

INFORMATION REPORT

December 29, 2003

SECY-03-0222

For: The Commissioners
From: William M. Dean, Assistant for Operations, Office of the EDO
Subject: SECY-03-0222 WEEKLY INFORMATION REPORT - WEEK
ENDING DECEMBER 19, 2003

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*No input this week.

/RA/

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Office of Nuclear Reactor Regulation
Items of Interest
Week Ending December 19, 2003

Davis-Besse Nuclear Power Station (Davis-Besse) - Status

A public meeting previously scheduled for the afternoon of December 18, 2003, at Davis-Besse to discuss the results of Phase 3 of the NRC Management and Human Performance Team Inspection has been rescheduled for the morning of December 19, 2003, to be coincident with the public exit meeting at the site for the Restart Readiness Assessment Team Inspection (RRATI). The RRATI commenced on December 8, 2003.

A public meeting for the licensee to state its basis for requesting the restart of the plant (Mode 2 operation) scheduled for the evening of December 18, 2003, near the Davis Besse site has been postponed. The meeting has been postponed because the licensee's schedule for attaining Mode 4 and 3 operation has slipped and NRC observation of licensee activities during the mode changes is an important item for discussion at the meeting.

The next 0350 Restart Oversight Panel monthly public meetings near the site are scheduled for January 13, 2004.

South Texas Project (STP) Unit 2 - Failure of Emergency Diesel Generator (EDG)

On December 15, 2003, the licensee submitted a risk-informed license amendment application which would extend the allowed outage time for a damaged EDG from 14 to 61 days to allow the licensee time to repair the engine. During a routine surveillance test on December 9, 2003, EDG number 22 experienced a significant failure resulting in a connecting rod being ejected from the engine. The staff is currently reviewing the application and assessing the licensee's root cause determination regarding any potential common-mode failure mechanisms. The 14-day allowed outage time ends on December 23, 2003.

Modular Accident Analysis Program (MAAP) Code Meeting

Staff from the Division of Systems Safety and Analysis met on December 15, 2003, with representatives of the Nuclear Energy Institute (NEI), the General Electric, the Electric Power Research Institute (EPRI), and utilities to discuss the MAAP computer code and the need for industry and the NRC to develop a quality basis for MAAP. Issues discussed related to the use of MAAP in the Significance Determination Process and in risk-informed applications involving Probabilistic Risk Assessment (PRA) quality determinations (e.g., how and to what degree does MAAP need to be evaluated by the staff because MAAP is used as the basis for success criteria for PRAs that provide the risk insights for licensing changes and potential rule changes such as §50.46 and §50.69). The staff stated that there needs to be a quality basis for MAAP and other codes, (such as those for core melt progression, fire, and containment performance) that provide the mechanistic results input into the PRAs. The staff recommended that EPRI develop a user's guide to define what are the appropriate uses of MAAP and its limitations. The staff and industry discussed potential approaches under which the MAAP code could receive an appropriate level of NRC review so that the NRC would have more confidence that MAAP is used appropriately by licensees. EPRI addressed its desire to submit any quality initiative on a

fee-waiver basis. EPRI said that the industry believed that MAAP was found acceptable by the NRC because it was listed in the American Society of Mechanical Engineers standard and DG-1122, "An Approach for Determining the Technical Adequacy of Probabilistic Risk Assessment Results for Risk-Informed Activities," which did not take exception to the American Society of Mechanical Engineers statement. The staff corrected this misinterpretation.

Perry Regulatory Conference for Emergency Preparedness Violation

Division of Inspection Program Management staff supported the regulatory conference held at the Region III office for the Perry Plant apparent violation of its emergency plan. On April 24, 2003, Perry Plant met the conditions to declare an Alert in accordance with its emergency plan, but failed to do so for 50 minutes. The regulatory conference provided the licensee an opportunity to clarify any mis-information and provide new information that may be pertinent to the final determination.

Office of Nuclear Material Safety and Safeguards
Items of Interest
Week Ending December 19, 2003

Louisiana Energy Services Submits Uranium Enrichment Plant Application

On December 15, 2003, Louisiana Energy Services sent NRC its application for a uranium enrichment plant proposed to be located in Eunice, New Mexico. The application included an environmental report and safety analysis report. NRC staff is presently conducting an acceptance review of the application.

