

INFORMATION REPORT

SECY-01-0032

March 1, 2001

For: The Commissioners

From: John W. Craig, Assistant for Operations, Office of the EDO

Subject: SECY-01-0032 WEEKLY INFORMATION REPORT - WEEK ENDING FEBRUARY 23, 2001

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ENCLOSURE A

Office of Nuclear Reactor Regulation
Items of Interest
Week Ending February 23, 2001

Vermont Yankee Nuclear Power Station

The Vermont Public Service Board (PSB) has been evaluating the recent agreement between the Vermont Yankee Nuclear Power Corporation (VYNPC) and the AmerGen Energy Company with participation by the Vermont Department of public Service regarding the sale of Vermont Yankee Nuclear Power Station. On February 14, 2001, the PSB issued an order rejecting AmerGen's proposed agreement. The PSB said they were not explicitly ordering an auction of the facility, but stated that VYNPC has the initial primary duty to consider various options including retaining ownership, selling the plant, or shutting the plant down. The PSB further requested that Entergy, who requested the dismissal of the agreement, submit to VYNPC within 5 business days, a Performance Bond in the amount of \$26.4 million to be paid if Entergy doesn't bid and the sale falls through. Unless otherwise ordered by the PSB, within 10 business days following the submission of the Performance Bond, the PSB will dismiss the current purchase agreement between VYNPC and AmerGen without prejudice and the sale docket will be closed.

On February 15, 2001, VYNPC issued a press release which stated that it intends to work with the state regulators to

develop an auction process. VYNPC's goal would be to complete an auction by late spring to early summer and obtain regulatory approval of any sale by the end of 2001.

Shearon Harris Nuclear Power Plant

On February 14, 2001, the Commission issued a Memorandum and Order (CLI-01-07) in the Harris spent fuel pool amendment proceeding. In its ruling the Commission rejected the intervenor's petition for review of the Harris license amendment stating that it is not permitted by NRC regulations. However, in order to assist the Commission in determining whether it should exercise its discretion to review the staff's final no significant hazards consideration (NSHC) determination, the Commission has requested that the staff provide additional information.

Additionally, the Commission has directed that Carolina Power and Light (CP&L) store no spent fuel under the license amendment, pending a further Commission order or a Licensing Board decision approving the amendment, whichever comes sooner. The Commission stated that CP&L may continue necessary pre-storage activities should it choose.

On February 16, 2001, the attorney for the interveners in the Harris proceeding filed a petition in the D.C. Circuit Court of Appeals for a judicial review of the NRC staff's December 21, 2000, final NSHC determination. The attorney also plans on filing a motion for a stay of the NSHC determination.

Meeting with South Texas Project (STP) Staff

The staff met with representatives of STP Nuclear Operating Company (STPNOC) on February 15-16, 2001, to discuss the resolution of the open and confirmatory items identified in the November 15, 2000, draft safety evaluation related to the exemptions requested from the special treatment requirements of 10 CFR Parts 21, 50, and 100. Overall, the meeting was a productive exchange of information between the licensee and the staff. Success paths for closure of the majority of the open and confirmatory items were agreed to during the meeting. However, there remain several significant open items that the licensee and the staff must continue to work to resolve.

V. C. Summer Nuclear Plant

The NRC Special Inspection Team (SIT) held a public exit on February 15, 2001, at the plant site. The SIT found the licensee's root cause analysis of the reactor coolant, hot leg, piping weld crack to be complete and adequately address the plausible causes. The team's review of activities associated with the original construction weld, replacement welds, and weld non-destructive examination did not identify any licensee performance issues. The licensee intends to enhance their leak detection procedures, including boron walkdown procedures, as stated in several correspondences to the NRC.

The SIT identified two generic issues. The first of these issues involve apparent inability of the Code required ultrasonic testing (UT) techniques to detect and size small inside diameter (ID) stress corrosion cracks, especially when uneven ID surface conditions are present. The second issue involves cumulative effect of residual weld stresses from multiple weld repairs and primary water stress corrosion cracking resulting from it. These generic issues are being addressed by the Materials Reliability Program (MRP) industry initiative.

