INFORMATION REPORT

October 12, 2007 SECY-07-0178

For: The Commissioners

From: Vonna L. Ordaz, Assistant for Operations, Office of the EDO

Subject: WEEKLY INFORMATION REPORT - WEEK ENDING OCTOBER 5, 2007

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*No input this week.

/RA/

Vonna L. Ordaz
Assistant for Operations, OEDO

Contact:
L. Rakovan, OEDO

October 11, 2007 SECY-07-0178

For: The Commissioners

From: Vonna L. Ordaz, Assistant for Operations, Office of the EDO

Subject: WEEKLY INFORMATION REPORT - WEEK ENDING October 5, 2007

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*No input this week.

/RA/
Vonna L. Ordaz
Assistant for Operations, OEDO

Contact:
L. Rakovan, OEDO

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OEDO	AO/OEDO
LRakovan	VLOrdaz
10/12/07	10/12/07

WEEKLY INFORMATION REPORT - WEEK ENDING OCTOBER 5, 2007

The Weekly Information Report is compiled by the Office of the EDO and includes highlights of Headquarters and Regional Office activities.
Contact: L. Rakovan, OEDO by E-mail: ljr2@nrc.gov.

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*No input this week

Office of Nuclear Reactor Regulation (NRR)
Items of Interest
Week Ending October 5, 2007

Office Director Decision on a Differing Professional Opinion Regarding Ultrasonic Flow Meter

On June 29, 2007, the Director, NRR, issued a decision on a Differing Professional Opinion (DPO), DPO-2006-006, regarding the Westinghouse/AMAG (W/AMAG) Crossflow Ultrasonic Flow Meter (UFM). On December 13, 2006, an NRC employee submitted a DPO where he indicated that the W/AMAG CROSSFLOW Ultrasonic Flow Meter (UFM), when installed in accordance with the guidelines in the NRC-approved topical report CENPD-397-P, Revision 1, will function within its claimed accuracy as specified in the topical report. The submitter was concerned that the NRC staff's November 2006 draft safety evaluation for suspending the previous approval of the W/AMAG CROSSFLOW topical report does not provide a sufficient basis for the staff's proposed suspension. Furthermore, the submitter believed the staff did not respond satisfactorily to the issues presented in his October 2006 non-concurrence of the suspension safety evaluation. On June 12, 2007, an Ad Hoc Review Panel provided the results of its independent review to the Director of NRR. The panel reached the following overall conclusions:

- The cross-correlation technology used by the W/AMAG CROSSFLOW UFM is capable of measuring fluid flow rate, but the basis for the estimation and maintenance of CROSSFLOW's accuracy has not been adequately established.

- The previously approved CROSSFLOW topical report and the subsequent information provided by W/AMAG does not provide sufficient information for the user to ensure that the CROSSFLOW UFM will function within its claimed accuracy.

- The NRC staff's November 2006 draft safety evaluation for suspending the previous approval of the CROSSFLOW topical report provides a sufficient basis for the proposed suspension.

- Regarding the staff’s response to the submitter’s non-concurrence on the November 2006 draft safety evaluation for suspending the CROSSFLOW topical report, the staff followed the established NRC process for responding to non-concurrences. The staff satisfactorily responded to the key technical issues presented in the submitter’s non-concurrence.

The submitter did not have any comments with regards to the panel's report issued on June 12, 2007. Based on the review of the panel’s report and other background information including the submitter’s comments when the panel met with the submitter on February 28, 2007, and the e-mails exchanged between the submitter and the panel on March 7, 2007, and April 12, 2007, the Director of NRR agreed with the panel’s conclusions.

Steam Generator Regulatory Framework

As of September 27, 2007, all pressurized-water reactors have adopted the new steam generator requirements. For many years, the NRC staff has been working with the industry on improving the steam generator regulatory framework. In 2005, the NRC staff approved generic

changes to the steam generator requirements contained within the standard technical specifications. These new requirements are risk-informed and performance-based. Over the last several years, the staff has reviewed applications to adopt these new technical specification requirements at all pressurized-water reactor licensees. The NRC staff will continue to monitor implementation of these new requirements.

