

# INFORMATION REPORT

October 5, 2004

SECY-04-0179

For: The Commissioners  
From: William M. Dean, Assistant for Operations, Office of the EDO  
Subject: SECY-04-0179 WEEKLY INFORMATION REPORT - WEEK  
ENDING SEPTEMBER 24, 2004

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\*No input this week.

**/RA/**

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Assistant for Operations, OEDO

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## WEEKLY INFORMATION REPORT - WEEK ENDING SEPTEMBER 24, 2004

The Weekly Information Report is compiled by the Office of the EDO and includes highlights of Headquarters and Regional Office activities.

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\*No input this week

Office of Nuclear Reactor Regulation  
Items of Interest  
Week Ending September 24, 2004

Nuclear Energy Institute's (NEI's) Fire Protection Information Forum

On September 20-22, 2004, NRC management and staff from the Office of Nuclear Reactor Regulation (NRR), Office of Nuclear Regulatory Research (RES), Region I, and Region IV attended the Fire Protection Information Forum sponsored by the NEI in Key Biscayne, Florida. The forum covered many of the important fire protection issues including National Fire Protection Association (NFPA) 805 rule adoption, manual action rulemaking, and resumption of safe shutdown circuit inspections. The Deputy Executive Director for Reactor Programs was one of the invited guest speakers.

On September 22-24, 2004, NRC staff also participated in an industry fire modeling seminar sponsored by the Electric Power Research Institute (EPRI) in Key Biscayne, Florida. The purpose of this seminar was to advance the industry's knowledge in fire modeling for use in risk-informed/performance-based fire protection (e.g., fire protection Significance Determination Process and circuit analysis).

Public Meeting on Generic Safety Issue (GSI)-189

On September 21, 2004, NRR staff held a public meeting with industry representatives on GSI-189, "Susceptibility of Ice Condenser and Mark III Containments to Early Failure from Hydrogen Combustion during a Severe Accident." The purpose of the meeting was to discuss the draft design criteria for the hydrogen igniter back-up power supply and the schedule for resolving GSI-189.

NRC Regulatory Issue Summary (RIS) 2004-14: Focusing Resources in the Office of Nuclear Reactor Regulation (NRR) as a Result of Review of Security Plan Changes

On September 20, 2004, the NRC issued the subject RIS to inform all nuclear power plant licensees that NRR is reallocating some of its resources to complete the effort to process security plan changes. The RIS requires no action or written response on the part of licensees.

Technical Audit of Joint Owners' Group Program on Motor-Operated Valve Periodic Verification

On September 13-16, 2004, the NRC staff conducted a technical audit of the Joint Owners' Group (JOG) Program on Motor-Operated Valve (MOV) Periodic Verification at the office of the JOG contractor, MPR Associates, Inc., in Alexandria, VA. The objective of the NRC staff audit was to obtain sufficient information to enable the staff to reach a decision regarding the acceptability of the JOG Program on MOV Periodic Verification which was developed by the major reactor vendor owner's groups as part of the industry-wide response to Generic Letter (GL) 96-05, "Periodic Verification of Design-Basis Capability of Safety-Related Motor-Operated Valves." The licensees for 98 reactor units committed to implement the recommendations of the JOG program as part of their GL 96-05 responses.

The JOG program consists of several test program phases, including a five-year diagnostic test program. Following completion of the five-year test program, the JOG prepared its final Topical Report to establish the long-term MOV periodic diagnostic test program. The JOG submitted the Topical Report to the NRC on February 27, 2004, for the staff's review and approval.

The audit allowed the staff to obtain significant information to support the development of long-term recommendations for periodic verification of MOV design-basis capability as part of the JOG program. The JOG agreed to provide follow-up information on several specific topics. The staff intends to complete its review of the JOG Topical Report by the end of calendar year 2004.

Office of Nuclear Material Safety and Safeguards  
Items of Interest  
Week Ending September 24, 2004

Public Meeting at Sabia Incorporation's Facility

On September 15, 2004, staff from the Division of Industrial and Medical Nuclear Safety (IMNS) conducted a public meeting at the Sabia Incorporation's facility in San Diego, California. The meeting discussed in detail Sabia's application to register the XC-Series Material Analyzer. The IMNS staff and the applicant discussed the safety features of the device, assembly methods, materials of construction, shielding, mounting of the sealed sources, shutter operation, and other safety-related technical issues. NRC staff, to complete its safety review, requested additional information on these topics from Sabia. In the proprietary session of the meeting, the staff and the applicant discussed proprietary design and construction features of the device. Staff also reviewed a prototype of the device on site. Representatives of the State of California and other members of the public attended the open session of the meeting.