The NRC safety evaluation (SE) on the licensee's analysis for continued plant operation with small eddy current testing (ET) indications in loops B and C hot leg nozzle welds was issued on February 20, 2001. The SE indicated that the unit could be operated safely for one fuel cycle. The staff's evaluation found that the subject nozzle welds satisfied the intent of Code requirements for flawed components. The loop A hot leg nozzle weld was replaced with a Code acceptable weld.

In a letter dated January 9, 2001, SCE&G committed to perform the best and most meaningful NDE inspection available to ensure the integrity of the two susceptible hot leg welds at V. C. Summer. In that letter, at a minimum, the licensee has committed to undertake the best available ultrasonic inspection methods on the B and C hot leg nozzle-to-pipe welds at the completion of one cycle of V.C. Summer's operation, which will be Refueling Outage 13.

NRR and NEI Senior Management Meeting to Discuss Steam Generator Issues

On February 16, 2001, a Senior Management Meeting was held with senior management from the Office of Nuclear Regulatory Regulation (NRR) and Nuclear Energy Institute (NEI). The meeting was held as a public meeting, with many members of the commercial nuclear industry and general public attending. The focus of the meeting was to discuss steam generator issues, including industry lessons learned from Indian Point unit 2 (IP2), the NRC's steam generator (SG) action plan, the schedule for NRC review of NEI 97-06, and plans for future meetings. The SG action plan consolidates activities on the evaluation and implementation of recommendations from the IP2 Lessons-Learned Report, the evaluation and implementation of recommendations from the staff review of the Office of the Inspector General Report on IP2, NRC staff review of NEI 97-06 "Steam Generator Program Guidelines", resolution of generic safety issue 163 "Multiple Steam Generator Tube Leakage", and resolution of the SG differing professional opinion. The action plan also includes non-SG related issues that arose out of recent SG activities (e.g., emergency planning issues).

There will be a working meeting of the technical staff on February 28, 2001 to work on the issues that could potentially affect the review schedule of the NEI 97-06 generic license change package. Two issues that have been identified are resolving the definition of operability and recent wording changes made to the Technical Requirements Manual or in the Technical Specifications. Both NRC and NEI management expressed satisfaction with the progress and direction on the NEI 97-06 review. NRC management expressed their support for the NEI 97-06 initiative, and their support for trying to meet the established schedule.

Industry Briefing to NRC Management on the Status of the Materials Reliability Program

On February 16, 2001, Industry briefed NRC Senior Management on the Industry's response to the Summer pipe crack issue, including the recent Alloy 82/182 weld cracking, and the objectives of the industry's materials reliability program (MRP). The Industry MRP - Alloy 600 Issue Task Group (ITG) plans to demonstrate that continued operation with Alloy 82/182 welds is acceptable. Interim inspection guidance is in development for near term outage plants and the ITG will determine longer term inspection actions. The Alloy 600 ITG will review the repair/mitigation methods and determine what, and if, improvements are necessary. In addition, the Alloy 600 ITG updated the staff on the status of the reactor vessel head penetration program. Industry then briefed NRC staff on the main objective of the MRP. The MRP will work to resolve existing and emerging PWR materials, performance, reliability, operational and regulatory issues. The MRP will also integrate NSSS owners group activities with the MRP activities. At present there are four MRP Issue Task Groups. The four groups are: Control Rod Drive Mechanism/Alloy 600 ITG; Fatigue ITG; Reactor Pressure Vessel Integrity ITG; and Reactor Pressure Vessel Internals ITG.

