

INFORMATION REPORT

October 4, 2001

SECY-01-0184

For: The Commissioners  
From: John W. Craig, Assistant for Operations, Office of the EDO  
Subject: SECY-01-0184 WEEKLY INFORMATION REPORT - WEEK  
ENDING SEPTEMBER 28, 2001

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\*No input this week.

**/RA/**

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Office of Nuclear Reactor Regulation  
Items of Interest  
Week Ending September 28, 2001

Beaver Valley Power Station, Unit Nos. 1 and 2

On September 24, 2001, the Nuclear Regulatory Commission issued amendments for Beaver Valley Power Station, Unit Nos. 1 and 2 (BVPS-1 and 2), that authorized changes to the technical specifications and facility operating licenses to reflect increases in the maximum allowable steady-state reactor core power levels from 2652 megawatts thermal (MWt) to 2689 MWt, an increase of approximately 1.4 percent. Each unit's electrical output is expected to increase by approximately 12 MW. These changes are facilitated by utilization of the Caldon Leading Edge Flowmeter which results in a reduced uncertainty for feedwater flow measurements and, consequently, a reduced total reactor core power level measurement uncertainty. FirstEnergy Nuclear Operating Company, the licensee for BVPS-1 and 2, plans to implement the power uprates in the fall of 2001.

Kewaunee Nuclear Power Plant

By application dated April 30, 2001, as supplemented June 27 and August 3, 2001, Nuclear Management Company, LLC (NMC), on behalf of Wisconsin Public Service Corporation (WPSC), Madison Gas & Electric (MG&E), and Wisconsin Power & Light (WP&L), requested NRC's approval of a proposed transfer of the license for the Kewaunee Nuclear Power Plant (KNPP), to the extent held by MG&E, to WPSC. In connection with the direct transfer, WPSC, previously the holder of a 41.2 percent ownership interest in KNPP, assumes the 17.2 percent ownership interest in KNPP held by MG&E, resulting in WPSC holding 59 percent ownership interest in KNPP. WP&L was not involved in the transfer of MG&E's interest and remains a licensee with respect to its 41 percent ownership interest in KNPP. NMC maintains its responsibility for the operation of KNPP. The Order Approving Transfer of License and Conforming Amendment was signed on September 20, 2001.

On September 23, 2001, KNPP shutdown to refuel and to replace the steam generators (SGs). The original SGs are model 51 and the replacement SGs are model 54F. NMC is refurbishing the upper package; the key improvements are steam flow limiter, separator modifications, and feedwater ring. NMC is replacing the lower package; the key improvements are alloy 690 tubes, stainless steel support plates, hydraulic tube expansion, and 3 sets of U-bend supports.

Tritium Production Program

On September 21, 2001, the NRC delivered letters from Chairman Meserve to the Congressional Appropriations and Oversight Committee Chairmen which discussed NRC activities related to DOE's program to produce tritium in TVA's Watts Bar and Sequoyah reactors. The letters advised that we received Watts Bar's license amendment request to put up to 2304 tritium-producing burnable absorber rods into the Unit 1 reactor in support of DOE's program. We also issued a press release that afternoon about receiving Watts Bar's license amendment request.

By letter dated September 21, 2001, TVA submitted a license amendment request for Sequoyah Units 1 and 2, that would allow irradiation of up to 2256 tritium-producing burnable absorber rods in the Sequoyah reactors.

The NRC staff is currently performing acceptance reviews to determine if proposed no significant hazards determination findings can be made at this time for the Watts Bar and Sequoyah applications.

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Office of Nuclear Material Safety and Safeguards  
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10 CFR Part 40 Jurisdictional Working Group

On September 26, 2001, the 10 CFR Part 40 Jurisdictional Working Group held a meeting to further discuss the best approach to delineate the responsibilities of the Nuclear Regulatory Commission and other regulatory agencies regarding source materials with low concentrations of uranium and thorium and their decay products. The meeting was open to the public. The following items were discussed by the Jurisdictional Working Group: (1) a list of terms and definitions for use by the group; (2) specific information related to the results of NUREG-1717, "Systematic Radiological Assessment of Exemptions for Source and Byproduct Materials," for those materials applicable to the working group's task; (3) jurisdictional authorities; and (4) the Environmental Protection Agency's comments on Part N, TENORM, of the Suggested State Regulations. Interagency participants included the State of Colorado, representing the Organization of Agreement States and the Conference of Radiation Control Program Directors; the Environmental Protection Agency; the Occupational Safety and Health Administration; the Bureau of Land Management; and the Department of Energy. Internally, representatives from the Office of the General Counsel and the Office of Nuclear Material Safety and Safeguards participated.

