

INFORMATION REPORT

August 7, 2002

SECY-02-0150

For: The Commissioners
From: John W. Craig, Assistant for Operations, Office of the EDO
Subject: SECY-02-0150 WEEKLY INFORMATION REPORT - WEEK
ENDING AUGUST 2, 2002

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*No input this week.

/RA/

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Office of Nuclear Reactor Regulation
Items of Interest
Week Ending August 2, 2002

Vermont Yankee Nuclear Power Station

On July 26, 2002, the Vermont Public Service Board (PSB) approved the sale of the Vermont Yankee Nuclear Power Station (Vermont Yankee) to Entergy Nuclear. The PSB had previously rejected a plan to split any excess decommissioning funds 50-50 between Entergy and the plant's ratepayers, and stipulated that 100% of the remaining funds be returned to Vermont ratepayers. The PSB approved a new arrangement between Entergy and Vermont Yankee Nuclear Power Corporation in which Vermont ratepayers will receive 100% of the Vermont utilities' share of any surplus remaining in the decommissioning fund and the non-Vermont owners (approx. 45% ownership) will assign 100% of their excess to Entergy. Two Vermont-based utility shareholders in Vermont Yankee agreed to contribute \$1.5 million to the non-Vermont utility owners.

On July 31, 2002, the NRC staff issued the conforming license amendment related to the Order dated May 17, 2002, which approved the transfer of ownership and operating authority under the facility operating license for the Vermont Yankee Nuclear Power Station. Issuance of the conforming amendment completed the transfer of the license to the extent held by Vermont Yankee Nuclear Power Corporation to Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc. The amendment revises the Facility Operating License and Technical Specifications to reflect the new licensee.

Control Room Habitability Workshops

During July, the Probabilistic Safety Assessment Branch (SPSB) Dose Assessment Team conducted 4 of 5 public workshops on Control Room Habitability. The workshops briefly reviewed (1) the history of the issue, (2) proposed industry and NRC guidance, and (3) the four areas of misalignment: Testing, Licensing, Technical Specifications, and Smoke and Toxic Gas. Each attendee expressed his or her thoughts, agreements, or concerns. Their comments were recorded and prioritized.

Reactor Oversight Process

On July 23-25, 2002, the Inspection Program Branch staff, in conjunction with members of the Office of Research, conducted a public workshop in Chicago, Illinois for the pilot test of a set of performance indicators referred to as the Mitigating Systems Performance Index (MSPI). The MSPI is a new risk informed performance indicator index that the NRC and the industry have jointly proposed for a replacement for the current set of safety system unavailability performance indicators. The purpose of the MSPI is to monitor the risk impact of changes in the unavailability and unreliability of selected risk-significant systems. The key feature of this index is the use of a risk-importance measure, which accounts for appropriate weighing of diverse trains and unique plant design. The benefit of the MSPI to the NRC, industry, and other stakeholders is to reduce the potential for false positive/negative findings relative to the green/white threshold, and a resource savings by not also evaluating the MSPI findings using the significance determination process.

The goal of the Workshop was to familiarize the workshop participants with the concept of MSPI and to define the scope of the MSPI in each participating pilot plant. About 100 people, including many representatives from the industry and NRC, attended the workshop. As a result of the Workshop, some issues were identified that need to be resolved prior to the start of the pilot on September 1, 2002. These issues will be discussed in future public ROP meetings scheduled on August 8, 2002, and August 21, 2002. The data collection phase of the pilot will last 6 months (September 1, 2002 through March 1, 2003). Another six months is estimated to be needed to assess the pilot results. The following plants have volunteered to participate in the pilot: Salem Units 1 & 2; Hope Creek; Limerick Units 1 & 2; Millstone Units 2 & 3; Prairie Island Units 1 & 2; Braidwood Units 1 & 2; Surry Units 1 & 2; Palo Verde Units 1, 2, & 3; San Onofre Units 2 & 3; and South Texas Units 1 & 2.

Prairie Island Units 1 and 2

The staff has issued license amendments which replace the Prairie Island Units 1 and 2 technical specifications in their entirety with new technical specifications based on the improved Standard Technical Specifications (iSTS). The licensee will implement these revised technical specifications by October 2002. Issuance of these amendments completes an item in the Commission Tasking Memorandum.

