

## INFORMATION REPORT

APRIL 25, 2022

SECY-22-0035

FOR: The Commissioners

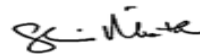
FROM: Sherri Miotla  
Assistant for Operations (Acting)  
Office of the Executive Director for Operations

SUBJECT: WEEKLY INFORMATION REPORT – WEEK ENDING  
April 8, 2022

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Signed by Miotla, Sherri  
on 04/25/22

Sherri Miotla  
Assistant for Operations (Acting), OEDO

CONTACT: John R. Jolicoeur, OEDO  
301-415-1642

SUBJECT: WEEKLY INFORMATION REPORT – WEEK ENDING April 8, 2022,  
DATED APRIL 25, 2022

**DISTRIBUTION:**

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AO R/F

**ADAMS Accession No: ML22104A258**

OFFICE	OEDO	OEDO/AO
NAME	JJolicoeur	SMiotla
DATE	4/14/2022	4 /25/2022

**OFFICIAL RECORD COPY**

**Office of the Chief Human Capital Officer (OCHCO)**  
**Items of Interest**  
**Week Ending April 8, 2022**

<b>ARRIVALS</b>		
BENAVIDES, PHILIP	PROJECT MANAGER	NMSS
BOLES, MATTHEW	PROJECT ENGINEER (RIDP)	R-II
EASH, ANNALEE	SENIOR ACCOUNTANT	OCFO
GRICE, JOSEPH	FUEL FACILITY PROJECT INSPECTOR	R-II
SVRCEK, JOSEPH	INTELLIGENCE ANALYST	NSIR
VASUDEVAMURTHY, GOKUL	REACTOR INSPECTOR	R-II
<b>RETIREMENTS</b>		
NONE		
<b>DEPARTURES</b>		
BORDEN III, WILLIAM B.	SR. CRIMINAL INVESTIGATOR (SME)	OIG

APRIL 25, 2022

ENCLOSURE A

**Office of the Chief Information Officer (OCIO)  
Items of Interest  
Week Ending April 8, 2022**

Freedom of Information Act (FOIA) and Privacy Act Requests, Appeals, and Consultations  
Received During the Period of April 4 – April 8, as submitted by requester

<b>Tracking Number</b>	<b>Requester's Name</b>	<b>Requester's Organization</b>	<b>Request Description</b>	<b>Received Date</b>
2022-000116			1	04/04/2022
2022-000117	Robert Hsu		Requesting information on whether the named individual is a person of interest under any cases relating to your agency.	04/04/2022
2022-000118	Shannon M. Luschen	Swanson, Martin & Bell, LLP	Complete copies of any and all records, investigatory reports, decisions and orders, and citations regarding any relevant incidents in connection with any environmental or health-related hazards (i.e., asbestos, silica, chemical fumes, or any other toxic or hazardous compounds) in regarding the General Electric Plant, located at 1 Progress Road, Shelbyville, Indiana.	04/04/2022
2022-000119	Alan McCreary	West Virginia Department of Environmental Protection	Following Reports as they pertain to the Parkersburg Disposal Site: 1) AMAX, 1980. Stabilization Plan, AMAZ Inc. Property, Wood County, West Virginia, Denver, Colorado; 2) AMAX, 1984. Stabilization Plan, Construction and Final Survey, AMAX Inc. Property, Wood County, West Virginia, volumes 1 and 2, December 1; 3) DOE, 1994b. Sampling and Analysis Plan/Quality Assurance Project Plan for Confirmation of Waste Containment at the AMAX Radioactive Material Storage Area, Parkersburg, West Virginia, P-GJP0-154, prepared by Rust Geotech for the Grand Junction Projects Office, Grand Junction, Colorado;	04/04/2022