Issuance of Final Draft of Chapter 3 of 10 CFR Part 70 Standard Review Plan

On September 21, 2001, the Division of Fuel Cycle Safety and Safeguards (FCSS) issued, and posted on the Internet, a revised draft version of Chapter 3, "Integrated Safety Analysis," and its Appendix A, "Example Procedure for Risk Evaluation," of the Standard Review Plan (SRP) for fuel cycle facilities licensed under 10 CFR Part 70 (Draft NUREG-1520). Part 70 Subpart H stakeholders were notified via e-mail of the availability of the draft document on September 24, 2001. The revisions were based on discussions at the August 2, 2001, public meeting, which was held at Nuclear Regulatory Commission Headquarters to discuss stakeholder comments on Chapter 3 and Appendix A. Even though all remaining open issues on Chapter 3 and Appendix A were brought to closure at the meeting, the stakeholders have until October 23, 2001, to provide any additional comments. Stakeholder agreements on all SRP chapters other than Chapter 3 were previously attained.

Mixed-Oxide Licensing Meetings (Seismic and Public Hearing)

On September 19-20, 2001, Nuclear Regulatory Commission (NRC) staff met with Duke Cogema Stone & Webster (DCS) staff in Aiken, South Carolina, to discuss seismological, geological, and geotechnical engineering information as it relates to design of the Mixed-Oxide Fuel Fabrication Facility (MOXFFF). This was a technical information exchange meeting. Thus the staff made no conclusions at the meeting regarding the adequacy of the DCS analyses. The meeting was open to the public.

On September 21, 2001, NRC staff attended an Atomic Safety and Licensing Board (ASLB) prehearing conference in North Augusta, South Carolina. At the prehearing conference, the ASLB heard oral arguments on the standing of the Petitioners to intervene in the MOXFFF

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proceeding and on the admissibility of the Petitioners' proffered contentions. Three Petitioners spoke as parties at the prehearing conference. They represented Georgians Against Nuclear Energy (GANE), Blue Ridge Environmental Defense League (BREDL), and Environmentalists, Inc. The contentions discussed included ones on physical security, safeguards, seismic, safety analysis, and controlled area boundary, among others. Also at the prehearing conference, GANE argued a Motion to dismiss the licensing proceeding, or in the alternative hold it in abeyance. The Office of the General Counsel anticipates that the Motion to dismiss will be denied, and that one or more contentions will be admitted. The ASLB will now decide which parties have standing and which contentions will be admitted, if any.

#### Meeting with the Department of Energy on the Range of Operating Temperatures for the Potential Yucca Mountain Repository

On September 18-19, 2001, staff from the Division of Waste Management conducted a technical exchange with the Department of Energy (DOE) on the range of potential operating temperatures. This public meeting was conducted by a three-way video conference among the Nuclear Regulatory Commission (NRC) (Rockville, Maryland); DOE (Las Vegas, Nevada); and the Center for Nuclear Waste Regulatory Analyses (San Antonio, Texas). This was the second of two meetings on DOE's Supplemental Science and Performance Analyses Report (SSPA). This meeting focused on the NRC staff's questions pertaining to DOE's SSPA. The questions, arising from the staff's review of the SSPA, addressed many topics covered in previous key technical issue resolution meetings. Each of the staff's 129 questions was individually addressed and an adequate explanation was provided by DOE, or DOE agreed to provide the necessary information in future documents. Based on these discussions, two agreements pertaining to additional information DOE needed to provide were reached between NRC and DOE.

#### Exemption issued to Maine Yankee Atomic Power Company

On September 17, 2001, the Spent Fuel Project Office issued an exemption to Maine Yankee Atomic Power Company from the requirements of 10 CFR 72.212(a)(2), 72.212(b)(2)(i), 72.212(b)(7), and 72.214. The exemption corrects inconsistencies in the Technical Specifications for Certificate of Compliance No. 1015, Amendment 1, for the NAC-UMS System, used at the Maine Yankee Interim Spent Fuel Storage Installation (ISFSI). Specifically, the surveillance frequencies for canister vacuum drying pressure and helium backfill pressure were corrected to be consistent with Limiting Condition for Operation (LCO) 3.1.1, which provides the canister loading times.