The Prairie Island Units are the 67th and 68th units that have been approved to convert to the iSTS. This number includes Watts Bar which was originally licensed with the iSTS and Browns Ferry Unit 1, but not the Zion units which were approved, but never implemented the iSTS. Application for conversion to iSTS for one additional unit is currently under review. Licensees for 8 units are planning to make applications in the next two years and 27 are either undecided or have indicated that they will not be converting.

Public Meeting to Discuss the International Nuclear Event Scale

On July 26, 2002, representatives from the Nuclear Energy Institute (NEI) met with NRC staff and public participants. The meeting was requested by NEI following issuance of NRC Regulatory Issue Summary 2002-01, "Changes to NRC Participation in the International Nuclear Event Scale." NEI provided an overview of INES ratings and industry concerns with INES application. NEI relayed its concerns that the on-site criteria for radiological barrier damage (fuel damage) are unclear or overly conservative. The concern is that there could be an overly conservative INES classification with respect to a relatively minor fuel cladding failure. Industry representatives told the Staff that an incorrect characterization could result in damaging, unintended consequences such as a loss of public confidence and misinterpretation of a non-risk significant event. They have asked the NRC staff to consider their written comments on the INES User's Manual. They would like to meet again in 3-6 months to discuss the results of the NRC's review.

Nuclear Energy Institute and Materials Reliability Program Alloy 600 Issue Task Group Meeting

At a public meeting on July 24, 2002, the Nuclear Energy Institute (NEI) and Electric Power Research Institute (EPRI) Materials Reliability Program (MRP) Alloy 600 Issue Task Group presented to the NRC revisions to their proposed industry inspection program for reactor pressure vessel (RPV) heads and reactor vessel head penetrations (VHPs). The plan was

originally presented to the NRC during a public meeting on May 22, 2002. The stated purpose for the proposed inspection program is to provide guidance and the basis for a graduated inspection program that would provide degradation management of RPV heads and head penetrations and early detection of leakage or cracking prior to challenging structural integrity. During the meeting, NEI and MRP explained the basis for the proposed inspection program and stated that the basis would be documented in three reports. Two of the three reports were submitted to the NRC in the beginning of July 2002. NEI plans to provide the third technical basis document within several weeks. After receipt of the third technical basis document, the NRC plans to begin a formal review of the proposed NEI and MRP inspection program.

The proposed NEI and MRP inspection program, technical basis documents, slide presentations, and meeting notice are available through the NRC's Agencywide Documents Access and Management System (ADAMS). The accession numbers for the documents are ML022100029, ML021860083, ML022100029, and ML021930018, respectively.

Public Meeting on Utility Implementation of BWRVIP Products

On July 25, 2002, a public meeting was conducted with NRR management and the Boiling Water Reactor Vessel and Internals Project (BWRVIP) Executive Committee to discuss utility implementation of BWRVIP products. NRR requested this meeting to follow up on an inspection finding that indicated weaknesses in BWRVIP program implementation. The BWRVIP Executive Committee provided a presentation of the results of their self assessments, the BWR Vessel and Internals Project Program Implementation Guide (BWRVIP-94) designed to provide guidance to member utilities on program implementation, the results of the INPO review visits, and lessons learned from the self assessments and the INPO review visits. The staff will continue to monitor industry efforts to oversee and ensure implementation of the BWRVIP program.

Office of Nuclear Material Safety and Safeguards
Items of Interest
Week Ending August 2, 2002

Issuance of Exemption to Support Fuel Loading Campaign at Yankee Rowe

On July 30, 2002, the staff issued an exemption from 10 CFR 72.212 and 72.214, to Yankee Atomic Electric Company, for the Yankee Rowe Plant, to allow storage of spent fuel with enrichment tolerances in excess of that specified in NAC-MPC Certificate of Compliance No. 1025. The staff analysis concluded that the higher enrichment tolerances did not have an impact on safety.

Issuance of Amendment to Oconee Independent Spent Fuel Storage Installation License

On July 31, 2002, the staff issued an amendment, to the Oconee Independent Spent Fuel Storage Installation license, to change the frequency for submitting the radioactive effluent reports from a semi-annual, to an annual, basis, in accordance with 10 CFR 72.44(d).

