improvement in the timeliness, consistency, and usefulness of SDP tools and should result in greater effectiveness of the SDP.

   In response to a number of concerns raised by the NRC staff, and in an Inspector General Audit report dated August 21, 2002, the NRC has established a task group to perform a comprehensive review of the overall direction and effectiveness of the SDP that may result in additional actions for improving the SDP. A public meeting was held on October 25, 2002, to solicit feedback and recommendations for improving the SDP. The task group will issue a report to management in December 2002. The results will be incorporated into the SDP Improvement Plan, as appropriate.

b. On October 30-31, 2002, a combined Mitigating System Performance Index (MSPI) and ROP Working Group public meeting was held at NRC headquarters. The MSPI is the new risk-informed performance index that NRC and the nuclear industry have jointly proposed for a replacement for the ROP's current set of Safety System Unavailability

Performance Indicators. During this meeting, the industry working group and the NRC staff members discussed the status of MSPI pilot program, MSPI pilot implementation issues, and the threshold bench marking progress. The key ROP issues discussed included: update on the status of proposed changes to the reactor shutdown, emergency preparedness, fire protection, and radiation protection significance determination processes; self assessment initiatives; industry trends update; and frequently asked questions.

III. Status of Issues in the Reactor Generic Issue Program

Resolution of the issues in the Reactor Generic Issue Program continues to be on track. No issues were resolved in this reporting period.

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 2003 NRC Performance Plan incorporates three output measures related to licensing actions. These are: number of licensing action completions per year; age of the licensing action inventory; and size of licensing action inventory.

Other licensing tasks are defined as: licensee responses to NRC requests for information through generic letters or bulletins; NRC responses to 2.206 petitions; NRC review of licensee topical reports; NRR responses to regional requests for assistance; NRC review of licensee 10 CFR 50.59 analyses and FSAR updates; or other licensee requests not requiring NRC review and approval before they can be implemented by the licensee. The FY 2003 NRC Performance Plan incorporates one output measure related to other licensing tasks which is the number of other licensing tasks completed.

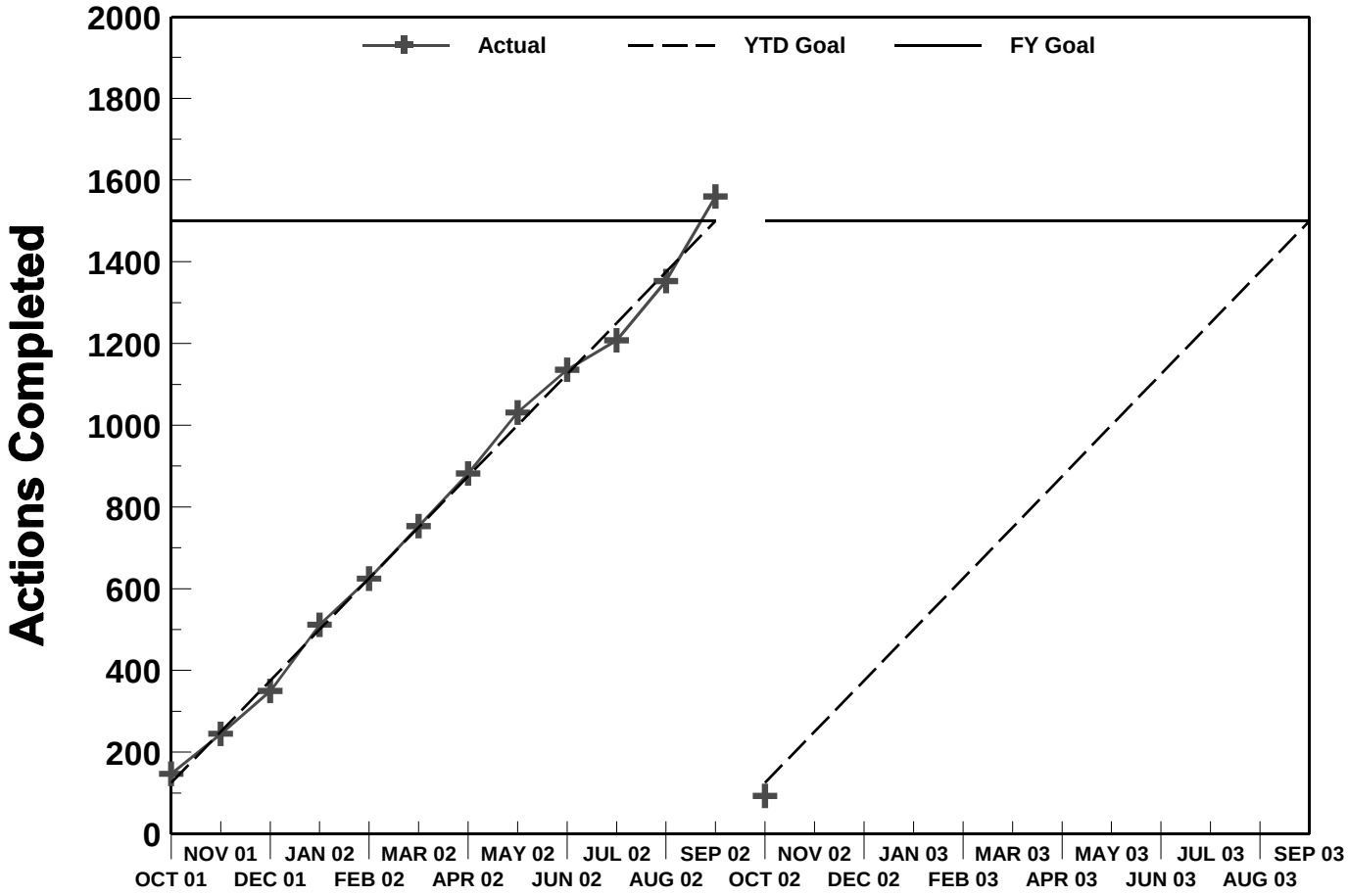
The actual FY 2001 and FY 2002 results, the FY 2003 goals and the actual FY 2003 results, as of October 31, 2002, for the four NRC Performance Plan output measures for licensing actions and other licensing tasks are shown in the table below.