Public Meeting with Boiling Water Reactor Vessel Internals Program on the Steam Dryer Integrity Guidance Document

On September 27, 2007, the staff met with the Boiling Water Reactor Vessel Internals Program (BWRVIP) members to discuss their plan to submit a report that the BWR licensees would use as a standardized approach in demonstrating the integrity of the steam dryer for extended power uprate applications. The NRC staff provided comments during the meeting to relay the staff's expectations on setting the framework of demonstrating steam dryer integrity. The BWRVIP plans to submit the report in December 2007 to the NRC for review and approval. Some of the NRC comments included topics concerning screening criteria, benchmarking, and generic power accession plans. The BWRVIP also plans on submitting other reports (Steam Dryer Repair Design Criteria and Steam Dryer Integrity Demonstration Methodologies reports) to the staff that will form the basis for steam dryer integrity demonstrations by March 2008. The BWRVIP and the NRC staff also discussed the proposed request for additional information responses to the BWRVIP-139 report on steam dryer inspections and flaw evaluations.

Meeting on Industry's Implementation of the Ground Water Protection Initiative

On September 27, 2007, the staff held a public meeting with representatives from the Nuclear Energy Institute (NEI) to discuss the industry's Ground Water Protection Initiative (GPI). NEI presented the NEI 07-07, Industry Ground Water Protection Initiative final guidance document dated August 2007.

Regulatory Issue Summary (RIS) 2007-24, NRC Staff Position on Use of the Westinghouse Crossflow Ultrasonic Flow Meter for Power Uprate or Power Recovery

On September 27, 2007, the staff issued the subject RIS to inform addressees that NRC has written a letter to Westinghouse Electric Corporation (WEC) suspending NRC's approval of WEC's topical report on the CROSSFLOW UFM for new and future use until the staff's concerns are resolved. This RIS does not transmit any new requirements and does not require any specific action or written response. However, the information provided in the letter to WEC, including the Safety Evaluation attached to the letter, may have applicability to current users of the CROSSFLOW UFM.

Draft Review Guidance for Generic Letter 2004-02

On September 27, 2007, draft guidance for reviews of final licensee responses to Generic Letter 2004-02, "Potential Impact of Debris Blockage on Emergency Recirculation during Design Basis Accidents at Pressurized-Water Reactors," was issued to NRC staff. The guidance, which was also made available to licensees and other stakeholders for information, addresses head loss testing, coatings, and chemical effects. After opportunity for comment, the guidance will be finalized to support reviews of licensee responses scheduled for early 2008.

Point Beach, Units 1 and 2 - License Transfer

On September 28, 2007, the staff issued conforming license amendments related to the direct transfer of Point Beach, Units 1 and 2, licenses from Wisconsin Electric Power Company (the owner) and Nuclear Management Company (the operator) to FPL Energy Point Beach, LLC. FPL Energy Point Beach, LLC, a wholly owned subsidiary of the FPL Group, is the new licensee (owner and operator) for Point Beach, Units 1 and 2. The staff previously issued an order authorizing the transfer of the licenses on July 31, 2007.

Comanche Peak Steam Electric Station, Units 1 and 2 - Indirect Transfer/Name Change

By letter dated October 2, 2007, TXU Generation Company Limited Partnership (LP) informed NRC that the closing of the transaction and the resulting indirect transfer of operating licenses as approved in the NRC Order dated September 10, 2007, is currently targeted for October 10, 2007. To complete the closing and indirect transfer on that date, the parties plan to convert TXU Generation Company LP to a limited liability company on October 9, 2007, and change its legal name to Luminant Generation Company LLC. To facilitate the licensee's targets, the staff is proceeding with the prompt issuance of the conforming amendments for the name change by October 9, 2007.

Prairie Island License Renewal Unit 1, 2

On October 3, 2007, the staff conducted an information session for the Prairie Island Indian Community Tribal Council in Welch, Minnesota, to describe the license renewal review process. The staff presented information and answered questions related to the scope of the license renewal review and the Council's ability to participate. Approximately 15 people attended the session.

