

December 17, 1999

50-160

Ms. Pamela Blockey-O'Brien
D23 Golden Valley
7631 Dallas Highway
Douglasville, GA 30134

Dear Ms. Blockey-O'Brien:

I am responding to (1) your letter to the Nuclear Regulatory Commission (NRC) Office of the Inspector General (OIG) dated September 10, 1999, which included a copy of your letter dated February 28, 1999, regarding the Georgia Institute of Technology decommissioning plan and (2) your October 5, 1999, letter to the NRC Executive Director for Operations and the Office of Nuclear Reactor Regulation (NRR) Deputy Director for Engineering. The OIG referred your September 10, 1999, letter to NRR for response and appropriate action. In your letters you express concerns about the safety of nuclear power plants, a nuclear fuel facility, nuclear power in general, and NRC actions regarding the year 2000 issue. You also requested that your comments on the release of solid materials at licensed facilities be included in the public record. As discussed in the enclosure, the staff has reviewed your letters and has addressed the questions you have raised. Our response is organized according to your general areas of concern.

I trust that the enclosed information addresses your concerns. The NRC will continue to monitor nuclear industry activity and, when warranted, take appropriate regulatory action to provide reasonable assurance of adequate protection of public health and safety.

Sincerely,

Original signed by:

James W. Andersen, Project Manager
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Enclosure: As stated

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**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

WASHINGTON, D.C. 20555-0001

December 17, 1999

Ms. Pamela Blockey-O'Brien
D23 Golden Valley
7631 Dallas Highway
Douglasville, GA 30134

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I trust that the enclosed information addresses your concerns. The NRC will continue to monitor nuclear industry activity and, when warranted, take appropriate regulatory action to provide reasonable assurance of adequate protection of public health and safety.

Sincerely,

A handwritten signature in black ink, appearing to read "James W. Andersen", written over a horizontal line.

James W. Andersen, Project Manager
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Enclosure: As stated

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QUESTIONS FROM MS. BLOCKEY-O'BRIEN LETTERS

DATED FEBRUARY 28, SEPTEMBER 10, AND OCTOBER 5, 1999

The NRC staff has reviewed your February 28, September 10, and October 5, 1999, letters and has addressed the questions you have raised, as discussed below. The staff has organized its response by letter and into the following general areas of concern:

February 28, 1999, Letter

Georgia Tech Research Reactor Decommissioning Plan

Your letter dated February 28, 1999, provided comments concerning the Georgia Tech research reactor decommissioning plan. By letter dated July 22, 1999, the NRC staff addressed each of your comments pertaining to the decommissioning plan and stated that your other comments were (1) not specific nor germane to the proposed decommissioning plan, (2) related to matters resolved in the 10 CFR 2.206 petition on the Georgia Tech research reactor, or (3) addressed in other communications as summarized in NRC's December 4, 1998, letter.

By separate letter dated July 22, 1999, the staff authorized the decommissioning of the Georgia Tech research reactor pursuant to 10 CFR 50.82(b) in accordance with the decommissioning plan as presented by the licensee. The staff concluded that the licensee's decommissioning plan provided reasonable evidence that the licensee is prepared to dismantle the reactor, and dispose of all significant reactor-related radioactive materials in accordance with applicable regulations and applicable NRC guidance. The staff also stated in the attached safety evaluation that it considered all public comments received regarding the decommissioning plan.

September 10, 1999, Letter

1. 10 CFR 2.206 Petition Regarding the Georgia Tech Research Reactor

In your letter, you expressed concern over the way your 10 CFR 2.206 Petition was handled and the Cobalt-60 in the Georgia Tech research reactor pool. These issues have been previously addressed by the staff, the most recent being a letter dated December 4, 1998. In that letter, the staff stated that by letters dated August 29, 1995, and July 24, 1997, you were informed that the time provided by NRC regulations within which the Commission may act to review the Director's Decision had expired. Accordingly, since the Commission took no action with respect to the Director's Decision, the decision became final agency action. Further, in the December 4, 1998, letter, the staff stated that the Cobalt 60 irradiator source is under the jurisdiction of the State of Georgia, through the NRC Agreement State Program. Therefore, you should contact the responsible State of Georgia representative identified in our letter to you dated September 24, 1998.