PERFORMANCE PLAN				
Output Measure	**FY 2001 Actual**	**FY 2002 Actual**	**FY 2003 Goals**	**FY 2003 Actual (thru 10/31/2002)**
Licensing actions completed/year	1617	1560	≥ 1500	93
Age of licensing action inventory	96.9% ≤ 1 year; 100% ≤ 2 years	96.6%≤ 1 year; 100% ≤ 2 years	96% ≤ 1 year; 100% ≤ 2 years	94.7% ≤ 1 year; 100% ≤ 2 years
Size of licensing action inventory	877	765	≤ 1000	773
Other licensing tasks completed/year	523	426	≥ 350	28

The following charts demonstrate NRC's FY 2003 trends for the four licensing action and other licensing task output measure goals.

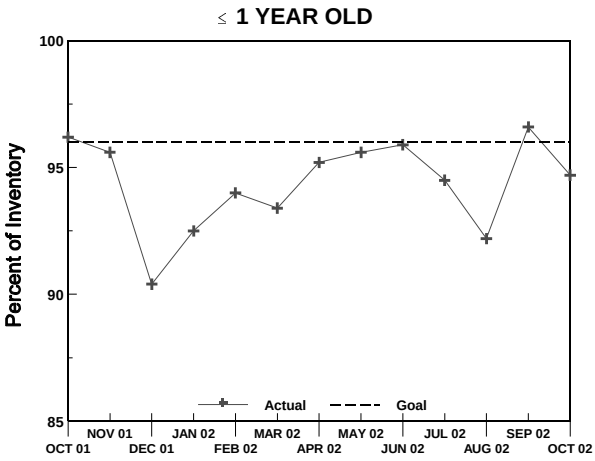
Nuclear Reactor Safety - Reactor Licensing