Low Level Radioactive Waste Meeting with Nuclear Energy Institute

On October 4, 2007, the staff participated in a meeting with NEI on low level radioactive waste (LLRW) storage at nuclear power plants. Because the majority of all nuclear facilities will not be allowed to dispose of LLRW at Barnwell, NEI and the Electric Power Research Institute (EPRI) are developing guidance for storing LLRW at operating plants, and the NEI/EPRI developed guidance was presented during this meeting.

Office of New Reactors (NRO)
Items of Interest
Week Ending October 5, 2007

Staff Conducts Pre-Combined License Application Audit at Summer

During the week of September 24-27, 2007, the staff conducted an audit of the South Carolina Electric and Gas (SCE&G) VC Summer combined license (COL) application in support of the staff's acceptance reviews. The audit focused on quality activities implemented by SCE&G and their contractors and subcontractors during the development of the Summer application. The staff also evaluated quality assurance controls that were implemented during early site activities. The staff did not identify any issues that required audit request responses.

Meeting With Areva Regarding Digital Instrumentation and Controls Issues

On September 26-27, 2007, the staff and contractors met with members of Areva's instrumentation and control (I&C) development group to discuss their topical report on the AV42 priority module. The AV42 priority module is a unique digital device that coordinates safety and non-safety commands to safety-related equipment in the proposed EPR plant. The meeting provided a better understanding of the AV42 priority module design, and also facilitated a forum to discuss regulatory issues that affect this unique component. Areva and the staff are planning additional face-to-face meetings regarding other Areva digital I&C topical reports that are currently under review by the NRC.

Transmission Planning and Development Forum

On September 27-28, 2007, the staff attended a Transmission Planning and Development Forum in Washington DC. The forum provided an opportunity for the staff to hear expert opinions on national grid problems (congestion and reliability), and new transmission line constructions. Other participants included high-level representatives from Texas and Kansas, other Federal regulatory agencies, construction companies, consultants, transmission system operators and owners, utilities, and trading companies.

Office of Nuclear Material Safety and Safeguards (NMSS)
Items of Interest
Week Ending October 5, 2007

Visit to Yucca Mountain, NV to Observe Cultural Resources

On October 3, 2007, staff visited the Yucca Mountain site to observe cultural resources. The purpose of this visit was to inform staff about the Department of Energy draft supplemental Yucca Mountain environmental impact statement and activities under the National Historic Preservation Act.

Office of Nuclear Security and Incident Response (NSIR)
Items of Interest
Week Ending October 5, 2007

PNO-II-07-011A, Browns Ferry Nuclear Plant

Update – Browns Ferry Unit 3 pressure boundary leakage discovered during drywell inspection.

PNO-II-07-009A, Southern Company

Update to component cooling water pump breaker failures

PNO-II-07-011, Browns Ferry Nuclear Plant

Browns Ferry Unit 3 pressure boundary leakage discovered during drywell inspection

Office of Administration (ADM)
Items of Interest
Week Ending October 5, 2007

Contract Number NRC-28-07-261 Award in Support for Region I

On September 25, 2007, a fixed price contract was awarded to Phacil, Inc. under the SBA 8(a) set-aside program. The contractor will provide Region I with data entry and switchboard support. The period of performance is from October 1, 2007, through September 30, 2008, with four 1-year optional periods. The total value of the contract is $963,031.

Contract Number NRC-28-07-263 Award in Support for Region I

On September 25, 2007, a non-competitive 8(a) labor hour type contract was awarded to Phacil, Inc. The contractor will provide information resources support to Region I. The period of performance is for twelve months. The total estimated cost is $441,120 for base year and four 1-year optional periods.

Delivery Order Number DR-03-07-047 Award in Support for the Office of Nuclear Reactor Regulation

On September 26, 2007, a competitive labor hour type order was awarded to Information Systems Laboratories, under the General Services Administration Federal Supply Schedules. The contractor will provide technical assistance for review of license renewal applications and update of license renewal guidance documents. The period of performance is from October 1, 2007, through December 31, 2009. The total estimated cost is $642,990.