<b>Tracking Number</b>	<b>Requester's Name</b>	<b>Requester's Organization</b>	<b>Request Description</b>	<b>Received Date</b>
2022-000119 (continued)	Alan McCreary	West Virginia Department of Environmental Protection	4) Frame, P.W., and J.D. Berger, 1985. Radiological Survey of the AMAX, 1980. AMAX Site, Parkersburg, West Virginia, Oak Ridge Associated Universities, Radiological Site Assessment Program, Manpower Education, Research, and Training Division, Oak Ridge, Tennessee; 5) NRC, 1987. Environmental Assessment for Releasing the Property for Unrestricted Use, Docket No. 40-8820, Uranium Fuel Licensing Branch, Division of Fuel Cycle and Material Safety; and 6) Williams, 1980. Hydrogeology of the AMAX Property in Wood County, West Virginia.	04/04/2022
2022-000120	Chris Stanley	Functional Government Initiative	All records held by the specified agency officials that refer to the implementation or enforcement of Executive Order 14043, "Requiring Coronavirus Disease 2019 Vaccination for Federal Employees" ("the order" hereafter) as described, from September 9, 2021, to the date the agency conducts the search.	04/04/2022
2022-000121	Chris Stanley	Functional Government Initiative	All records held by the specified agency officials relating to the drafting, implementation, or enforcement of contract provisions for vaccination of the employees of contractors and subcontractors developed pursuant to EO 14042 as described, from September 9, 2021, to the date the agency conducts the search.	04/04/2022
2022-000122	Quinn L. Porter		Please provide all records of named individual.	04/05/2022
2022-000123	Robin Ritzman	Curtiss-Wright	When NRC licensees make prompt event notifications as required by 10 CFR 50.72, the Headquarters Operations Officer sometimes asks additional question. Starting in 2022, and it has happened on approximately a dozen times so far this year, the Headquarters Operations Officer has modified the	04/05/2022

<b>Tracking Number</b>	<b>Requester's Name</b>	<b>Requester's Organization</b>	<b>Request Description</b>	<b>Received Date</b>
2022-000123 (continued)	Robin Ritzman	Curtiss-Wright	text provided by the licensee and included the words that the following additional information was obtained from the licensee in accordance with "Headquarters Operations Officers Report Guidance."	04/05/2022
2022-000124	Rowland G Hume		FOIA request for all responsive records for the keywords "UFO, UAP, UKN UAS, Unknown radiological (or) Hazardous object(s)" or any other acronym used for UFO by the NRC.	04/05/2022
2022-000125	Chang Wang		HCI is conducting a Phase I Environmental Site Assessment for 71 Shelton Avenue (Block 0392, Lot 02700) and 89 Shelton Avenue (Block 0392, Lot 00104) properties in New Haven, Connecticut. Please pull ALL files associated with these properties, NOT only files related to environmental matters.	04/07/2022
2022-000126	Oona A. Hathaway	Yale Law School	All unclassified guidance, policies, directives, rules, or regulations that govern the Office's own internal process for making binding/nonbinding determinations, aid agencies in determining whether agreements are binding, and aid Department components and other agencies in drafting nonbinding agreements; any and all unclassified records associated with nonbinding documents, including lists, records, or descriptions of those documents; and any and all unclassified nonbinding understandings or arrangements with foreign countries or international organizations actually in the Office's possession (from the period of January 1, 1989 to December 31, 2019), as specified.	04/08/2022

Tracking Number	Requester's Name	Requester's Organization	Request Description	Received Date
2022-000127	Dustin Slaughter		Any and all records pertaining to sightings of unidentified flying objects, unidentified aerial phenomena, unidentified objects, and unidentified aircraft at or in the vicinity of the following nuclear power plants: Three Mile Island Nuclear Generating Station, Susquehanna Steam Electric Station, Limerick Generating Station, and Peach Bottom Atomic Power Station. This request seeks, but is not limited to, the 62 pages referenced in a February 2, 2022, email from the NRC regarding FOIA requests NRC-2022-000064, -000065, -000068, and -000069 (screen capture attached), as specified (from June 1, 1967, up to and including the date this request is officially processed).	04/08/2022

NRC-2022-000116 - Request was incomplete; therefore, permanently deleted by NRC and requester resubmitted request.

**Office of Nuclear Reactor Regulation (NRR)**  
**Items of Interest**  
**Week Ending April 8, 2022**

**U.S. Nuclear Regulatory Commission (NRC) held a Public Meeting with Constellation Regarding a Planned Digital Instrumentation License Request**

On March 31, 2022, the NRC staff and Constellation held a partially closed public meeting concerning the planned Limerick digital instrumentation and controls (I&C) license amendment request. Specifically, the Limerick project schedule, license amendment request content, proposed technical specifications changes, proposed regulatory commitments, use of risk achievement worth defense-in-depth and diversity (D3) analysis, Diverse Protection System/ Redundant Reactivity Control System architecture, sensor consolidation, I&C reliability analysis, human factors engineering (HFE) evaluation, plant power distribution, plant protection system (PPS) cabinet power distribution, PPS risk-informed completion times, and ongoing D3 review were discussed. During the meeting, Constellation informed the NRC staff that the scope of its planned license amendment request has been finalized as of this meeting. Significant progress was made on aligning on the HFE information that will be provided by the licensee. A separate meeting concerning HFE will be scheduled for late April or early May 2022. Constellation remains on schedule to submit the license amendment request in August 2022.