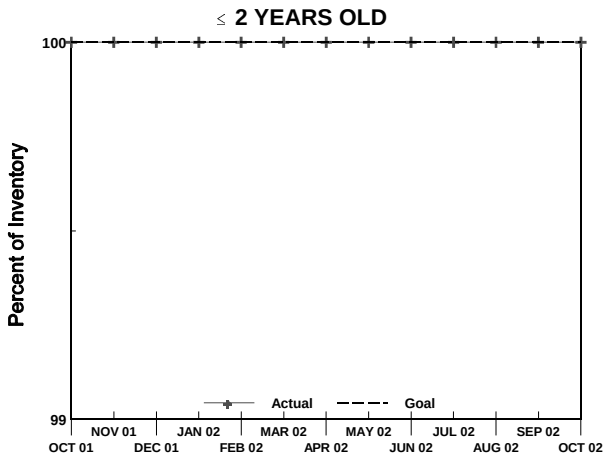
Performance Plan Target: Completed Licensing Actions



Nuclear Reactor Safety - Reactor Licensing

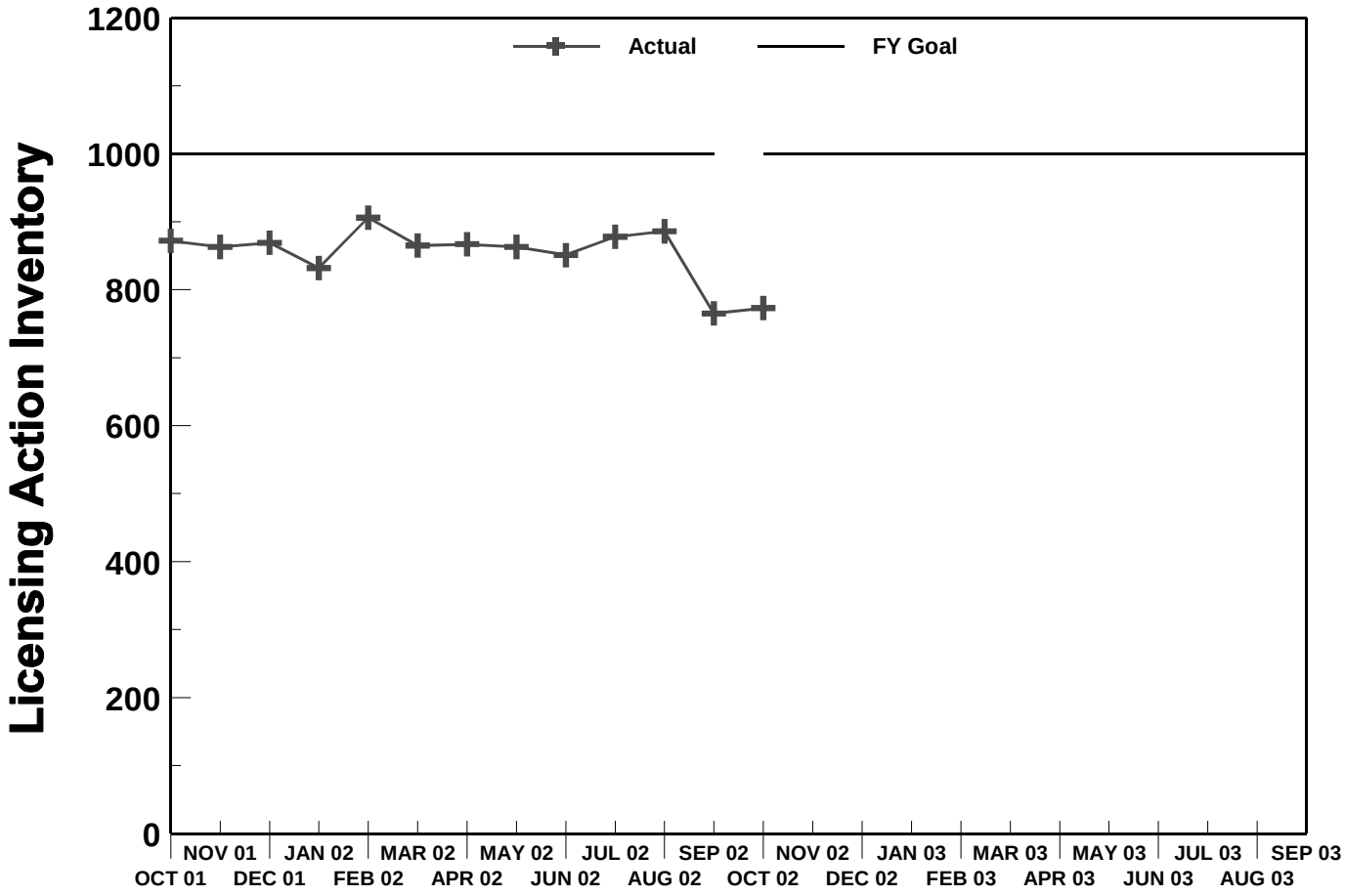
Performance Plan Target: Age of Licensing Action Inventory