Enclosure

2. Georgia Tech Research Reactor Decommissioning Plan Comments

In your letter, you expressed concern over the Georgia Tech research reactor decommissioning plan and the way your comments (provided by letter dated February 28, 1999) were handled. This issue is addressed under the February 28, 1999, letter heading, above.

3. Georgia Tech Campus and River Contamination

Your letter expressed concern over contamination at the Georgia Tech campus and the presence of contaminated fish in three of Georgia's rivers. As previously discussed in our letter to you dated September 24, 1998, the State of Georgia is an Agreement State (i.e., NRC has relinquished the authority to the state for the regulation of certain byproduct material activities). The State of Georgia's radiation protection program has been reviewed, and has been found to be adequate to protect the health and safety of the public, and to be compatible with NRC regulations. Because the NRC does not have jurisdiction over the activities in the State of Georgia that are discussed in your letters, we again recommend that you discuss your concerns with the State of Georgia contact (as previously provided in NRC letter dated September 24, 1998).

4. Discussion of NUREG-1079 and Nuclear Power Plant Design

Your letter discusses draft NUREG-1079, "Estimates of Early Containment Loads from Core Melt Accidents," station blackout, and the impact on plants such as Sequoyah and Hatch. The objective of the Containment Loads Working Group, which prepared the NUREG, was to develop an updated evaluation of containment loads (temperature and pressure history) and associated challenges to containment integrity, due to severe (core melt) accidents. The evaluation was to provide a basis for assessing modes and likelihoods for containment failure. The evaluation assumed all active containment heat removal and spray systems to be inoperative for the entire duration of the accident. These evaluations assume scenarios beyond the design basis of the plants in an effort to understand the significance of containment loading mechanisms for certain classes of accidents in the various types of reactor containments.

As discussed in the staff's letter to you dated September 1, 1999, nuclear power plants are designed and built with multiple backup systems to ensure plant safety. This includes emergency diesel generators and station batteries for electrical power, containment structures and other safety features to prevent the release of fission products offsite, and trained plant operators to deal with potential emergencies. As required by NRC regulations, each plant must be able to withstand and recover from a station blackout for a specified duration.

Therefore the staff believes that the existing plant design, emergency plans (as described below), and year 2000 (Y2K) contingency planning (as described below) give us reasonable assurance that the health and safety of the public will be maintained.

5. Export of Heavy Water

In your letter you express concern over the export of heavy water to the United Arab Emirates. The NRC has previously addressed your concerns, most recently by letter dated December 4, 1998. In that letter, the staff stated that the NRC issued an export license to Cambridge Isotopes, Inc., in accordance with applicable regulations, on the recommendation of the State

Department, subject to a number of conditions. Your assertion that the NRC and State Department violated NRC's export licensing regulations in this authorization is incorrect.

October 5, 1999, Letter

1. Y2K Issues

In your letter you express concern over the NRC relying on industry Y2K guidance and other Y2K-related issues. In our letter dated September 1, 1999, the NRC staff provided you information regarding Y2K planning and readiness. The following summarizes the staff's actions regarding the Y2K issue.

Guidelines and acceptance criteria were developed utilizing Generic Letter 98-01, "Year 2000 Readiness of Computer Systems at Nuclear Power Plants" and the following industry documents: Nuclear Energy Institute/Nuclear Utilities Software Management Group (NEI/NUSMG) 97-07, "Nuclear Utility Year 2000 Readiness," and NEI/NUSMG 98-07, "Nuclear Utility Year 2000 Readiness Contingency Planning." Both of these industry documents have been reviewed by the NRC staff and determined to be acceptable in meeting the Y2K challenge. The regulatory considerations specified in NEI/NUSMG 97-07 include the performance of appropriate reviews, reporting requirements, and documentation. NEI/NUSMG 97-07 also addresses testing and contains examples of various plans and checklists as appendices, which may be used or modified to meet the licensee-specific needs and/or requirements.