Meeting of the Interagency Steering Committee on Radiation Standards

On September 15, 2004, the Interagency Steering Committee on Radiation Standards held a public meeting with the Chairman and Vice Chairman of the International Commission on Radiation Protection (ICRP). The purpose of the meeting was to provide Federal agencies and the public with opportunities to discuss the draft 2005 ICRP radiation safety recommendations. The Vice-Chairman also presented an ICRP proposal on "Radiological Protection of Non-Human Species." Members of the public attended and provided comments on both topics. Minutes of the meeting will be posted on [www.iscors.org](http://www.iscors.org).

Issuance of Draft Environmental Impact Statement for Louisiana Energy Services, LP National Enrichment Facility

On September 17, 2004, NRC staff issued the Draft Environmental Impact Statement (DEIS) (NUREG-1790) for the proposed National Enrichment Facility (NEF) to be constructed and operated by Louisiana Energy Services, LP. In the DEIS, the staff analyzed the environmental impacts from the proposed NEF, a gas centrifuge uranium enrichment facility to be located 5 miles east of Eunice, New Mexico, and determined that such impacts generally would be small to moderate. On October 14, 2004, NRC staff will be hosting a public meeting in Eunice to obtain public comments on the DEIS. The public comment period on the DEIS closes on November 6, 2004.

Meeting of the Low-Level Radioactive Waste Forum

On September 20-21, 2004, staff from the Division of Waste Management and Environmental Protection participated in the Low-Level Waste (LLW) Forum meeting in Buffalo, New York. Other participants included representatives from LLW compacts, States, commercial disposal facilities, the Department of Energy, and the Environmental Protection Agency. Topics of discussion included updates on compact activity, the application for an LLW disposal facility in Texas, NRC's recent activities regarding Yucca Mountain, and LLW disposal capacity reports

from the Government Accountability Office. The next meeting will be held in March 2005 in Salt Lake City.

#### Meeting with National Nuclear Security Administration on Russian and U.S. MOX Projects

On September 21, 2004, Division of Fuel Cycle Safety and Safeguards staff met with managers of the National Nuclear Security Administration (NNSA). NNSA informed staff that Duke Cogema Stone & Webster will submit a license application in March 2005 for the U.S. Mixed-Oxide (MOX) Fuel Fabrication Facility, regardless of the status of the U.S.-Russian negotiations on liability protection for U.S. businesses working in Russia, and regardless of whether the U.S. and Russia are prepared to begin construction of their respective MOX facilities in May 2005.

#### Staff Observes NAS Board on Radioactive Waste Management Open Session

On September 20, 2004, Division of High-Level Waste Repository Safety and Office of the General Counsel staff attended, as observers, a public session of the National Academy of Sciences' Board on Radioactive Waste Management (NAS BRWM) on the results of the recent Court Decision on the environmental standards for Yucca Mountain. On July 9, 2004, the D.C. Circuit Court of Appeals vacated the Environmental Protection Agency's (EPA's) 10,000-year compliance period for evaluating the safety of a proposed repository at Yucca Mountain. Dr. Richard Meserve, chair of the BRWM, and former NRC chairman, opened the session by stating that this was an information session only, and the Board was not taking any position now on the Court's ruling, or any actions that government agencies might take in response. Speakers included Robert Fri, who chaired the NAS Committee on the Technical Basis for Yucca Mountain Standards, the report of which was prepared in 1996, for EPA, pursuant to the Energy Policy Act of 1992. Dr. Fri explained that, because selection of an appropriate compliance period is "inextricably linked" to the definition of radionuclide transport and exposure scenarios, it would not be correct to simply replace EPA's 10,000-year compliance period with a longer period. Other speakers included: Joseph Egan and Michael Thorne (State of Nevada); Michael Bauser (Nuclear Energy Institute); Jeffrey Holmstead (EPA); and Sam Fowler (U.S. Senate Committee on Energy and Natural Resources). Mr. Holmstead said that EPA was just starting to evaluate its options. He noted that EPA wants to develop a response that is ..."consistent both with the Court opinion and with the best science available." After questions and discussion by BRWM members, public comments were provided by: Luther Carter (for himself and Thomas Pigford); Judy Treichel (representing the Nevada Nuclear Waste Task Force); Kevin Camps (representing Nuclear Information Resource Service); and Arjun Makhijani (Institute for Energy and Environmental Research).