The inconsistencies were created when Amendment 1 to the Certificate was approved on February 20, 2001, and included a change to LCO 3.1.1 allowing longer times for spent fuel cask loading operations based on reduced canister heat loads. The longer times were not reflected in the surveillance requirements, as stated above, in NAC International's application for Amendment 1. NAC has since incorporated the correction into Amendment 2; however, the rulemaking for this amendment is not expected to be completed in time for Maine Yankee's scheduled loading.

Proposed Rule Signed by the Executive Director for Operations

On October 1, 2001, the Executive Director for Operations approved a proposed rule that amends 10 CFR Part 72.214, "List of approved spent fuel storage casks," revising the NAC International, Inc., NAC-UMS Universal Storage System listing within the "List of approved spent fuel storage casks." This amendment will add miscellaneous spent fuel related components to the approved contents list for the NAC-UMS Universal Storage System and change the required actions in response to a failure of the cask heat removal system. Several other minor administrative changes will be made. Specific changes will be made to Technical Specifications to permit the storage of these components and the other requested changes. Changes will be made to Conditions 1b and 6 of the Certificate of Compliance.

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Office of Nuclear Regulatory Research  
Items of Interest  
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Generic Environmental Impact Statement Development

Staff from RES and NMSS met with representatives of the Department of Energy (DOE) on September 27, 2001, to hear about DOE efforts to develop generic environmental impact statement (GEIS) to support a decision on disposition of metals from DOE facilities. The two staffs discussed opportunities for agency cooperation in the sharing of information over the next several months as DOE continues to develop the information base for a GEIS, and as NRC continues development of a technical basis to support a Commission decision on controlling the release of materials from licensed facilities.

Federal Programs for Wire System Safety

Based on the recommendations made in the National Science Technology Council (NSTC) report (issued in November 2000) on Federal Programs for Wire System Safety, the Wire System Safety Interagency Working Group has formed a subgroup for the development of a National Strategy. The subgroup chairman is from Volpe National Transportation Systems Center. He has requested NRC participation in the development of the National Strategy and a member of the staff has been assigned to participate in the development of the National Strategy.

The focus of the National Strategy will be on (1) Increasing collaboration among industry, academia, and the government, (2) Improving the management and functionality of wire systems, (3) Developing advanced wire system technology and (4) Altering the perception of wire systems.

Incident Response Operations  
Items of Interest  
Week Ending September 28, 2001

Preliminary Notifications

1. PNO-I-01-023, U. S. Department of Agriculture, TORNADO CAUSES DAMAGE TO BUILDINGS.
2. PNO-I-01-024, U. S. Department of Agriculture, UPDATE CONCERNING DAMAGE TO BUILDINGS CAUSED BY TORNADO.
3. PNO-II-01-32, Longview Inspection, OVEREXPOSURE REPORT.
4. PNO-IV-01-42, The Queen's Medical Center, MEDICAL MISADMINISTRATION.

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Office of Administration  
Items of Interest  
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Acquisition Training and Certification Program

On September 25-27, 2001, the Division of Contracts and Property Management sponsored the following mandatory Acquisition Certification and Training Program modules:

1. "Contract Administration" with 11 attendees. This all-day module focuses on monitoring contractor performance, spending controls, modifying contracts and agreements, and remedying contractual problems. Each participant receives a course manual that serves as a reference tool for project managers in performing their day-to-day responsibilities.
2. "Developing the Independent Government Cost Estimate" with 38 attendees. This half-day module focuses on the importance of establishing an independent Government cost estimate, the mechanics of the process and components which can be used in its development.
3. "Preparing Statements of Work (SOW)" with 19 attendees. This module provides project managers with practical exercises in developing succinct and complete performance-based 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.
4. "Organizational Conflicts of Interest" with 53 attendees. This half-day module includes a discussion of what constitutes a conflict of interest (COI) and how the Agency regulations treat COI. Lectures also include the process for identifying and resolving COI situations for contract awards to both the private sector and DOE Laboratory agreements. Class participants work in groups to analyze situations to determine if COI exists and, if so, how to resolve the COI.