The NRC has received notification by all 103 operating nuclear power plants that they have completed remediation efforts to be fully "Y2K-ready" - that is, all plant systems involved with safety, power generation, and plant support are now prepared to roll over into the Year 2000 without computer problems.

Based on our review of the responses from the nuclear power industry concerning Y2K readiness, our independent inspection efforts at all 103 plants, and our ongoing regulatory oversight activities, we conclude that the Y2K issue will not adversely affect the continued safe operation of U.S. nuclear power plants, and should contribute to grid stability during the transition period.

2. Recheck Plant's Design Basis

Your letter stated that the NRC failed to respond (in its September 1, 1999, letter) to your recommendation that utilities hire extra staff to go over their entire dockets so every issue which has ever been raised can be rechecked. In its September 1, 1999, letter, the staff stated that in 1995, concerns emerged regarding the ability of licensees to operate their facilities in accordance with the facility's design bases. Considering the potential scope of these concerns and the need to ascertain the extent of the problems within the entire population of operating reactors, the staff requested licensees to describe their programs and processes for ensuring their ability to operate their facilities in accordance with the facility's design bases. Additionally, licensees were asked to discuss the effectiveness of these programs and processes, including a discussion of any design bases documentation initiatives they had implemented.

The staff reviewed all licensee responses to this request and concluded that, generally, licensees have established programs and processes to maintain their facility's design basis and that no further generic action was required. However, the staff identified a need for further plant-specific followup because of instances in which (1) a licensee's regulatory performance brought into question the effectiveness of its design control programs and processes or (2) there was a need to validate the effectiveness of a particular element of a licensee's design control programs and processes.

The staff also determined that there was a need to continue the increased emphasis on inspection of licensee conformance with design basis. Therefore, the staff changed the core reactor inspection program by providing an inspection procedure to be used to evaluate licensee design control programs and processes. The completed staff reviews and the ongoing inspection program provide reasonable assurance that each nuclear power plant is being operated, maintained, and modified in accordance with the plant design basis. Therefore, the staff does not believe it necessary to require licensees to hire extra staff to review their entire docket history for issues that have been raised, prior to each restart, as you suggest.

3. Emergency Planning

Your letter stated that the NRC failed to respond (in its September 1, 1999, letter) to your issues on public safety, evacuation routes, and alerting and educating the public on the real danger of nuclear power. The fundamental requirements for the development of emergency plans are set forth in the Commission's regulations, 10 CFR 50.47 in particular. The NRC requires that emergency plans be prepared for evacuation or other actions to protect the residents in the vicinity of nuclear power plants. The utility has its own emergency plan to notify government officials of a possible emergency and to provide them with information and recommendations. State and local governments have detailed plans for sheltering and evacuation of residents, if necessary. These emergency plans are periodically tested through emergency exercises that simulate a serious reactor accident. Utility personnel and state and local government officials follow their emergency plans in mitigating the consequences of the accident and developing protective measures for the public. In addition, Federal emergency plans include Federal personnel, equipment, and resources needed to respond to a nuclear power plant accident to assist the State and local government response organizations.

Federal oversight of emergency planning for licensed nuclear power plants is shared by the NRC and the Federal Emergency Management Agency (FEMA) through a memorandum of understanding. The memorandum is responsive to the President's decision of December 7, 1979, that FEMA will take the lead in offsite planning and response, that NRC will assist FEMA in carrying out this role, and that the NRC has continuing statutory responsibility for the radiological health and safety of the public.

The staff believes that existing emergency planning and Y2K contingency planning provide reasonable assurance that the health and safety of public will be maintained following any Y2K-related problem or any plant transient or accident at any time.

With regard to educating the public, the NRC's emergency planning regulations require that information be made available to the public on a periodic basis regarding how the public will be notified and what their actions should be in an emergency. In addition, the information provided to the public includes educational information on radiation.