#### Meeting with DOE and Presentation at Advisory Committee on Nuclear Waste Meeting on Yucca Mountain Geophysical Data

On September 21, 2004, the Division of High-Level Waste Repository Safety held a public meeting with Department of Energy (DOE) staffs and contractors in Las Vegas, Nevada. At this meeting, the results of recently completed aeromagnetic surveys of the Yucca Mountain Region were discussed. Analysis of this data will be used to reduce the uncertainty regarding buried igneous bodies in the Yucca Mountain Region and their effect on the probability of volcanic disruption of the proposed high-level waste repository.

On September 22-23, 2004, Division of High-Level Waste Repository Safety staff and staff from the Center for Nuclear Waste Regulatory Analyses gave presentations at an Advisory Committee on Nuclear Waste (ACNW) meeting in Las Vegas, Nevada. The main focus of the meeting was an ACNW-sponsored "Working Group on the Evaluation of Igneous Activity and Its Consequences at a Geologic Repository at Yucca Mountain, Nevada." NRC staff and staff from the Center for Nuclear Waste Regulatory Analyses presented papers on the "NRC Staff's Perspective on the Modeling of Magma/repository" and on "Challenges to Modeling Doses Due to Disruptive Igneous Events."

September 24, 2004

ENCLOSURE B



Office of Nuclear Regulatory Research  
Items of Interest  
Week Ending September 24, 2004

Public Meeting on Probabilistic Risk Assessment (PRA) Quality for the Mitigating Systems Performance Index (MSPI)

On September 21, 2004, the Probabilistic Risk Assessment Quality Task Group held the first of a series of public meetings in support of ongoing efforts to develop guidance on PRA requirements necessary for MSPI implementation. The task group was established in collaboration with the Nuclear Energy Institute and consists of representatives from the Offices of Nuclear Regulatory Research (RES) and Nuclear Reactor Regulation (NRR), Region I, and the nuclear industry. The task group report, expected to be issued by December 2004, will support industry-wide implementation of the MSPI by providing guidance to licensees and staff on activities needed to demonstrate PRA quality necessary for the implementation of the MSPI.

Full-Scale Spent Fuel Cask Drop Test in Germany

On September 21, 2004, while attending the International Symposium on the Packaging and Transportation of Radioactive Materials (PATRAM), representatives from the Office of Nuclear Material Safety and Safeguards (NMSS) and RES witnessed a successful full-scale cask drop test conducted by the German Federal Institute for Materials Research and Testing (BAM). It was a regulatory drop (i.e., from a height of 9 meters) of a GNS (Gesellschaft Fur Nuklear Service) CONSTOR cask. The CONSTOR cask weighs 185 tons loaded and has a payload of 69 boiling water reactor (BWR) or 32 pressurized water reactor (PWR) fuel elements. On September 24, 2004, a drop test of a Mitsubishi Heavy Industries cask (MHI-MSF) will be conducted. The results of these tests may be useful relative to agency decisions regarding the NRC's package performance study.

ACR-700 MELCOR Modeling Meeting at Sandia National Laboratories

RES and NRR staff attended a meeting on September 14-17, 2004, at the Sandia National Laboratories to discuss the scope and approach for the development of the ACR-700 MELCOR model. The ACR-700 reactor design was developed by the Atomic Energy Canada Limited and is based on the horizontal core CANadian Deuterium Uranium (CANDU) concept, but utilizes a combination of light water as coolant and heavy water as moderator. It also uses slightly enriched uranium (SEU) fuel in contrast to the natural uranium used in CANDU. The meeting focused on innovative approaches to modify the existing MELCOR code to address thermal-hydraulics of core melt progression in a horizontal versus vertical geometry.

Nuclear Security and Incident Response  
Items of Interest  
Week Ending September 24, 2004

Preliminary Notification

1. PNO-IV-04-024A, CANSPEC (USA) - Updated information concerning a truck fire involving an AEA Technology Model 880D radiography camera.