**NRC Review of the Construction Permit Transfer Exceeds Generic Schedule Due to Litigation Between Nuclear Development, LLC and the Tennessee Valley Authority**

The staff's review of the Nuclear Development, LLC (ND), application to transfer the construction permits (CPs) for Bellefonte, Units 1 and 2 (BLN) from Tennessee Valley Authority (TVA) has exceeded the 2-year Nuclear Energy Innovation and Modernization Act generic schedule. In November 2019, the staff accepted ND's application. In August 2020, ND was notified that the NRC could not complete its review of the transfer application until ND satisfied the requirements of Title 10 of the *Code of Federal Regulations* (10 CFR) 50.80(b)(2). TVA and ND have been engaged in federal court litigation regarding possession of the BLN site. In August 2021, the court denied ND's contract claim. ND has asked that the NRC continue to hold its application pending any appeals and final resolution of the litigation. The CPs for BLN expired on October 1, 2021. The staff is evaluating options on a path forward.

**NRC and Canadian Nuclear Safety Commission (CNSC) Sign Third Joint Report Under Memorandum of Cooperation on Advanced Reactor Technologies and Small Modular Reactors**

On April 5, 2022, NRC and CNSC management signed a joint report that documents the collaborative review of a licensing topical report submitted by GE-Hitachi on the BWRX-300 Containment Evaluation methodology. This review was performed under the Memorandum of Cooperation (MOC) on Advanced Reactor Technologies and Small Modular Reactors between the NRC and CNSC. This is the third report issued under the MOC. NRC and CNSC staff determined that the method described in the topical report is acceptable provided certain considerations are addressed prior to licensing.



### **NRC Met With Duke Energy's Lighthouse Organization to Discuss Innovation and Change Initiatives**

On April 4, 2022, NRR and the Office of Nuclear Regulatory Research staff met with staff from Duke Energy's Lighthouse organization at their facility in Charlotte, North Carolina. The Lighthouse organization is internal to Duke Energy driving innovation and modernization across all their company sectors. The two organizations discussed innovation and change initiatives, including best practices related to innovation, successes and challenges, and advancements associated with new technologies such as artificial intelligence and augmented reality. Lighthouse staff provided a tour of their innovation facility and demonstrations of multiple technologies that Duke is exploring for use at their nuclear units. The staff and Lighthouse representatives committed to further information exchange on change initiatives of shared interest.

### **NRC Conducted a Public Workshop on Probabilistic Risk Assessment Configuration Control**

On April 5, 2022, NRC staff conducted a follow-up public workshop to provide an update and to gather feedback from the industry and public on the staff's balanced approach to develop an oversight footprint on probabilistic risk assessment (PRA) Configuration Control. The staff discussed their proposed information gathering requests to support future recommendations for enhancements to current inspection guidance. The staff sought feedback from the external stakeholders to inform the information request to execute the effort, including ensuring that the requests were based on licensee readily available information. Staff also addressed questions and concerns from industry representatives. Staff will be considering the feedback from this meeting and will further refine the information request in support of future activities. The meeting was attended by over 80 stakeholders including members of the staff, industry, the Nuclear Energy Institute, and the public. The NRC presentation slides are available in Agencywide Documents Access and Management System (ADAMS) ([ML22094A198](#)).

### **NRC Conducted a Public Meeting on the Coronavirus Disease (COVID-19) Lessons Learned**

On April 6, 2022, staff from NRR and the Regions conducted a public meeting to gather input for the NRC COVID-19 Lessons Learned Working Group from members of industry and the public. The purpose of this meeting was to hear information and receive perspectives from industry and external stakeholders to inform development of the conclusions and recommendations for the Working Group related to inspection practices, information technology, and long-term monitoring of impacts from activities during the pandemic.

**Office of Nuclear Material Safety and Safeguards (NMSS)**  
**Items of Interest**  
**Week Ending April 8, 2022**

**Wyoming Department of Environmental Quality and Western Nuclear License Termination**

On March 31, 2022, the NRC sent the Wyoming Department of Environmental Quality and Western Nuclear, Inc. (WNI) an update to the November 30, 2021 ([ML21335A006](#)), schedule for the license termination and transition for long term care to the Department of Energy (DOE) for the WNI Split Rock uranium mill tailings site located in the Agreement State of Wyoming ([ML22091A302](#)). The schedule provided activities for the NRC's review of the DOE's final long-term surveillance plan and NRC's establishment of the long-term care fee (LTCF), which are necessary for the termination of the WNI Split Rock site license. In addition, the staff received a letter from WNI regarding the NRC's pending decision on the LTCF for their Split Rock uranium mill tailings site on April 1, 2022, that the staff will evaluate accordingly.