4. Farley Containment Crack

In your letter you raise a question regarding whether the licensee for Farley had ever fixed a 20-foot long crack in the floor of the containment. The containment floor at Farley consists of a 9-foot thick concrete base mat, a ¼-inch steel liner resting on the base mat, and an 18-inch thick fill slab on top of the steel liner. The NRC staff is aware of cracks in the 18-inch fill slab (this was an issue during the construction of the facility). The fill slab is a wear surface that does not provide containment structural integrity.

After evaluating the containment floor cracks, Southern Nuclear Operating Company (SNC) determined that they could repair the four cracks using a high-strength grout. SNC chipped out the fill slab concrete where the cracks were the worst to visually inspect the liner. There was no visible liner damage. They also did a pressure test of the entire floor liner and found that the liner was leak tight. SNC then grouted the cracks. The base mat was not affected. Thus, the answer to your specific question is yes, the licensee for Farley did repair cracks in the containment floor.

5. Emergency Response Equipment

In your letter you question whether the NRC has equipment to deal with a nuclear catastrophe. Specifically, you question whether the NRC has "full face piece 'Chernobyl' type moon suits." All licensees for nuclear power plants have the necessary equipment (protective clothing and self-contained breathing apparatus) and individuals who are trained to use the equipment in the event of a nuclear accident. The licensee is responsible for the immediate response to any event on the site.

As discussed above, State and local governments have detailed plans for sheltering and evacuating residents, if necessary. In an emergency, the NRC will promptly send a team from one of its four regional offices to a site in response to the event. Until the site team is in place, the NRC response will be led from the Headquarters Operations Center (HOC). Within the HOC, teams of specialists will evaluate the status of critical safety functions and independently evaluate protective actions recommended by the licensee and implemented by the State and local authorities. The HOC will provide logistical and technical support to the NRC team on site, once it is in place to lead the NRC response.

The NRC does have basic equipment (e.g., protective clothing, respirators, portable meters) to obtain independent dose assessments during an accident. This enables the NRC to assess the situation in coordination with other response organizations to ensure the most effective Federal response to a severe accident. While the NRC does not have the specialized equipment you refer to in your letter, resources of the Federal government, including necessary specialized equipment, will be made available through the Federal emergency response plans noted above.

6. Farley Issues

In your letter you discussed the staff's September 1, 1999, response to your concerns regarding the Farley Nuclear Power Plant. In its response, the staff stated that the overall performance at Farley was fully acceptable. The staff further discussed several issues the licensee needed to address. In your letter you ask, based on the above mentioned issues, why the NRC does not shut the plant down. As we stated in the September 1, 1999, letter, the staff

has concluded that the overall performance at Farley is acceptable. Licensee management oversight, involvement, and emphasis on plant safety and resolution of equipment problems continues to be strong. There are several areas the licensee needs to pursue to improve performance further, but none of them is significant enough for the NRC to order the plant shutdown.

7. Hatch Drywell Issue

In your letter you ask about the level of contamination to workers who were trapped in the drywell at Hatch, and whether they are still alive. Both we and the licensee have reviewed relevant files for events in which personnel were trapped in the drywell. In 1983 the licensee submitted a licensee event report which discussed one such event. On August 20, 1983, the inner personnel access door failed in the closed position trapping personnel inside the drywell. Other personnel then entered the airlock and opened the inner personnel access door. No information is given in the licensee event report concerning the radiation levels at the time of the event. Due to the probable short period of time the workers were trapped in the drywell and the fact that the licensee did not report any radiation exposures greater than NRC limits, the staff does not believe the individuals received a significant dose of radiation. The staff also does not have any information that would indicate whether the individuals are still alive.

8. Sequoyah Issues

In your letter you discussed the staff's September 1, 1999, response to your concerns regarding the Sequoyah Nuclear Power Plant. In its response, the staff stated that the overall performance at Sequoyah was acceptable. The staff further discussed several performance issues the licensee needed to address. In your letter you expressed concern over the continued operation of Sequoyah. As we stated in the September 1, 1999, letter, the staff has concluded that the overall performance at Sequoyah is acceptable. Although the staff listed several performance challenges, none of them is significant enough for the NRC to order the plant shut down.