September 24, 2004

ENCLOSURE D

Office of Administration  
Items of Interest  
Week Ending September 24, 2004

Denial of Petition for Rulemaking (PRM-50-78)

On September 23, 2004, a document that denied a petition for rulemaking was published in the Federal Register (69 FR 56958). The petitioner requested that the Nuclear Regulatory Commission (NRC) amend its regulations and associated guidance to address the impact of fouling on the performance of heat transfer surfaces in nuclear power plants. The petition was denied because the NRC determined that its regulations and related oversight functions provide reasonable assurance that systems important to safety, such as heat exchangers, will perform their intended functions.

September 24, 2004

ENCLOSURE F

Chief Information Officer  
Items of Interest  
Week Ending September 24, 2004

Kickoff Meeting for Disaster Recovery Contract Held

The Office of the Chief Information Officer (OCIO) has contracted with Akamai Inc., to provide disaster recovery capability for NRC's public website. Part of the benefit of their service will allow for increased load capacity or "hits" to the NRC public website in the event of high volume requests. Their disaster recovery site failover feature will allow the entire NRC public web server to be replicated to three geographically different locations. This minimizes the risk of an extended outage for the public NRC website in case catastrophic events render the HQ server inoperable.

Freedom of Information Act and Privacy Act Requests Received During the Period of September 17 through September 23, 2004:

Contract NRC-10-00-004, present contractor charges for grounds maintenance	FOIA/PA-2004-0365
Rapiscan Security Products, certifications issued for development and/or operation of Inspection Scanning Systems utilizing x-ray and/or gamma ray technology, all records	FOIA/PA-2004-0366
Allegations of discrimination by former employee, D C Cook Nuclear Power Plant, all records	FOIA/PA-2004-0367

Office of Human Resources  
Items of Interest  
Week Ending September 24, 2004

<b>Arrivals</b>		
Suchandra Tina Ghosh	Nuclear Safety Intern	NMSS
Kaushal M. Toprani	Student IT Specialist (Co-op)	R-I
Adam Wilson	Electrical Engineer (NSPDP)	RES
<b>Retirement</b>		
Eldan Testa	Sr. Health Physicist	R-II

September 24, 2004

ENCLOSURE I

Office of Public Affairs  
Items of Interest  
Week Ending September 24, 2004

Media Interest

The Office of Public Affairs (OPA) responded to significant media interest in the following:

Results from the NRC's accident sequence precursor analysis on the Davis-Besse vessel head degradation condition found in 2002.

The impending publication of the government's planned response to a potential terrorist attack using a radiological dispersal device.

Inspection findings regarding the Oyster Creek plant in New Jersey.

Vermont Yankee's application for a power uprate.

<b>Press Releases</b>	
<b>Headquarters:</b>	
04-117	Note to Editors: NRC Issues Preliminary Risk Analysis of the Combined Safety Issues at Davis-Besse (9/20)
04-118	NRC to Hold Public Meeting Sept. 30 to Discuss Certain Fiscal Year 2005 Emphasis Areas (9/22)
04-119	NRC Advisory Committee on Reactor Safeguards to Meet Oct. 7-9 in Rockville, Maryland (9/24)
<b>Regions:</b>	
I-04-044	NRC, Exelon to Discuss Apparent Violation at Oyster Creek Plant (9/20)
II-04-050	NRC Staff to Meet with Southern Nuclear to Discuss Second Farley Plant License Renewal Inspection (9/21)
II-04-051	NRC Staff and Duke Energy to Discuss Corrective Actions for Inspection Findings at the Oconee Nuclear Plant (9/21)
III-04-046	NRC Davis-Besse Oversight Panel to Meet Sept. 28 in Ohio (9/22)

Office of International Programs  
Items of Interest  
Week Ending September 24, 2004

Japanese Observers at the Cooper Emergency Exercise

On September 21, 2004, a six-member team of Japanese emergency preparedness and response experts from the Nuclear and Industrial Safety Agency, Ministry of Education, Culture, Sports, Science and Technology, and the Japan Nuclear Energy Safety Organization, observed the Cooper Nuclear Plant emergency exercise from NRC's headquarters Emergency Operations Center, Region IV's Operations Center and at the Cooper Emergency Offsite Facility.

On September 24, 2004, the team returned to NRC headquarters to make a presentation on Japan's "SPEEDI" (plume and dose calculation data system), similar to NRC's RASCAL system. The team's visit to observe the emergency drill and make a presentation on their SPEEDI data system was in response to an invitation extended by Chairman Diaz during his April 2004 visit to Japan. The team also met with staff from the Office of Nuclear Material Safety and Safeguards. This meeting followed a site visit to Yucca Mountain and the Waste Isolation Pilot Project (WIPP). The meeting provided an opportunity for each side to present briefings on current regulatory and safety programs and activities.