Contract Number NRC-28-07-262 Award in Support for Region I

On September 26, 2007, a labor hour type contract was awarded to Jennell L. Williams, Inc. under the SBA 8(a) set-aside program. The contractor will provide Region I with human resource and administrative support services. The period of performance is from October 1, 2007, through September 30, 2008, with four 1-year optional periods. The total value of the contract is $478,948.

Blanket Purchase Agreement DR-42-07-468 and Delivery Order Number DR-42-07-468-001 Award in Support for the Office of New Reactors

On September 27, 2007, a competitive labor hour type Blanket Purchase Agreement (BPA) and Task Order No. 1 was awarded to Energy Research, Inc., under the General Services Administration Federal Supply Schedules. The contractor will provide technical assistance for Probabilistic Risk Assessment and Severe Accident Review of Design Certification (DC) and Combined License (COL) Applications. The period of performance is from October 1, 2007, through September 30, 2008, with two 1-year optional periods. The total estimated cost of the BPA is $739,009 and Task Order No. 1 with an estimated cost of $75,927.

Contract Number NRC-28-07-264 Award in Support for Region I

On September 27, 2007, a non-competitive 8(a) a hybrid fixed price/time and materials type contract was awarded to Alternative Telecommunications Systems, Inc. (ATSI). The contractor will replace the PBX switch in Region I. The period of performance is for 13 months. The total estimated cost is $459,796.

Contract Number NRC-38-07-382 Award in Support for the Office of Human Resources

On September 28, 2007, a competitive firm fixed price type contract was awarded to Nomad Technologies, Inc., to furnish six multi media podiums to the NRC Professional Development Center. The period of performance is from October 1, 2007, through January 31, 2008. The total amount of the contract is $118,791.

Contract Number NRC-38-07-371 Award in Support for HR

On September 28, 2007, a competitive firm fixed price type contact was awarded to Advanced Health Education Center. The contractor will provide medical technology training for regulatory personnel, which will be taught at the Technical Training Center. The period of performance is one year with three 1-year optional years. The total amount of the contract is $827,077.

Contract Number NRC-38-07-715 Award in Support for HR

On September 28, 2007, a competitive firm fixed price type contact was awarded to Westinghouse Electric Company Nuclear Services. The contractor will provide new reactor training on the AP 1000 design to NRC staff and other trainees. The period of performance is one year with one optional year. The total amount of the contract is $930,138.

NRC Size Standards; Revision, Confirmation of Effective Date (AI15 - Parts 2 and 171)

On September 28, 2007, the NRC published a document in the *Federal Register* (72 FR 55019) confirming the October 24, 2007, effective date of a direct final rule that revises the NRC's small entity size standards. The NRC is increasing its receipts-based size standard to conform to the size standard set by the Small Business Administration.

Requirements for Expanded Definition of Byproduct Material (AH84- Parts 20, 30, 31, 32, 33, 35, 50, 61, 62, 72, 110, 150, 170, and 171)

On October 1, 2007, the NRC published a final rule in the *Federal Register* (72 FR 55864) that amends its regulations to include jurisdiction over discrete sources of radium-226, accelerator-produced radioactive materials, and discrete sources of naturally occurring radioactive material. The final rule is required by the Energy Policy Act, which expanded the Atomic Energy Act definition of byproduct material to include any discrete source of radium-226, any material made radioactive by use of a particle accelerator, and certain discrete sources of naturally occurring radioactive material. The final rule becomes effective November 30, 2007.

Alternate Fracture Toughness Requirements for Protection Against Pressurized Thermal Shock Events (AI01 - Part 50)

On October 3, 2007, the NRC published a proposed rule in the *Federal Register* (72 FR 56275) that would amend its regulations to provide updated fracture toughness requirements for protection against pressurized thermal shock events. The proposed rule would provide new pressurized thermal requirements that are based on updated analysis methods. The comment period for this action closes December 17, 2007.

Consideration of Aircraft Impacts for New Nuclear Power Reactor Designs (AI19 – Part 52)

On October 3, 2007, the NRC published a proposed rule in the *Federal Register* (72 FR 56287) that would amend its regulations to require nuclear power plant designers to take into account the potential effects of the impact of a large, commercial aircraft. The intent of the proposed rule is to require nuclear power plant designers to perform a rigorous assessment of design and other features that could provide additional inherent protection to prevent or mitigate the effects of an aircraft impact. The comment period for this action closes December 17, 2007.