Staff Participates in National Research Council Meeting on Low-Activity Waste Study

On August 1, 2002, staff from the Division of Waste Management participated in a meeting held by the National Research Council's Board on Radioactive Waste Management (hereafter, the Board). The purpose of the meeting was to discuss the Board's plan for its study, "Improving Practices for Regulating and Managing Low-Activity Radioactive Waste," and to hear the views of its sponsors concerning issues that need to be addressed. In addition to funding by the Nuclear Regulatory Commission, the study is also being funded by the U.S. Environmental Protection Agency, the Department of Energy, the U.S. Army Corps of Engineers, and the Southeast Compact Low-Level Radioactive Waste Compact. The Board is in the process of selecting members for the study committee. The study will last 20 months, with an interim report after 10 months, and a final report. Many of the comments from the sponsors focused on the disparate ways that low-activity waste, which includes technologically enhanced naturally occurring radioactive material (TENORM), uranium mill tailings, and some low-level radioactive waste, is managed, and the need for more risk-informed practices.

Technical Exchange and Management Meeting with the Department of Energy to Discuss Key Technical Issue Agreement Item Planning for FY 2003-2005

On July 23, 2002, staff members from the Division of Waste Management took part in a Technical Exchange and Management Meeting with the Department of Energy (DOE), in Las Vegas, Nevada, to discuss DOE's Key Technical Issue (KTI) Agreement Item Planning Strategy and the KTI agreements DOE plans to address in FY 2003-2005. During the meeting, DOE discussed the process it used for binning agreements, how DOE developed the schedule for addressing agreements, and the method used to document the work scope needed to address the agreements. No new agreements were reached at this meeting. The staff plans to interact with DOE on each of the remaining open agreements, to understand the DOE approach for addressing the issue. To date, 52 of the 293 agreements are listed as complete. The staff currently has 43 agreements under review and DOE plans to address another 15 agreements before the end of FY 2002.

Staff Attends Clark County Yucca Mountain Nuclear Waste Advisory Committee Meeting

On July 25, 2002, the On-Site Representatives attended a public meeting of the Clark County Yucca Mountain Nuclear Waste Advisory Committee. Items discussed at this meeting included updates on the status of Nevada's lawsuits against the Department of Energy, the Nuclear Regulatory Commission (NRC), and the Environmental Protection Agency. The meeting also included a presentation by Dr. Anthony Hechanova, of the University of Nevada, Las Vegas, about transmutation technology and transport of radioactive waste. Specifically, Dr. Hechanova discussed the technical options associated with transmutation of high-level radioactive waste and presented the results of a recent transportation study commissioned by the Nuclear Waste Advisory Board of Pahrump. This study examined radioactive waste transportation issues and potential radiation doses to members of the public resulting from non-accident conditions. The Clark County Yucca Mountain Nuclear Waste Advisory Committee stated that the presentations were informative and helped it understand the risk associated with transportation of radioactive waste. Several of the Committee members also expressed their appreciation for NRC's presence at the meeting.

Observation of Quality Assurance Audit of the Center for Nuclear Waste Regulatory Analyses

On July 23-26, 2002, staff from the Division of Waste Management observed a Quality Assurance Audit of the Center for Nuclear Waste Regulatory Analyses (hereafter, the Center) in San Antonio, Texas. Auditors from the Southwest Research Institute (SwRI) Quality Systems Department performed the audit. Technical specialists from SwRI and a local university also took part in the audit. The audit scope was to evaluate the Center quality assurance program to find out whether it meets the applicable requirements of 10 CFR Part 50, Appendix B, and is being effectively implemented. The activities audited were License Support Network, Container Life and Source Term, Total System Performance Assessment and Technical Integration, Issue Resolution Status Report, and Mixed Oxide Facility Technical Assistance. The audit identified three nonconformances in the areas of calculations; technical report assumptions, justification, and references; and trending frequency. The nonconformances identified are unlikely to have adverse impacts on technical products. The Center program is being effectively implemented, and appears to provide effective controls for technical product development.