9. Nuclear Fuel Services Issues

In your letter you expressed concerns regarding Nuclear Fuel Services (NFS) in Erwin, Tennessee. Specifically you discussed the operations, emergency planning, and license renewal for NFS. In its letter dated September 1, 1999, the staff discussed the overall performance at the site and also stated that on July 2, 1999, it renewed the license for NFS. After completing its review of the NFS license renewal application, the staff concluded that there was reasonable assurance that the activities to be authorized by the issuance of a renewed license to NFS would not constitute an undue risk to the health and safety of the public or to on-site personnel.

As part of the staff's review of the license renewal application, the staff reviewed the NFS emergency plan against the requirements of 10 CFR 70.22(i) and Regulatory Guide 3.67, "Standard Format and Content for Emergency Plans for Fuel Cycle and Materials Facilities." The NRC regulations require (1) a facility description, (2) a list of possible types of accidents, (3) a classification of possible accidents, (4) methods used to detect accidents, (5) procedures for the mitigation of accidents, (6) procedures for assessments of release of material, (7) a description of plant personnel responsibilities, (8) notification and coordination procedures, (9)

training criteria, (10) internal and external communication procedures, (11) safe shutdown procedures, (12) provisions for emergency exercises, and (13) a list of hazardous chemicals onsite. The staff reviewed the NFS emergency plan against the NRC requirements and determined that (1) the plant is properly configured to limit releases of radioactive materials in the event of an accident, (2) a capability exists for measuring and assessing the significance of accidental releases of radioactive materials, (3) appropriate emergency equipment and procedures are provided onsite to protect workers against radiation hazards that might be encountered following an accident, (4) a notification system has been established for notifying Federal, State, and local government agencies, and (5) necessary recovery actions are established for returning the plant to a safe condition following an accident. Therefore, the staff has concluded that the NFS emergency plan meets the requirements of 10 CFR 70.22(i) and is acceptable.

10. Year 2000 Contingency Planning

In your letter you express concern over the nuclear industry's contingency planning for Y2K. The NRC is committed to doing what is necessary in its oversight of nuclear power plant readiness efforts for these facilities to safely operate through January 1, 2000 and beyond. As such, it adopted a proactive approach working with nuclear power plant licensees (owners/operators) to achieve Y2K readiness.

In NRC GL 98-01 it was noted that despite the best of efforts to achieve Y2K readiness, unanticipated problems (particularly grid stability problems) could occur and could disrupt continued plant operation. Therefore, contingency plans were needed to address potential unanticipated Y2K problems. To respond to this need, in August 1998, the Nuclear Energy Institute (NEI) issued guidance document, "Nuclear Utility Year 2000 Readiness Contingency Planning" (NEI/NUSMG 98-07), which was incorporated into Y2K readiness programs by all U.S. nuclear power plant licensees.

The primary goal of contingency planning is preparation of an integrated contingency plan that allows the plant operating staff to mitigate any Y2K-induced events that might occur at key Y2K-related rollover dates. The document provides a focused approach to effective contingency planning that builds on the year 2000 readiness program nuclear utilities already have in place.

The concern about widespread blackouts has been addressed. Plants have identified grid instability as a factor to be included under external risk as part of the Y2K contingency planning effort. The industry and the NRC recognize the national importance of having available the broadest range of electrical generating capability in order to cope with any unforeseen Y2K impacts, should they occur.

Concerns about adequate backup electricity systems have been addressed. Adequate back-up emergency power systems are already required at nuclear power plants. Emergency onsite power is usually provided by diesel generators, which supply electric power to the plant safety systems upon a loss of all offsite power from the external power grid. NRC regulations require that the onsite electric power supplies and onsite electric distribution system have sufficient independence, redundancy, and testability to perform their safety functions assuming a single failure. Plant Technical Specifications (TSS) require the emergency diesel generators to be tested routinely in order to demonstrate their operability and capability of supplying power as

needed. The plant TSs also require that immediate action be taken to restore the diesel generators to operable status if they are found inoperable. Therefore, although occasional problems have been reported with backup diesel generators, the staff concludes that onsite power provided by diesel generators is a reliable source of emergency power in case of a loss of offsite power.