Nuclear Energy Institute: Petition for Rulemaking (PRM-52-2)

A document announcing the receipt of a petition for rulemaking submitted by the Nuclear Energy Institute (PRM-52-2) was published in the Federal Register on September 24, 2001 (66 FR 48828). The petitioner requests that the NRC eliminate the requirements that an early site permit applicant evaluate, and that the NRC review, alternative sites. The petitioner also requests that the NRC remove provisions regarding the siting, construction, and operation of nuclear powerplants which require applicants to analyze, and the NRC evaluate, alternative sites, alternative energy sources, and the need for power. The comment period on this action closes November 8, 2001.

Nuclear Energy Institute: Petition for Rulemaking (PRM-52-1)

A document announcing the receipt of a petition for rulemaking submitted by the Nuclear Energy Institute (PRM-52-1) was published in the Federal Register on September 24, 2001 (66 FR 48832). The petitioner requests that the regulations governing early site permits and combined license applications at existing reactor sites be amended to improve the efficiency of the application and review process for companies seeking early site permits or combined licenses at already licensed sites. These provisions would eliminate the need for duplicate applicant

production and NRC review of existing information relating to a licensed site or facility that has been previously approved by the NRC and subject to a public hearing. The comment period on this action closes November 8, 2001.

Early Site Permits; Standard Design Certifications; and Combined Licenses for Nuclear Power Plants (Part 52)

A document announcing the availability of draft wording of a possible amendment to NRC's regulations governing early site permits, standard design certifications, and combined licenses for nuclear power plants was published in the Federal Register on September 27, 2001 (66 FR 49324). The contemplated amendments would be based on experience gained from design certification reviews and discussions with stakeholders on the early site permit and combined license process. Comments should be submitted by November 13, 2001.

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Chief Information Officer  
Items of Interest  
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Freedom of Information and Privacy Act Requests received during the Period of  
September 21, 2001 through September 27, 2001:

OI case no. 4-2000-054, exhibits 4, 23, 27, and 28. (FOIA/PA-2001-0373)

SECY paper, SECY-99-136 related to summary of licensing cases involving transfer to persons exempt under Section 40.13(a). (FOIA/PA-2001-0374)

Reference check documents on self. (FOIA/PA-2001-0375)

Interagency agreement, NRC and FEMA, NRC-26-00-31, "National Warning System."  
(FOIA/PA-2001-0376)

Cheswick facility, owned by Washington Group, former owner Westinghouse Electric Co., related to AEC Contract No. AT-11-1-Gen-14 navy fuel fabrication and the NERVA astronuclear fuel fabrication for the 1957 to 1972 time frame. (FOIA/PA-2001-0377)

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Office of Human Resources  
Items of Interest  
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<b>Retirements</b>		
TALBOT, Wilma	COMPUTER SYSTEMS ANALYST	RIV
<b>Departures</b>		
RAFKY, Louis	ATTORNEY	OGC

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Office of Public Affairs  
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Media Interest

There was continuing media interest in the physical security of nuclear plants following a call by the Nuclear Control Institute for immediate placement of anti-aircraft guns at all sites.

In interviews with several news organizations, Chairman Meserve said the NRC would conduct a comprehensive review of security policies, activities and regulations in the wake of the September 11 terrorist attacks in New York and Washington.

<b>Press Releases</b>	
<b>Headquarters:</b>	
01-113	NRC Advisory Committee on Reactor Safeguards to Meet October 4-6 in Rockville, Maryland
01-114	NRC Approves Power Uprate for Beaver Valley Power Station in Pennsylvania
01-115	NRC Will Hold Public Meeting October 2 in Tennessee to Discuss Doe Tritium Production Program
<b>Regions:</b>	
I-01-058	NRC to Discuss Emergency Preparedness Issues, Improvements Regarding Limerick and Peach Bottom Nuclear Power Plants
I-01-059	NRC Proposes to Fine New Jersey Hospital \$3,000 for Violations of NRC Requirements
III-01-045	NRC Staff Proposes \$17,600 Fine Against Ohio Environmental Services Company for Violating Regulations

Office of the Secretary  
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<b>Document Released to Public</b>	<b>Date</b>	<b>Subject</b>
<b>Information Papers</b>		
1. SECY-01-0179	9/27/01	Weekly Information Report Week Ending September 21, 2001