Office of Information Services (OIS)
Items of Interest
Week Ending October 5, 2007

Freedom of Information Act (FOIA) and Privacy Act (PA) Requests Received During the Period of September 28-October 3, 2007:

Office of Investigations report 4-2007-016	FOIA/PA-2007-0349
Construction of new nuclear power plants, all correspondence between Chairman/Commissioners and listed senior executives of corporations 01/01/1990 to present	FOIA/PA-2008-0001
Allegation Nuclear Reactor Regulation (NRR)-1998-A-0071, all documents including correspondence between named individual and NRC	FOIA/PA-2008-0002
Copy of Differing Professional Opinion (DPO)-2005-002, DPO Panel Report, Office of Nuclear Material Safety and Safeguard Director's decision; all draft & final docs related to DPO-2005-002 under NRC-02-03-002 TO#6; all handouts from 5/17/07 meeting between NRC & MOX Services, copy of BNL-MOX-2007-001 Report	FOIA/PA-2008-0003
Most recent copy of Materials License Tracking System (active & retired facilities) in electronic format	FOIA/PA-2008-0004
Office of the Inspector General investigation, records on named individual from 01/01/07 to present	FOIA/PA-2008-0005

Office of Small Business and Civil Rights (SBCR)
Items of Interest
Week Ending October 5, 2007

Equal Employment Opportunity Advisory Committee Training

On September 25, 2007, the NRC conducted an Equal Employment Opportunity (EEO) Advisory Committee training course at the Professional Development Center (PDC). Twenty-two members from the six EEO Advisory Committees attended the class at the PDC and three committee members from the regions, via VTC. This class enhanced its participants' awareness of the roles and responsibilities of Equal Employment Opportunity Advisory Committee members, helped members gain an understanding of key EEO concepts, and understand demographic data collection and analysis.

Office of the Secretary (SECY)
Items of Interest
Week Ending October 5, 2007

Document Released to Public	Date	Subject
Decision Documents		
1. SECY-07-0163	9/19/07	Policy for Use of Peer-to-Peer Software and the Peer-to-Peer Threat to Sensitive Unclassified Non-Safeguards Information
2. COMGBJ-07-0004	9/25/07	Multinational Design Evaluation Program (MDEP) Stage 2 Conclusions and Recommendations
3. SRM on COMGBJ-07-0004	10/5/07	(same)
4. Voting Record on COMGBJ-07-0004	10/5/07	(same)
Information Papers		
1. SECY-07-0170	9/27/07	Weekly Information Report – Week Ending September 21, 2007
Memoranda		
1. M071005	10/5/07	SRM-Affirmation Session: SECY-07-0164 – PPL Susquehanna LLC (Susquehanna Steam Electric Station, Units 1 and 2) Extended Power Uprate – Eric Joseph Epstein's Appeal of LBP-07-10

Commission Correspondence

1. Letter to Congress, dated September 28, 2007, responds to letter regarding the NRC staff's review of DOE's anticipated license application for a geologic repository at Yucca Mountain.

2. Letter to the *Beaver County Times*, dated September 28, 2007, submits a letter to Beaver County residents congratulating them on their continuing support of Atoms for Peace.

3. Letter to Min-Shen Ouyang, Taiwan, dated September 28, 2007, responds to invitation to participate in the TECRO-AIT Joint Standing Committee Annual Meeting.

4. Letter to Director General Jacques Repussard, France, dated September 26, 2007, responds to letter addressed to Commissioner Lyons regarding NRC's participation in the PRISME research program.

5. Letter to Margaret Spellings, Secretary of Education, dated September 25, 2007, submits NRC's FY 2008 Annual Federal Plan on Executive Agency Actions to Assist Historically Black Colleges and Universities.

6. Letter to Mark Stanford, Governor of South Carolina, dated September 25, 2007, writing to invite to designate a State Liaison Officer to act as the primary liaison to the NRC.