Public Meeting on Endorsement of American Society of Mechanical Engineers Code and Code Cases

On February 21, 2001, the NRC staff held a public meeting with representatives of the American Society of Mechanical Engineers (ASME) to discuss and obtain stakeholder input on the NRC processes for endorsement of the ASME Code and Code Cases, and potential improvements to those processes. NRC staff participants included representatives from the Office of Nuclear Reactor Regulation, the Office of Nuclear Regulatory Research, the Office of the General Counsel, and the Office of Nuclear Materials Safety and Safeguards. Representatives of the Nuclear Energy Institute also participated at the meeting. The participants considered the meeting to have been successful in improving ASME's understanding of the NRC's processes for endorsement of the ASME Code and Code Cases through applicable regulations and regulatory guides. The NRC staff and ASME representatives agreed to several initial actions to help improve the NRC and ASME processes relating to endorsement of the ASME Code and Code Cases. The NRC staff is also preparing a written response to the ASME letter dated January 12, 2001, which indicated concerns with the NRC process for endorsing ASME Code Cases. At the conclusion of the meeting, the NRC staff and ASME representatives agreed to consider the benefit of follow-up meetings to help continue the improvement of the approach for endorsement of the ASME Code and Code Cases.

ENCLOSURE B

Office of Nuclear Material Safety and Safeguards
Items of Interest
Week Ending February 23, 2001

Westinghouse Electric Company Senior Managers' Drop-In Visit

On February 15, 2001, Division of Fuel Cycle Safety and Safeguards (FCSS) staff participated in a visit involving the Nuclear Material Safety and Safeguards Office Director and senior management from Westinghouse Electric Company (WEC), a subsidiary of British Nuclear Fuels. The major topics were the "New Westinghouse," since British Nuclear Fuels' acquisition of Asea Brown Boveri nuclear operations and the streamlined licensing amendment process. WEC emphasized the importance and significance of keeping the Burnable Absorber Expansion System license amendment on schedule at the facility in Columbia, South Carolina. WEC also expressed its views on Subpart H of [10 CFR Part 70](#) and how it would affect their ongoing integrated safety analysis (ISA) process. WEC has requested a future meeting with FCSS staff to discuss specific concerns regarding ISA's.

Meeting with Representatives from the U.S. Enrichment Corporation

On February 20, 2001, Division of Fuel Cycle Safety and Safeguards staff met with representatives from the U.S. Enrichment Corporation (USEC) to discuss the regulatory aspects associated with performing separation of isotopes using laser excitation evaluation testing at either the Portsmouth or Paducah Gaseous Diffusion Plant. The main objective of the meeting was to enable USEC staff to present their views on whether the proposed laboratory-type testing should require a new license under 10 CFR Part 70 or an amendment to their 10 CFR Part 76 certificate.

Meeting with Gesellschaft für Nuklear-Behälter mbH Staff to Discuss the CASTOR X/32 S Dry Cask Storage System Licensing Application

On February 20, 2001, Spent Fuel Project Office staff met with Gesellschaft für Nuklear-Behälter mbH (GNB) to discuss the staff's review of the CASTOR X/32 S dry cask storage system licensing application. The meeting focused on GNB's planned approach to addressing several technical issues with the design initially identified by the NRC and reaffirmed the schedule issued in December 2000 for completing the technical review in January 2002.

ENCLOSURE D

Incident Response Operations
Items of Interest
Week Ending February 23, 2001

Preliminary Notifications

1. PNO-II-01-009, Quality Inspection Services, Inc., RADIOGRAPHER OVEREXPOSURES.
2. PNO-IV-01-006A, Standard Testing and Engineering Co., STOLEN TROXLER PORTABLE GAUGE - UPDATE.

ENCLOSURE F

Office of Administration
Items of Interest
Week Ending February 23, 2001

Preparing Statements of Work (SOW)

On February 22, 2001, the Division of Contracts and Property Management conducted a mandatory Acquisition for Certification and Training Program module entitled "Preparing Statements of Work (SOW)." This module provides project managers with practical exercises in developing succinct and complete SOWs that ensure contractors and DOE laboratories fully understand project scope, achieve work objectives, and deliver useful products in a timely manner and at a reasonable cost.