Commission Correspondence

1. Letter to Mr. Theodore U. Marston, Vice President and Chief Nuclear Officer, Electric Power Research Institute, dated September 24, 2001, concerns appeal of CFO's previous decisions not to waive the fees of the NRC's review of the RETRAN-3D safety analysis code.
2. Letter to Paul Leventhal, NCI, and Daniel Hirsch, Committee to Bridge the Gap, dated September 21, 2001, concerns the security of nuclear power plants in light of the recent terrorist attacks on the World Trade Center and the Pentagon.
3. Letters to Congress dated September 20, 2001 provides information on NRC activities related to the Department of Energy's program to produce tritium in Tennessee Valley Authority's Watts Bar and Sequoyah reactors.
4. Letters to Senators Joseph I. Lieberman and Christopher J. Dodd; and Congressman Rob Simmons, dated September 19, 2001, concerning issues raised by constituent regarding the storage of spent fuel at Connecticut Yankee's Haddam Neck Plant in Haddam, Connecticut.
5. Letter to Ralph E. Beedle, Senior Vice President and Chief Nuclear Officer, Nuclear Generation, NEI, dated September 18, 2001, concerns SECY-01-0113, "Fatigue of Workers at Nuclear Power Plants."

Federal Register Notices Issued

1. Advisory Committee on Reactor Safeguards; Procedures for Meetings.
2. Advisory Committee on Nuclear Waste; Procedures for Meetings.

Region I  
Items of Interest  
Week Ending September 28, 2001

Beaver Valley

The contract between FirstEnergy Nuclear Operating Company and the International Brotherhood of Electrical Workers (covering operations, maintenance, and health physics personnel) expires at midnight, September 30, 2001. Although the parties involved have indicated that a strike or a lockout is unlikely, plant management has taken appropriate action in preparation. NRC Region I inspectors have reviewed operations staffing and the watchbill, emergency preparedness staffing and required positions, and health physics staffing for coverage of limited activities. No problems have been identified. Security personnel are not affected and are not expected to honor any picket line. Preparations have been made to transport personnel and supplies across picket lines. Beaver Valley Unit 1 has been in a refueling outage and is expected to return on line October 6; Unit 2 has been operating at full power. Should a strike occur, NRC inspectors will observe plant activities around-the-clock during the transition period.

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Region II  
Items of Interest  
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Joint NRC/NEI PRA Steering Committee Meeting

On September 27, 2001, the Acting Regional Administrator participated in the Joint NRC/NEI PRA Steering Committee meeting conducted at NEI in Washington, D. C.

Continuity of Operations Plan Awareness Training

On September 26, 2001, the Regional State Liaison Officer attended the Continuity of Operations Plan Awareness Training in the L. D. Strom Auditorium at the Richard B. Russell Federal Building, in Atlanta, GA.

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Region III  
Items of Interest  
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Predecisional Enforcement Conference With FirstEnergy

On September 26, 2001, NRC staff members met with FirstEnergy Operating Company officials at the regional office for a predecisional enforcement conference. The purpose of the conference was to discuss an apparent employee discrimination violation at the Davis-Besse and Perry nuclear power plants. Both plants are located in Ohio. Consistent with NRC policy for employment discrimination cases, the conference was closed to the public.

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Region IV  
Items of Interest  
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Palo Verde Nuclear Generating Station Operator License Presentation

On September 25, 2001, the Region IV Regional Administrator attended a license award dinner and presented six senior reactor operator and five reactor operator licenses. He toured the Palo Verde Nuclear Generating facility the following day with the resident inspector.

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Office of Congressional Affairs  
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CONGRESSIONAL HEARING SCHEDULE, NO. 32

OCA Contact	DATE & PLACE	TIME	WITNESS	SUBJECT	COMMITTEE
Keeling	10/03/01 2123 RHOB	10:00	Markup	Strengthening Security at Nuclear Facilities	Reps. Tauzin/Dingell Energy and Commerce
Keeling	10/03/01 2172 RHOB	1:00	Richard Stratford, Acting Deputy Assistant Secretary for Nonproliferation, DOS; DOE; William Travers, NRC	Role of the IAEA in Safeguarding Against Acts of Terrorism	Reps. Ros-Lehtinen/McKinney Intl Operations and Human Rights International Relations
Gerke	10/04/01 SD-342	9:30	TBA	Security of Governmental Infrastructure	Senators Lieberman/Thompson Governmental Affairs
Gerke	10/10/01 2154 RHOB	10:00	TBA	Oversight of Debt Collection Improvement Act	Reps. Horn/Schakowsky Gov't Efficiency, Financial Mgmt, and Intergovernmental Relations Government Reform

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