10 CFR Part 71 Proposed Rule Meeting with the Nuclear Energy Institute

On July 25, 2002, staffs from the Division of Industrial and Medical Nuclear Safety and the Spent Fuel Project Office participated in the Nuclear Energy Institute's (NEI's) Transportation Task Force meeting at its offices in Washington, D.C. NEI invited Nuclear Regulatory Commission (NRC) and Department of Transportation (DOT) staffs to the meeting for discussions and for rule clarifications, to help with their comments on the 10 CFR Part 71 proposed rule. During the meeting the staff responded to many NEI and licensee comments, questions, and concerns. Staff from ICF Consulting, an NRC Contractor that prepared the Regulatory Analysis and Environmental Assessment for the Part 71 rule, attended the meeting and supported the staff. The meeting was also attended by several licensees and the Department of Energy, but DOT did not attend. NEI and licensees plan to send written comments soon.

American Association of Physicists in Medicine Annual Meeting

On July 13-18, 2002, a staff member from the Division of Industrial and Medical Nuclear Safety attended the annual meeting of the American Association of Physicists in Medicine (AAPM) held in Montreal, Quebec, Canada. Positions of the AAPM on various safety issues of importance to the Nuclear Regulatory Commission (NRC) medical regulation were discussed at the meetings of several AAPM Committees whose areas of responsibility for AAPM relate to and impact on NRC medical programs. The activities and actions of these committees are currently particularly important to NRC because of stakeholder concerns about the structure and implementation of the revised NRC medical regulations.

NRC was represented at the meetings of the Legislation and Regulation, Nuclear Medicine, and Radiation Protection Committees, where implementation of the revised 10 CFR Part 35 was a focus of discussion. Since this AAPM annual meeting was held in association with annual meetings of Canadian counterpart organizations, the Canadian Organization of Medical Physics (COMP), and the Canadian College of Physicists in Medicine (CCPM), the meeting also provided an opportunity for exchange of safety information with members of the COMP and the CCPM.

August 2, 2002

ENCLOSURE B

Nuclear Security and Incident Response
Items of Interest
Week Ending August 2, 2002

Federal Radiological Preparedness Coordinating Committee

The Division of Incident Response Operations (DIRO) and the Office of Nuclear Reactor Regulation representatives participated in a Federal Radiological Preparedness Coordinating Committee (FRPCC) meeting with representatives from other Federal agencies on July 30, 2002, at the Federal Emergency Management Agency (FEMA) Headquarters. The meeting, chaired by FEMA, consisted of a formal session open to the public and an informal closed session. The formal session included introduction of the new chairperson, Craig Conklin, and update on activities of the FRPCC subcommittees: Federal Response; Transportation Accidents; Training; Protective Action Guides; Exercises; Environment, Food & Health; Offsite Instrumentation; and Potassium Iodide. Issues regarding revision of the Federal Radiological Emergency Response Plan (FRERP) were discussed and resolution identified. DIRO announced upcoming Nuclear Regulatory Commission (NRC) tabletop exercises and invited participation by other Federal agencies. DIRO will continue participation in revision of the FRERP working group and will coordinate participation by other agencies in NRC tabletop exercises.

Radiological Dispersal Device Tabletop Exercise Planning

The Division of Incident Response Operations and the Division of Industrial & Medical Nuclear Safety representatives participated with representatives of the Department of Energy (DOE) in a radiological dispersal device (RDD) tabletop exercise planning meeting at DOE Headquarters on July 30, 2002. The staff will conduct exercise activities to examine NRC responsibilities and interfaces with other Federal agencies for an RDD-type terrorist event. Staff and DOE representatives have agreed that DOE will assist in the preparations and conduct of these exercise activities. The activities will, in part, include a modified version of DOE/Federal Bureau of Investigation co-sponsored tabletop exercises focused on terrorist events involving weapons of mass destruction. This initial planning meeting addressed exercise participants, objectives, schedule, and the scenario outline. The meeting attendees will form the working group to prepare and conduct the tabletop exercises. A series of two tabletop exercises are planned - September 19, 2002, and mid-January 2003.