Nuclear Energy Institute: Denial of Petition for Rulemaking (PRM-51-7)

A document that denied a petition for rulemaking submitted by the Nuclear Energy Institute (PRM-51-7) was published in the Federal Register on February 20, 2001 (66 FR 10834). The petitioner requested that the NRC amend its regulations to delete the requirement that the NRC evaluate Severe Accident Mitigation Alternatives (SAMAs) as part of its National Environmental Policy Act (NEPA) review associated with license renewal. The petitioner requested that the NRC take this action to achieve consistency in the scope of its regulatory requirements associated with NEPA and license renewal. The NRC is denying the petition because the NRC must continue to consider SAMAs for the issuance of a new or renewed power reactor operating license in order to meet its responsibilities under NEPA notwithstanding the legal arguments presented by the petitioner.

United Plant Guard Workers of America: Denial of Petition for Rulemaking (PRM-76-1)

A document that denied a petition for rulemaking submitted by the United Plant Guard Workers of America (PRM-76-1) was published in the Federal Register on February 20, 2001 (66 FR 10839). The petitioner requested that the NRC amend its regulations concerning security at gaseous diffusion plants to address sites that have both special nuclear material security concerns and protection of classified matter concerns; to require that these facilities be able to detect, respond to, and mitigate threats of a sabotage event; and to require that the security force be armed and empowered to make arrests in limited situations. The NRC is denying the petition because existing NRC regulations provide the basis for reasonable assurance that common defense and security is adequately protected and additional rulemaking would impose unnecessary regulatory burden that does not appear to be warranted for the adequate protection of the common defense and security.

ENCLOSURE G

Chief Information Officer
Items of Interest
Week Ending February 23, 2001

Freedom of Information and Privacy Act Requests received during the Period of February 16, 2001 through February 22, 2001:

Brunswick plant, Carolina Power & Light, all investigation documents for 1998.	(FOIA/PA-2001-0142)
San Onofre plant, OI report 4-2000-035 and all related documents.	(FOIA/PA-2001-0143)
Vacancy No. 0044016, all related documents including communications between selecting official and identified offices/persons.	(FOIA/PA-2001-0144)
National Semiconductor Corp., license nos. 18-13541-02 and 18-13541-03, all publicly available documents.	(FOIA/PA-2001-0145)
OI report 3-2000-008 and all related documents.	(FOIA/PA-2001-0146)
OI report 3-2000-009 and all related documents.	(FOIA/PA-2001-0147)
MLTS database and agreement state licensee listings.	(FOIA/PA-2001-0148)
Westinghouse Electric Corp. Test Reactor, Waltz Mill site in Madison, PA, license and contract files 1958 through 1985.	(FOIA/PA-2001-0149)
Clinton power plant, allegations and related records for the period 04/95 through 06/95.	(FOIA/PA-2001-0150)

ENCLOSURE I

Office of Human Resources
Items of Interest
Week Ending February 23, 2001

Arrivals		
BAJOREK, Stephen	CONSULTANT	RES
LOBE, Jon	EMPLOYEE ASSISTANCE PROGRAM MANAGER	HR
SCHULTE, Christine	RELIABILITY & RISK ANALYST	RES
Departures		
INGRAM, Emma Lee	SECRETARY	RII
JACKSON, Patricia	SR. BUDGET ANALYST	OCFO

ENCLOSURE M

Office of Public Affairs
Items of Interest
Week Ending February 23, 2001

Media Interest

There were press inquiries at headquarters regarding the nuclear watchdog report "Licensed to Kill," which accuses NRC and other agencies of allowing licensees to destroy marine habitats and kill endangered wildlife.

The "Today" show was onsite at Vermont Yankee, filming a report on the resurgence of the nuclear industry.