In accordance with their license conditions, all licensees are required to have all backup electricity sources available. All licensees must have adequate inventory of fuel sufficient to enable each of the diesel generators to power required safety loads for a period of 7 days following any design-basis accident and loss of offsite power.

Each licensee developed a contingency plan to deal effectively with any unforeseen Y2K problem. The scope of licensees' Y2K programs, including contingency planning, covers the onsite power and other emergency power systems at the plant, including emergency diesel generators. NRC audits and reviews of licensee Y2K program activities to date have verified readiness of these systems, and no associated Y2K issues relating to onsite or emergency power systems have been identified.

11. Research Reactor Issues

In your letter you state that all nuclear research reactors on university campuses should be shut down and that the staff did not address this question in its September 1, 1999, response to you.

In contrast to commercial nuclear power facilities, non-power reactors are small in size (1/1000th the power of a commercial reactor). Many of the smaller reactors do not generate enough heat to be a problem in the event of a loss-of-coolant accident, they typically range in size from 0.10 watts to 20 megawatts (thermal). All non-power reactors have fail-safe shutdown systems. If a unsafe condition occurs, control rods rapidly reduce the power level of the reactor. Redundant systems to initiate a reactor shutdown also help protect the public.

Non-power reactors larger than two megawatts in size have auxiliary systems capable of adding water to the reactor in case of a loss-of-coolant accident. The source of water can be a water tank or community water that can be piped into the reactor. This ensures that the fuel will be adequately cooled and fuel integrity maintained. The NRC inspects each facility periodically to ensure that programs are conducted according to requirements. If the NRC determines that there is a lack of reasonable assurance of adequate protection of the public health and safety, the NRC may order the licensee to take remedial actions, restrict plan activities, and/or shut down the facility.

12. Nuclear Fuel Services Criticality Monitor Exemption

Your letter discusses exemptions for criticality monitoring systems at nuclear power plants and questions whether NFS has such an exemption. In the staff's July 2, 1999, letter to NFS regarding license renewal, the staff discusses criticality monitoring on Page 83 of the safety evaluation. Specifically, the staff states that NFS requested continuation of its exemption from the criticality monitoring requirements of 10 CFR 70.24 for special nuclear material stored in authorized shipping containers that are in isolated arrays or on a transport vehicle and which are no more reactive than that approved for transport. The staff reviewed the licensee's

request and determined that it was acceptable. Therefore, the answer to your question is yes, NFS does have an exemption related to criticality monitoring.

13. Comments on the Release of Solid Materials at Licensed Facilities

In your letter you request that your comments on the release of solid materials at licensed facilities be included in the public record.

The NRC is considering a rulemaking that would set specific requirements on releases of solid materials in order to establish a regulatory framework more consistent with existing NRC requirements on air and liquid releases. The NRC is seeking early public input on the major issues associated with such a rulemaking, including conducting a scoping process related to environmental impacts. To aid in this process, the NRC is requesting comments on the issue.

Your comments have been included on the record. The public comments received (including yours) can be viewed on the NRC's website (www.nrc.gov/NMSS/IMNS/controlsolids.html). All comments received will be considered by the NRC.

FROM:
Ed Baker

ORIGINAL DUE DT: 11/29/99

TICKET NO: 019990273

DOC DT: 10/29/99

NRR RCVD DATE: 11/08/99

TO:

Sam Collins

FOR SIGNATURE OF :

** YEL **

DESC:

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General

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ADIP
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NRR Mailroom

ASSIGNED TO:

DLPM

CONTACT:

Zwolinski

SPECIAL INSTRUCTIONS OR REMARKS:

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|------------------------------|
| <u>ACTION</u> |
| DUE TO NRR DIRECTOR'S OFFICE |
| BY <u>11/23/99</u> |

↙
extend to 12/17/99
(e-mail from TJ)