International Atomic Energy Agency Visitor to the NRC Operations Center

The Division of Incident Response Operations hosted Mr. Guenther Winker from the International Atomic Energy Agency's (IAEA's) Emergency Response Unit on July 31, 2002. The United States recently made extra-budgetary funds available to the IAEA to improve the capabilities of their emergency response unit and Mr. Winkler came to the NRC to get ideas about how IAEA's center could be improved. He was given an overview of NRC's response capabilities. He made visits to the operations centers of the Department of Energy, the Environmental Protection Agency and the Department of State during the week.

State Outreach

On July 29 - 30, 2000, the Division of Incident Response Operations and Region IV staff participated in a State outreach meeting with State, local, and Tribal representatives in preparation for the ingestion pathway exercise scheduled for September 3, 2002, at the Cooper Nuclear Power Plant near Nebraska City, NE. Other Federal agencies participating in the outreach training were the Federal Emergency Management Agency (FEMA), the Food and Drug Administration, the U.S. Department of Agriculture, and the Federal Bureau of Investigation. The NRC conducts State outreach prior to FEMA-evaluated ingestion pathway exercises, upon request, to help facilitate implementation of offsite emergency plans by State and local governments to protect the health and safety of the public living in the vicinity of commercial nuclear power plants.

NSIR Meets with States and Industry on Spent Fuel Transportation Interim Compensatory Measures

Staff from the Office of Nuclear Security and Incident Response, Division of Nuclear Security (DNS) met in a closed meeting with licensees, shipping companies, the Nuclear Energy Institute, States, the Department of Energy, and the Department of Commerce on July 30, 2001, to discuss proposed Interim Compensatory Measures [ICMs] (i.e., additional security requirements) for the transportation of spent fuel. DNS staff discussed the basis for the specific requirements in the ICMs with the participants and received comments, objections, and suggested alternative language for the ICMs from them.

Preliminary Notifications

1. PNO-II-02-027A, Federal Express, State of Florida, AIRLINE CRASH.
2. PNO-III-02-033, William Beaumont Hospital, INTRAVASCULAR BRACHTHERAPY MISADMINISTRATION (UNINTENDED TREATMENT SITE).
3. PNO-II-02-024A, North Anna/Surry, EMPLOYEES STRIKE AT NORTH ANNA AND SURRY NUCLEAR STATIONS.

Chief Information Officer
Items of Interest
Week Ending August 2, 2002

Freedom of Information and Privacy Act Requests received during the period of July 26, 2002 through August 1, 2002:

Allegation of "deliberate falsification of records" made to the Office of Investigations, from 1-1-1998 to present (FOIA/PA-2002-0346)

NRC organization chart and telephone directory (FOIA/PA-2002-0347)

Allegation, RIV-94-A-0172, all records (FOIA/PA-2002-0348)

TIA-2001-014, LaSalle plant, NRR response dated June or July 2002, to TIA (FOIA/PA-2002-0349)

Referral by DOE, Investigation document relating to the role of Engelhard Industries et al, in the production of nuclear materials (FOIA/PA-2002-0350)

Davis Besse nuclear generating station, communications between NRR and FirstEnergy, and communications between NRR and EDO re: Bulletin 2001-01, 8-3-01 through 2-16-02 (FOIA/PA-2002-0351)

Contract for security services at NRC Headquarters (FOIA/PA-2002-0352)

Pilgrim Nuclear Power Station, records concerning Refueling Outage Number 11 (FOIA/PA-2002-0353)

Office of Human Resources
Items of Interest
Week Ending August 2, 2002

| Arrivals | | |
|--------------------------|-----------------------------------|------|
| DZIEDZIC, Magdalena* | STUDENT ENGINEER | RIII |
| FULLER, Justin | NUCLEAR SAFETY INTERN | RII |
| QUINONES-NAVARRO, Lauren | NUCLEAR SAFETY INTERN | NRR |
| TAYLOR, Chutima "Dee" | FINANCIAL ANALYST | NRR |
| WILLIAMS, Tamara | OFFICE AUTOMATION ASSISTANT | NRR |
| Retirements | | |
| COWGILL, Curtis** | BRANCH CHIEF | RI |
| HUGHES, Espanola | ADMINISTRATIVE SERVICES ASSISTANT | ADM |
| SMITH, Ward*** | SENIOR RESIDENT INSPECTOR | RII |

*Returning from LWOP

**Effective 7/31/02

***Effective 7/29/02

Office of Public Affairs
Items of Interest
Week Ending August 2, 2002

Media Interest

There was interest in the NRC's reaction to legislative proposals dealing with nuclear power plant security.