Press Releases	
Headquarters:	
01-017	NRC Approves License Termination Plan for Trojan Nuclear Power Plant
01-018	NRC to Hold Workshop March 26-28 on Initial Implementation of the Reactor Oversight Process
Regions:	
I-01-07	NRC to Discuss Apparent Violations With Toms River, N.J., Hospital
I-01-08	NRC Schedules Two Meetings with IP-2 on March 2
I-01-09	NRC to Meet With PPL March 1 to Discuss Susquehanna Inspection Finding

ENCLOSURE O

Office of the Secretary
Items of Interest
Week Ending February 23, 2001

Document Released to Public	Date	Subject
Decision Documents		
1. SECY-01-0009	01/22/01	Modified Reactor Safety Goal Policy Statement
Comm. Dicus vote sheet on 01-0009	02/06/01	(same)
Comm. Diaz vote sheet on 01-0009	02/01/01	(same)
2. SECY-00-0017	01/21/00	Proposed Rule Revising 10 CFR Part 2 - Rules of Practice
K. Cyr memo to Commissioners 	03/21/00	Corrections and Clarifications to Certain Proposed Procedural Rules in SECY-00-0017, Proposed Rule Revising 10 CFR Part 2 - Rules of Practice
SRM on 00-0017	02/16/01	(same)

	Commission Voting Record on 00-0017	02/16/01	(same)
3.	SECY-00-0210	10/20/00	Denial of Petition (PRM 51-7) for Rulemaking to Delete the Requirement from 10 CFR Part 51 to Consider Severe Accident Mitigation Alternatives in Operating License Renewal Reviews
	SRM on 00-0210	1/17/01	(same)
	Commission Voting Record on 00-0210	1/17/01	(same)
Negative Consent Documents			
1.	SECY-01-0021	2/2/01	Rulemaking Plan: 10 CFR Parts 71 and 73 -- "Advance Notification to Native American Tribes of Transportation of Certain Types of Nuclear Waste"
	SRM on 01-0021	2/20/01	(same)
Information Papers			
1.	SECY-01-0028	2/21/01	SECY-01-0028 - Weekly Information Report - Week Ending February 16, 2001

Commission Correspondence

1. Letter to Congress dated February 14, 2001, provides NRC's Annual Report of the Administration of the Government in the Sunshine Act for Calendar Year 2000.
2. Letter to Robert Willis Bishop, Esq., Nuclear Energy Institute, dated February 13, 2001, concerns Petition for Rulemaking (PRM 51-7) regarding severe accident mitigation alternatives reviews in support of operating license renewal applications.

Federal Register Notices Issued

1. Advisory Committee on Nuclear Waste; Notice of Meeting.
2. ACRS Subcommittee on Thermal-Hydraulic Phenomena; Notice of Meeting.
3. ACRS Joint Meeting of the Subcommittees on Materials and Metallurgy, Thermal-Hydraulic Phenomena, and Reliability and Probabilistic Risk Assessment; Notice of Meeting.

ENCLOSURE P

Region I
Items of Interest
Week Ending February 23, 2001

Predecisional Enforcement Conference with Sibley Memorial Hospital

A Predecisional Enforcement Conference, open to the public, was held with management representatives from Sibley Memorial Hospital in Region I on February 21, 2001. The conference was held to discuss two misadministrations and three recordable events which occurred during iodine-125 eye brachytherapy procedures in September and April 2000. The licensee discussed the circumstances regarding the events and provided their actions to prevent recurrence. Enforcement action is under review.

Predecisional Enforcement Conference with Community Medical Center

A Predecisional Enforcement Conference, open to the public, was held in Region I with management representatives from Community Medical Center of Toms River, NJ, on February 22, 2001. The conference was held to discuss apparent violations associated with a phosphorus-32 (P-32) spill incident that occurred during the administration of a therapeutic dose of P-32 to a patient in August 1999. The apparent violations included: inadequate radiological surveys during the patient treatment and at the conclusion of the treatment, inadequate radiological safety training of the licensee staff, and failure to report the incident to the NRC. The licensee presented additional records and articulated their corrective and preventive actions. Enforcement action is under review.