Visit by TEPCO Management to NRC

On September 23, 2004, Mr. Roichi Shirato, Executive Senior Vice President, Tokyo Electric Power Company (TEPCO), accompanied by several TEPCO senior managers, visited NRC and met with Commissioner Merrifield. He briefed the Commissioner on the status of TEPCO's nuclear power plant operations today, following 17 plant shutdowns and inspections to address the data falsification scandal in 2002.

Office of the Secretary  
 Items of Interest  
 Week Ending September 24, 2004

Document Released to Public	Date	Subject
<b>Decision Documents</b>		
1. SECY-04-0138	7/29/04	Denial of a Petition for Rulemaking to Revise 10 CFR Part 50 and Associated Guidance to Specifically Address the Impact of Fouling on the Performance of all Heat Exchange Surfaces in a Nuclear Power Plant
2. SRM on SECY-04-0138	8/25/04	(same)
3. Voting Recod on SECY-04-0138	8/25/04	(same)
<b>Information Papers</b>		
1. SECY-04-0162	9/7/04	Litigation Report - 2004 - 04
2. SECY-04-0166	9/17/04	Weekly Information Report - Week Ending September 10, 2004

Commission Correspondence

1. Letter to Senator Hillary Rodham Clinton, dated September 15, 2004, responds to letter expressing concern over transmission quality, radio interoperability.

Federal Register Notices Issued

1. Final Rule - 10 CFR Part 35, RIN 3150-AH47, Medical Use of Byproduct Material, Minor Amendments: Extending Expiration.
2. Denial of a Petition for Rulemaking to Revise 10 CFR Part 50 and Associated Guidance to Specifically Address the Impact of Fouling on the Performance of All Heat Exchange Surfaces in a Nuclear Power Plant; [Docket No. PRM-50-78], submitted by Robert H. Leyse.
3. Advisory Committee on the Medical Uses of Isotopes: Meeting Notice (notice of meeting for 10/05/04).
4. Establishment of Atomic Safety and Licensing Board - Safety Light Corporation.

September 24, 2004

ENCLOSURE O



Region I  
Items of Interest  
Week Ending September 24, 2004

Indian Point - Status of Security Union Contract Negotiations

On September 22, 2004, Teamster's Local 456, representing the security force at the Indian Point Nuclear Power Plant, and Entergy, the licensee of the plant, resumed contract negotiations. Meanwhile, a contingency guard force is being trained by Entergy in the event of a teamster walkout at midnight on Friday, October 1, 2004, when the current contract is due to expire. Security specialist inspectors from Region I, accompanied by staff members from the Office of Nuclear Security and Incident Response (NSIR), will be on site during the week of September 27 to verify the adequacy of the training, qualifications, and proficiency of Entergy's replacement security force. In addition, region-based inspectors are tentatively scheduled to provide 24-hour coverage, commencing noon, October 1, 2004, to monitor the contingency guard force in implementing the site Security Plan.

September 24, 2004

ENCLOSURE P

Region II  
Items of Interest  
Week Ending September 24, 2004

Utility Licensing Manager Counterparts Meeting

On September 22, 2004, the Regional Administrator, Director, Division of Reactor Projects, and Director, Division of Reactor Safety attended a Counterparts Meeting of utility licensing managers for the Region II plants. The meeting was held in Atlanta, Georgia.

September 24, 2004

ENCLOSURE P

Office of Congressional Affairs  
 Items of Interest  
 Week Ending September 24, 2004

**CONGRESSIONAL HEARING SCHEDULE, NO. 73**

OCA Contact	DATE & PLACE	TIME	WITNESS	SUBJECT	COMMITTEE
Combs	09/30/04 SD-366	10:30	DOE, NNSA, GAO, and others	Low Level Radioactive Waste	Senators Domenici/Bingaman Energy and Natural Resources
Portner	TBA SD-124	TBA	Markup	FY2005 Energy and Water Development Appropriations	Senators Domenici/Reid Energy and Water Development Appropriations
Keeling	TBA 345 CHOB	TBA	Markup	Homeland Security Authorization	Reps. Cox/Turner Select Committee on Homeland Security