**GE-Hitachi Plans to Terminate the Licenses for the Vallecitos Boiling Water Reactor and the Empire States Atomic Development Associates (ESADA) Vallecitos Experimental Superheat Reactor**

On April 5, 2022, the NRC staff held a call with the State of California Agreement State Director and State Liaison Officer describing GE-Hitachi (GEH) plans to terminate the licenses for the two shutdown power reactors Vallecitos Boiling Water Reactor (VBWR) and the ESADA Vallecitos Experimental Superheat Reactor at the Vallecitos Nuclear Center. The staff described the nature of the combined footprint of the two power reactors, GEH's plan for terminating the VBWR license, and described the safety measures and licensing actions needed to request the NRC approval for GEH's proposed strategy. The NRC staff also explained the stakeholder outreach process for decommissioning power reactors. The State representatives indicated that the GEH proposal sounded reasonable and thanked the staff for reaching out to them.

**Advisory Committee on the Medical Uses of Isotopes Spring Meeting**

On April 5, 2022, the Advisory Committee on the Medical Uses of Isotopes held its 2022 Spring Meeting remotely. Topics of discussion included an overview of medical and non-medical events during fiscal year 2021; discussions on Y-90 microspheres use in nuclear medicine and clinical approaches to Y-90 microsphere procedures; an overview of the National Institute of Standards and Technology Radioisotope Measurement Assurance Program; and a presentation to Dr. Vasken Dilsizian, the nuclear cardiologist representative and Vice Chair, whose term expires in May 2022.

### **Triso-X Site New Fuel Fabrication Facility**

On April 6, 2022, the NRC staff received a 10 CFR Part 70 special nuclear material license application from TRISO-X, LLC for the nation's first High-Assay Low-Enrichment Uranium fuel fabrication facility to produce fuel for advanced and small modular reactors in Oak Ridge, Tennessee. The application consists of the Safety Analysis Report, the Integrated Safety Analysis Summary, and supporting plans. The environmental report will be submitted later this year. The NRC staff will proceed with the acceptance review of the documents submitted to date.

### **Three Mile Island Station Emergency Plan and Emergency Action Level License Amendment**

On April 7, 2022, the NRC issued an amendment to Renewed Facility License Number DPR-50 for Three Mile Island (TMI), Unit 1. The amendment revises the TMI Station Emergency Plan and Emergency Action Level scheme for the permanently defueled condition after all irradiated fuel has been transferred from the spent fuel pools to the independent spent fuel storage installation (ISFSI). The amendment is effective once the NRC receives a written notification from Constellation Energy Generation that all spent fuel is in dry storage located onsite at the ISFSI and shall be implemented within 90 days of the effective date. Upon implementation, the licensee is allowed to make specific reductions in the size and makeup of the Emergency Response Organization.

### **American Board of Radiology Intent to Terminate NRC's Recognition of Their Board Certifications**

By letter dated April 6, 2022 ([ML22091A272](#)), the American Board of Radiology (ABR) informed the NRC of their intent to terminate, by December 31, 2023, NRC's recognition of their board certifications. The NRC staff is working with ABR to terminate their NRC recognition in accordance with NMSS Office Procedure MSST-70-03-2 ([ML20351A389](#)). These certifications provide eligibility for authorized users, authorized medical physicists, and radiation safety officers to conduct certain medical activities under 10 CFR Part 35. The ABR's Board of Governors determined that maintaining NRC recognition of their board certifications was outside of their primary mission and diverted resources from enhancing their exam delivery and customer service. During the Advisory Committee on the Medical Uses of Isotopes (ACMUI) spring meeting, the potential for this termination was raised, and ACMUI members and members of the public expressed concerns about the impact on the medical community of ABR's decision. Individuals can still become authorized users through the alternate pathway or through other recognized boards listed on the NRC's public web site.

### **Miscellaneous Corrections: Final Rule; 10 CFR Parts 1, 2, 20, 30, 40, 50, 55, 70, 73, and 170 [NRC-2021-0171; RIN 3150-AK72]**

On April 8, 2022, the NRC published a notice in the *Federal Register* ([86 FR 20693](#)) amending its regulations to make miscellaneous corrections. These changes include correcting an office title, a reference, a misspelling, and two administrative errors, and updating the street address for the NRC's Region I office. This document is necessary to inform the public of these non-substantive amendments to the NRC's regulations. This final rule is effective on May 9, 2022.