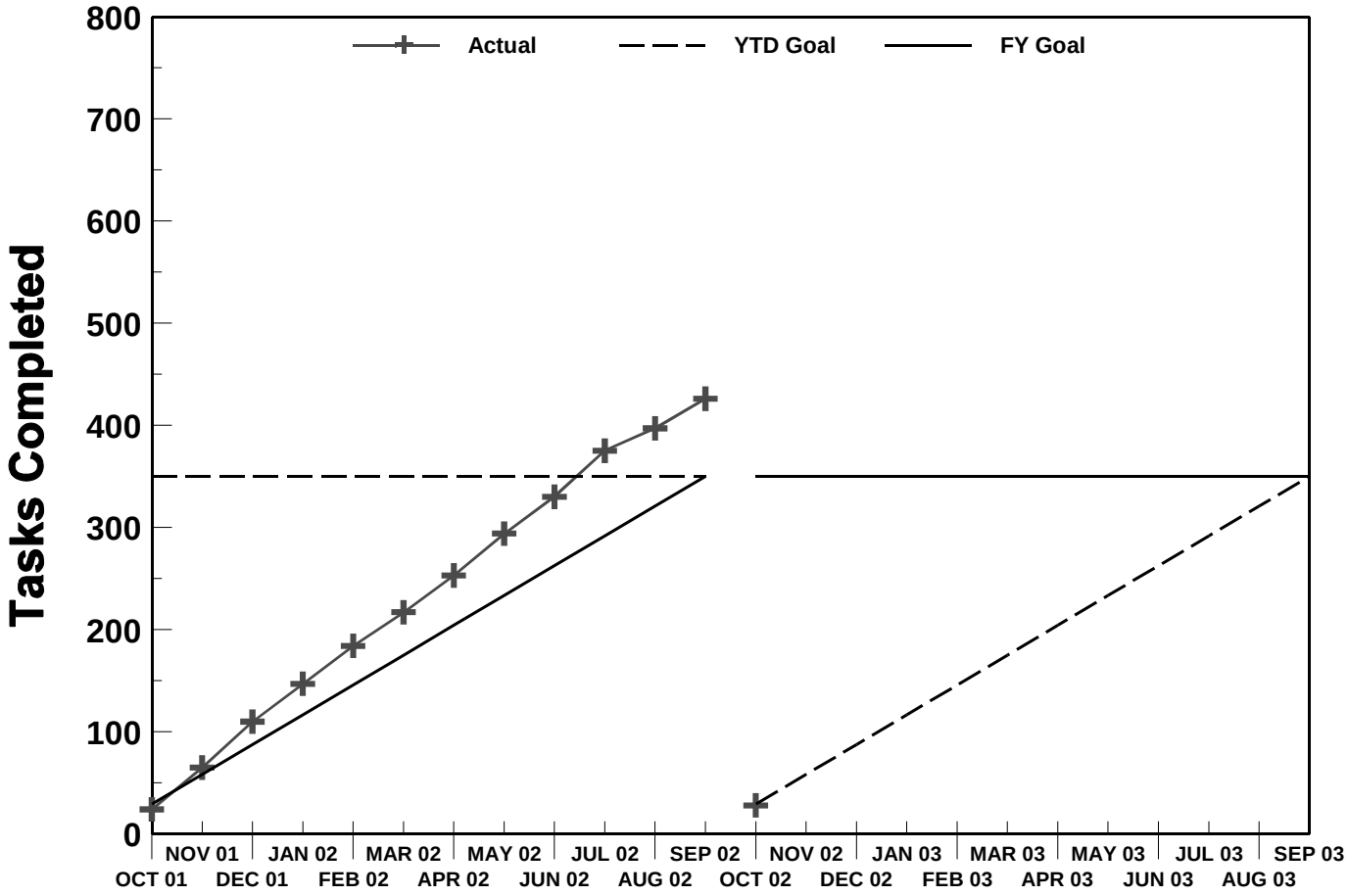
Nuclear Reactor Safety - Reactor Licensing