ENCLOSURE P

Region II
Items of Interest
Week Ending February 23, 2001

Chairman Meserve Visits Regional Meeting of Resident and Regional Inspectors

On February 21, 2001, Chairman Meserve visited the Region II Office. He was accompanied by his Chief of Staff. The

Chairman's visit included a talk to the managers and inspectors on current Agency issues during the meeting of Resident and Regional Inspectors being held February 20-23.

Florida Power and Light Company - Turkey Point

On February 20-23, 2001, the Regional State Liaison Officer participated as a member of the Regional Assistance Committee in the full scale Turkey Point nuclear exercise, involving officials of the State of Florida and the applicable local governments.

Differing Professional View

On December 7, 2000, a Region II employee submitted a Differing Professional View (DPV) regarding the significance determination process for an event at the V. C. Summer Station where a manual valve in the discharge of the turbine driven emergency feedwater pump was found locked closed instead of locked open. At the time the DPV was submitted the staff had concluded that a preliminary yellow finding properly characterized the event and documented this conclusion in Inspection Report No. 50-395/00-05. The DPV questioned the basis of the preliminary finding and whether the significance determination process used was appropriate.

An Ad Hoc Review Panel reviewed the DPV and provided the results to the Regional Administrator. The results were accepted and provided to the submitter. The Panel concluded that the significance determination was conducted in accordance with the NRC process. The submitter's concerns regarding the specific V.C. Summer action were resolved, since the final significance determination assigning a white finding considered the issues raised by the submitter and gave the licensee credit for certain recovery actions available to licensed operators. The submitter's recommendations for future significance determinations are being resolved by incorporating guidance for Phase III significance determinations, involving consideration of licensee response actions, into the appropriate Regional Office Instruction.

Jacobs Pan American Corporation

On February 22, 2001, Region II issued a Confirmatory Action Letter to Jacobs Pan American Corporation as a result of a number of concerns identified during an NRC inspection of Jacobs' industrial radiography operations. The inspection conducted from February 12-15, 2001 identified a number of concerns pertaining to an apparent extremity overexposure that occurred on January 13, 2001.

ENCLOSURE P

Region III
Items of Interest
Week Ending February 23, 2001

Operational Readiness Review at Paducah Gaseous Diffusion Plant

On February 19, 2001, Region III staff began an operational readiness review in support of a pending decision by the Office of Nuclear Materials Safety and Safeguards on the request of United States Enrichment Corporation for a higher enrichment assay at the Paducah Gaseous Diffusion Plant. USEC has applied for a change in the facility certification to permit enrichment to 5.5 percent U₂₃₅. The current limit is 2.75 percent.

Meeting with Nuclear Management Company on Kewaunee Steam Generator Replacement

The Region III staff met February 21, 2001, in the regional office with representatives of Nuclear Management Company to discuss the plans for replacing the steam generators at the Kewaunee Nuclear Power Station.

ENCLOSURE R

Office of Congressional Affairs
Items of Interest
Week Ending February 23, 2001

CONGRESSIONAL HEARING SCHEDULE, No. 4

OCA CONTACT	DATE & PLACE	TIME	WITNESS	SUBJECT	COMMITTEE
Gerke	02/27/01 SD-342	10:30	Sean O'Keefe	Confirmation to be OMB Deputy Director	Senators Thompson/Lieberman Governmental Affairs
Gerke	02/28/01 2123 RHOB	1:00	FERC, TBA	Formation of a National Energy Policy: Focus on Natural Gas	Reps. Barton/Boucher Energy and Air

					Qualify Energy and Commerce
Gerke	03/15/01 SH-216	9:30	TBA	Western Energy Problems and S. 26, S. 80, S. 287 (price caps, discriminatory pricing, FERC authority)	Senators Murkowski/Bingaman Energy and Natural Resources