**Office of Administration (ADM)  
Items of Interest  
Week Ending April 8, 2022**

**Equal Employment Opportunity Commission (EEO) Multi-Services Including Counseling, Mediation, Investigative Services, and Drafting Formal Documents**

On April 4, 2022, contract number 31310022C0009 was awarded to Mind Your Business, Inc., in Hendersonville, North Carolina. The purpose of this contract is to provide non-personnel services to conduct EEO counseling, mediation, investigation services, and draft formal documents for allegations of employment discrimination and harassment based on race, color, sex (including gender identity, pregnancy, and sexual orientation), religion, national origin, age, disability, genetic information, and reprisal raised by employees, former employees (where appropriate) and applicants for employment at the NRC. The period of performance is from April 4, 2022, through April 3, 2023, with four option periods. The total potential value of the contract can be up to \$1,179,727.00.

APRIL 25, 2022

ENCLOSURE E

**Office of Enforcement (OE)**  
**Items of Interest**  
**Week Ending April 8, 2022**

**DPO-2020-004: NuScale SER Chapter 3.8.4, “Seismic Category I Structures”**

On February 8, 2022, the Executive Director for Operations (EDO) issued a decision on the appeal of a Differing Professional Opinion (DPO) submitted on September 17, 2020. The DPO raised concerns related to the seismic margin evaluation of the NuScale reactor building and its structural response during the review level earthquake (RLE). An ad-hoc review panel was formed and tasked by the NRC Differing Views Program to review the DPO. The review panel subsequently issued its report to the Director of the Office of Nuclear Reactor Regulation (NRR) on April 19, 2021. On May 19, 2021, the Director of NRR issued her DPO decision to the DPO submitter. For the detailed reasons described in the decision, the Director of NRR agreed with the review panel’s finding that the NuScale reactor building design was complete and acceptable for the purposes of a design certification application. On June 14, 2021, the DPO submitter appealed the DPO decision to the EDO.

After careful consideration of the issues raised in the appeal, the EDO issued his decision on the DPO appeal on February 8, 2022. The EDO directed NRR to: (1) document its evaluation of the stress averaging approach used in the NuScale design certification application, including, if necessary, updating the Final Safety Evaluation Report and assess whether there are any impacts to the standard design approval, and (2) evaluate and update guidance, or create knowledge management tools, on how to assess applications that use stress averaging for structural building design. On February 14, 2022, the DPO submitter responded to the EDO’s DPO appeal decision. In this response, the submitter thanked the EDO for thoughtful consideration of the concerns raised and provided clarification regarding the applicability of the Probabilistic Risk Assessment-based seismic margin analysis to the reactor building. After reviewing and carefully considering the submitter’s response to the DPO appeal decision, the EDO directed NRR on March 15, 2022, to review and consider the totality of the information provided by the submitter when addressing the tasks mandated in the DPO appeal decision.

The DPO Case File can be found at [ML22056A017](#).

**Office of the Secretary (SECY)  
Items of Interest  
Week Ending April 8, 2022**

<b>Document Released to Public</b>	<b>Date of Document</b>	<b>Subject</b>
<b>Decision Documents</b>		
1. Staff Requirements Memorandum SECY-20-0098	04/05/22	Path Forward and Recommendations for Certain Low-Level Radioactive Waste Disposal Rulemakings
2. Commission Voting Record SECY-20-0098	04/05/22	Path Forward and Recommendations for Certain Low-Level Radioactive Waste Disposal Rulemakings
3. SECY-22-0024	03/25/22	Rulemaking Plan for Renewing Nuclear Power Plant Operating Licenses - Environmental Review
4. Staff Requirements Memorandum SECY-22-0024	04/05/22	Rulemaking Plan for Renewing Nuclear Power Plant Operating Licenses - Environmental Review
5. Commission Voting Record SECY-22-0024	04/05/22	Rulemaking Plan for Renewing Nuclear Power Plant Operating Licenses - Environmental Review
<b>Information Papers</b>		
1. None		
<b>Memoranda</b>		
1. Staff Requirements Memorandum M220331A	04/06/22	Joint Meeting of the Federal Energy Regulatory Commission and the Nuclear Regulatory Commission

Commission Correspondence

1. Letter to the Honorable Shalanda D. Young, Director, Office of Management and Budget, et al., submits the agency's Fiscal Year 2023 Congressional Budget Justification

Federal Register Notices Issued

1. None.