Performance Plan: Size of Licensing Action Inventory



Nuclear Reactor Safety - Reactor Licensing

Performance Plan Target: Completed Other Licensing Tasks



V. Status of License Renewal Activities

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

The staff issued the draft supplemental environmental impact statement (SEIS) for Surry in April 2002 and North Anna in May 2002. The public comment period on the draft SEISs has ended and the staff is addressing the comments and preparing the final SEISs which are scheduled to be issued by December 2002. The safety evaluation report identifying any open items was issued in June 2002. The NRC staff and applicant are currently working to resolve the open items and the staff expects to issue the revised safety evaluation report in November 2002.

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

The staff issued the draft SEISs for McGuire and Catawba in May 2002. The public comment period on the draft SEISs has ended and the staff is addressing the comments and preparing the final SEISs which are scheduled to be issued by January 2003. The safety evaluation report identifying open items was issued in August 2002. The NRC staff and applicant are currently working to resolve the open items and the staff expects to issue the revised safety evaluation report by January 2003.

On January 24, 2002, the Atomic Safety and Licensing Board (ASLB) admitted contentions filed by Nuclear Information and Resource Service and the Blue Ridge Environmental Defense League, petitioners in the Catawba and McGuire license renewal proceeding. The petitioners contended that the applicant's severe accident mitigation alternative (SAMA) analysis was incomplete. The Commission admitted, to an extent, the SAMA contention. The hearing process is currently in abeyance pending clarification of the contention by the Commission. A certified question from the ASLB relating to the admissibility of a contention pertaining to terrorism is still under review by the Commission.

Peach Bottom, Units 2 and 3, Renewal Application

The staff issued the draft SEIS in July 2002. The public comment period on the draft SEIS has ended and the staff is addressing the comments and preparing the final SEIS which is scheduled to be issued by February 2003. The safety evaluation report identifying any open items was issued in September 2002. Applicant responses to the open items are due in November 2002.

St. Lucie, Units 1 and 2, Renewal Application

Environmental requests for additional information were issued in May 2002 and the responses were received in June 2002. The staff is preparing the draft SEIS to issue for public comment in November 2002. The safety requests for additional information were issued in July 2002 and the applicant's responses were received in October 2002. The staff is reviewing the responses and will prepare the safety evaluation report, identifying any remaining open items.

Fort Calhoun Renewal Application

Environmental requests for additional information were issued in July 2002 and the responses were received in September 2002. The staff is currently reviewing the responses and preparing the draft SEIS which is scheduled to be issued by January 2003. Safety requests for additional

information were issued in October 2002 and the applicant's responses are due by December 2002.

Robinson Unit 2 Renewal Application

The Robinson renewal application is currently under review and the staff is preparing requests for additional information. All environmental requests for additional information are scheduled to be issued by December 2002 and the safety requests by February 2003.

Ginna Renewal Application

The Ginna renewal application is currently under review and the staff is preparing requests for additional information. All environmental requests for additional information are scheduled to be issued by January 2003 and the safety requests by March 2003.

Summer Renewal Application

The Summer renewal application is currently under review and the staff is preparing requests for additional information. All environmental requests for additional information are scheduled to be issued by February 2003 and the safety requests by April 2003.

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, the NRC staff submitted reply findings to the proposed findings of fact submitted by Private Fuel Storage, LLC (PFS) and the State of Utah on the geotechnical and aircraft contentions in the adjudicatory proceeding before NRC's Atomic Safety and Licensing Board. Similarly, PFS and the State of Utah submitted reply findings, as well. The staff completed its consideration of the response received from PFS in August 2002, regarding the change in U.S. Air Force policy regarding altitude restriction for flights over Skull Valley. A letter to Private Fuel Storage, LLC, documenting the results of the staff's evaluation is being prepared.