There was interest in the sale of the Vermont Yankee nuclear plant to Entergy Nuclear.

| Press Releases | |
|-----------------------|--|
| Headquarters: | |
| 02-085 | NRC Proposes Amending Combustible Gas Control Standards for Nuclear Power Reactor |
| Regions: | |
| II-02-040 | NRC Cites Oconee Nuclear Plant For Violation of Low to Moderate Safety Significance |
| II-02-041 | NRC Staff to Meet with TVA to Discuss Restart of Unit 1 at Browns Ferry Nuclear Plant |
| II-02-042 | NRC Proposes \$4,800 Fine Against Virginia Firm for Violation of NRC Radioactive Material Safety Requirements |
| III-02-047 | NRC Proposes \$6,000 Fine Against VA Medical Center in St. Louis For Failure To properly Dispose of Radioactive Material |
| IV-02-034 | NRC Cites Fort Calhoun Station for Finding of Low to Moderate Safety Significance |
| IV-02-035 | NRC Reduces the Significance of River Bend Safety Finding |
| IV-02-036 | NRC's Top Executives To Meet With NPPD Board |

Office of the Secretary
Items of Interest
Week Ending August 2, 2002

| Document Released to Public | Date | Subject |
|-----------------------------------|---------|--|
| Negative Consent Documents | | |
| 1. SECY-02-0130 | 7/12/02 | Status of Proposed Amendments to Emergency Preparedness Regulations in 10 CFR 50 Appendix E |
| 2. SECY-02-0131 | 7/12/02 | Update of the Risk-Informed Regulation Implementation Plan |
| Memoranda | | |
| 1. M020801 | 8/1/02 | Staff Requirements - Affirmation Session: I. SECY-02-0129 - Pacific Gas & Electric Co. (Diablo Canyon Power Plant, Units 1 and 2); Multiple Petitions to Intervene |

Commission Correspondence

1. Letter to Congressman Markey dated July 24, 2002 concerns security of radioactive irradiators.
2. Letter to Paul Leventhal/Edwin Lyman, NCI, dated July 22, 2002 concerns security at nuclear power plants.
3. Letter to Raymond Vaughan, CWVNW, dated July 23, 2002, concerns the Final Policy Statement on "Decommissioning Criteria for the West Valley Decommission Project."

Federal Register Notices Issued

1. Proposed Rule - 10 CFR 50 and 52 - Combustible Gas Control in Containment.
2. Notice of Receipt - Application to Amend License to Export Nuclear Facilities or Materials.

Region I
Items of Interest
Week Ending August 2, 2002

Licensing Meeting with ABB Prospects, Inc. (CT)

On August 1, 2002, staff from Region I DNMS, NMSS, OSTP and OGC met with representatives of ABB Prospects, Inc., and the State of Connecticut to discuss ABB's license amendment request of 12/31/2001 for the former Combustion Engineering fuel fabrication facility in Windsor, Connecticut. The license amendment request concerns deconstruction and remediation activities for several contaminated building complexes. The NRC staff provided the current status of ABB's license amendment request, ABB representatives reviewed the scope of their license amendment request, and the State of Connecticut presented issues of concern to the State regarding the proposed license amendment. The meeting concluded with ABB representatives stating that additional documentation would be submitted to the NRC which would modify the scope of the license amendment request to address issues identified by the staff and Connecticut. The licensee representatives also indicated that they would submit a site-wide decommissioning plan at a later date.

August 2, 2002

ENCLOSURE P

Region III
Items of Interest
Week Ending August 2, 2002

Predecisional Enforcement Conference - Prairie Island

The Region III staff met August 2, 2002, in the Regional Office with representatives of Nuclear Management Company for a predecisional enforcement conference to discuss the apparent violations of the NRC requirement to provide complete and accurate information related to the April 13, 2001, request for a Notice of Enforcement Discretion for the D6 emergency diesel generator at the Prairie Island Nuclear Power Station.

August 2, 2002

ENCLOSURE P