7. Letter to Congress, dated September 25, 2007, responds to letter concerning the collapse of a portion of non safety-related cooling tower cell at the Vermont Yankee Nuclear Power Station.

Federal Register Notices Issued

1. Advisory Committee on Nuclear Waste and Materials, notice of 183rd meeting (10/16-18/2007).

2. Advisory Committee on Medical Uses of Isotopes, notice of meeting (10/22-23/2007).

3. Notice of Intent to Establish Independent External Review Panel to Identify Vulnerabilities in the U.S. NRC's Material Licensing Program.

4. Final rule, 10 CFR Parts 30, 31, 32, and 150, RIN: 3150-AH41, Exemptions from Licensing, General Licenses, and Distribution of Byproduct Material: Licensing and Reporting Requirements.

Region IV (RIV)
Items of Interest
Week Ending October 5, 2007

Meeting With Omaha Public Power District

On October 1, the staff met with representatives of Omaha Public Power District in the Region IV office to discuss performance at Fort Calhoun Station and the status of the station's performance improvement plan. The public meeting was held at the request of the licensee. Omaha Public Power District representatives presented information regarding the status of their preparation plans for an upcoming Supplemental Inspection, and indicated they would be ready for the inspection during the first quarter of 2008.

Fort Calhoun Management Change

On October 1, Omaha Public Power District announced Dave Bannister as the new Site Director at Fort Calhoun Station. Mr. Bannister was previously the Division Manager of Quality and Performance Improvement.

On October 3, Ross Ridenoure, Omaha Public Power District (OPPD) Vice President and Chief Nuclear Officer, announced he would retire effective December 1. Mr. Ridenoure has served as vice president since December 2003 and was responsible for oversight of OPPD's nuclear operations at Fort Calhoun Station. A replacement has not been named.

Office of the Executive Director for Operations (EDO)
Items of Interest
Week Ending October 5, 2007

On September 25, 2007, the NRC rendered a decision on an appeal to an August 2, 2007, decision issued by the Director, Office of Nuclear Reactor Regulation, on a Differing Professional Opinion (DPO). The DPO involved the staff's preparation of a draft safety evaluation suspending approval of topical report CENPD-397-P, "Improved Flow Measurement Accuracy Using Crossflow Ultrasonic Flow Measurement Technology." On July 18, 2007, an NRC employee submitted this appeal addressing the fact that they did not believe the staff had a sufficient basis for suspending approval of topical report CENPD-397-P. The employee had initially submitted a DPO on the subject on December 18, 2006. Based on a review of the relevant information and meetings with the involved individuals, the Executive Director for Operations (EDO) concluded that the actions taken by the staff in response to the DPO were adequate; therefore, the appeal was denied.

Office of Congressional Affairs (OCA)
Items of Interest
Week Ending October 5, 2007

CONGRESSIONAL HEARINGS SCHEDULE, NO. 31					
OCA Contact	Date & Place	Time	Committee	Subject	Witnesses
Shane	10/03/07 406 Dirksen	10:00	Senate Environment and Public Works, Subcommittee on Clean Air and Nuclear Safety (Senators Carper / Voinovich)	NRC Oversight: Reactor Oversight Process	• Chairman Dale Klein, NRC • Commissioner Gregory Jaczko, NRC • Commissioner Peter Lyons, NRC • Mark Gaffigan – Assistant Director, Natural Resources and Environment Issues, GAO • David Lochbaum – Director, Nuclear Safety Project, Union of Concerned Scientists • Marvin Fertel – Senior Vice President and Chief Nuclear Officer, Nuclear Energy Institute
Decker	10/04/07 210 Cannon	10:00	House Budget Committee (Representatives Spratt / Ryan)	"Federal Financial Liability for Commercial Nuclear Waste"	• Kim Cawley – Unit Chief, Natural and Physical Resources Cost Estimates Unit, Congressional Budget Office • Edward Sproat – Director, Office of Civilian Radioactive Waste Management, DOE • Michael Hertz – Deputy Assistant Attorney General, Civil Division, DOJ
Powell	10/TBD/07 TBD	TBD	Senate Environment and Public Works (Senators Boxer / Inhofe)	Licensing of a Repository at Yucca Mountain	TBD