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	Sept 2002	0	0	0	0	0
	FY 02 YTD	0	0	0	0	0
	FY 01 Total	0	0	0	0	0
	FY 00 Total	0	0	0	0	0
Severity Level II	Sept 2002	0	0	0	0	0
	FY 02 YTD	1	0	0	0	1
	FY 01 Total	0	1	0	0	1
	FY 00 Total	1	2	0	0	3
Severity Level III	Sept 2002	0	0	0	0	0
	FY 02 YTD	2	0	0	0	2
	FY 01 Total	1	1	1	1	4
	FY 00 Total	5	0	4	4	13
Severity Level IV	Sept 2002	0	0	0	0	0
	FY 02 YTD	0	0	2	0	2
	FY 01 Total	1	0	2	1	4
	FY 00 Total	4	1	3	5	13
Non-Cited Severity Level IV	Sept 2002	5	1	4	2	12
	FY 02 YTD	207	89	201	151	648
	FY 01 Total	279	105	201	139	724
	FY 00 Total	313	190	289	258	1050

* Numbers of violations are based on enforcement action tracking system (EATS) data that maybe 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.

Escalated Reactor Enforcement Actions Associated with the Reactor Oversight Process						
		Region I	Region II	Region III	Region IV	Total
NOVs Related to White, Yellow or Red Findings	9/02 Red	0	0	0	0	0
	9/02 Yellow	0	0	0	0	0
	9/02 White	1	0	0	0	1
	FY 02 YTD	4	4	5	8	21
	FY 01 Total	8	4	4	3	19
	FY 00 Total	6	1	0	0	7

Description of Significant Actions taken in September 2002

Constellation Generation Group (Calvert Cliffs) EA-02-159

On September 9, 2002, a Notice of Violation was issued for a violation associated with a white SDP finding involving the inability of 49 sirens that were part of the licensee's alert and notification system to activate in a timely manner. The violation cited the licensee's inability to complete the initial notification of the public in the plume exposure pathway emergency planning zone within about 15 minutes after declaring an emergency.

VIII. Power Reactor Security Regulations

In response to the terrorist attacks on September 11, 2001, the NRC and the nuclear industry have taken a number of actions to ensure the security at nuclear power plants. 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 promptly did so.

The NRC has developed a new Threat Advisory and Protective Measures System in response to Homeland Security Presidential Directive-3. When a new Homeland Security Advisory System (HSAS) threat condition is declared, the NRC will promptly notify affected licensees of the condition and refer them to the predefined protective measures that we have developed for each threat level. The new system for NRC licensees was formally communicated to licensees, Governors, State Homeland Security Advisors, Federal agency administrators, and other appropriate officials on August 19, 2002. The new system supercedes the NRC's 1998 threat advisory system and covers additional classes of licensees not included in the NRC's 1998 system.

The staff is continuing an integrated review of the NRC's safeguards and security program, which includes threat definitions, vulnerability assessments, and regulatory improvements.

The NRC continues to interact with the FBI, other intelligence and law enforcement agencies, the Department of Defense, and the Office of Homeland Security to ensure any changes to the NRC's programs 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 82 such reviews. Approximately 11,595 MWt (3865 MWe) or an equivalent of over three nuclear power plant units has been gained through implementation of power uprates at existing plants. During the month of October, the staff completed its review of a 1.7 percent power uprate application for Grand Gulf increasing the electrical output of Grand Gulf by approximately 22 Mwe. As of October 2002, the staff has 12 plant-specific applications under review. The staff also has two General Electric Nuclear Energy topical reports for power uprates under review.

The staff conducted a survey in July 2002 to obtain information regarding industry's plans related to power uprate applications. The survey requested information for planned power uprates over the next 5 years. Based on this survey and information obtained since the survey, licensees plan to submit 51 additional power uprate applications in the next 5 years. These include 27 measurement uncertainty recapture power uprates (i.e., power uprates less than 2 percent), 4 stretch power uprates (i.e., power uprates up to about 7 percent), and 20 extended power uprates (i.e., power uprates greater than about 7 percent). Planned power uprates are expected to result in an increase of over 5900 MWt (1970 MWe) (equivalent to more than one large nuclear power plant). The staff will utilize the survey results for future planning.