Staff Executes Programmatic Agreement

On December 16, 2003, the Director, Division of Fuel Cycle Safety and Safeguards, signed a Programmatic Agreement between NRC, the Department of Interior - Bureau of Land Management, the Wyoming State Historic Preservation Officer, and Power Resources, Inc. (PRI). This Programmatic Agreement is required by 36 CFR Part 800, "Protection of Historic Properties." A Programmatic Agreement is used when the effects on historic properties cannot be fully determined before approval of an undertaking and establishes the responsibilities of the involved parties for complying with the provisions of Part 800 during the operation of the project. NRC's role in this agreement is to ensure that the licensee has carried out its assigned responsibilities for areas that may have cultural resources that have not been fully evaluated. This involves no additional NRC resource commitments. The execution of the Agreement is the last step in finalizing the environmental assessment associated with the application from PRI, to develop and operate an in situ-leach satellite uranium extraction facility in the Gas Hills region of Wyoming.

Council of State Governments' Joint Workshop on Rail Transport

On December 10-11, 2003, Spent Fuel Project Office (SFPO) staff participated in a workshop on the transport of radioactive materials sponsored by the Council of State Governments' Northeast High-Level Radioactive Waste Transportation Task Force (Northeast) and the Midwestern Radioactive Materials Transportation Committee (Midwest). The workshop included about 70 participants representing the Northeast and Midwest State governments, Federal agencies, such as the Departments of Energy and Transportation, and industry. SFPO staff also participated in the Midwest and Northeast quarterly meetings held separately on December 9.

Staff Attends Meeting of Nevada Legislature's Committee on High-level Waste

On December 10, 2003, an NRC staff member of the Las Vegas On-Site Representative's Office attended a public meeting of the State of Nevada Legislature's Committee on High-Level Waste in Las Vegas, Nevada. Presentations were given to the Committee by the Department of Energy (DOE), the Nevada Agency for Nuclear Projects, Nye County, Clark County, and the National Conference of State Legislatures. DOE presented the status of Yucca Mountain project activities, and the State of Nevada reported the State's legal actions against the Federal government and discussed State-sponsored research and reviews of repository issues. Affected Nevada counties provided updates of their repository oversight and their views of

repository and transportation issues. The National Conference of State Legislatures gave an update of its high-level radioactive waste working group, which is working on a joint policy statement on radioactive waste management and transportation. This working group is made up of 45 State legislators from 26 States. The group will soon include representatives from 34 States. The working group is currently scheduled to hold its next meeting in Las Vegas during the week of May 11, 2004.

Independent Evaluation of DOE Model Reports on Yucca Mountain Project

On December 8-12, 2003, and November 17-21, 2003, staff from the Division of Waste Management and the Center for Nuclear Waste Regulatory Analyses completed the first two parts of a three-part evaluation of the Department of Energy's (DOE's) Yucca Mountain Project Office in Las Vegas, Nevada. Staff obtained independent objective evidence regarding the adequacy of technical information presented in high-risk significant analysis model reports, assessed the adequacy of DOE's processes in developing and controlling those analysis model reports, and evaluated the effectiveness of DOE's corrective action process in eliminating recurring problems. The outcome of this three-part evaluation will provide NRC staff with evidence about DOE's ability to submit a high-quality, technically adequate license application, using its existing policies, procedures, methods, and practices. The third evaluation is scheduled to be conducted in January 2004, after which a final report will be issued and made publicly available.

Nuclear Security and Incident Response
Items of Interest
Week Ending December 19, 2003

Preliminary Notifications

1. PNO-I-03-034, Lexington Clinic - MEDICAL MISADMINISTRATION DURING IODINE UPTAKE STUDY.

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ENCLOSURE D

Office of Administration
Items of Interest
Week Ending December 19, 2003

List of Approved Spent Fuel Storage Casks: Standardized NUHOMS® -24P, -52B, -61BT, and -24PHB, Amendment 6, Revision; Correction and Confirmation of Effective Date (AH26 - Part 72)

A document that confirms the December 22, 2003, effective date of a direct final rule that revises the Standardized NUHOMS® -24P, -52B, 61BT, and -24PHB (Amendment 6) cask system listing in the list of approved spent fuel storage casks was published in the Federal Register on December 17, 2003 (68 FR 57785).

List of Approved Spent Fuel Storage Casks: Standardized NUHOMS® -24P, -52B, -61BT, -32PT, and -24PHB, Amendment 7, Revision (AH28 - Part 72)

A direct final rule that revises the Standardized NUHOMS® -24P, -52B, -61BT, -32PT, and -24PHB cask system listing in the list of approved spent fuel storage casks was published in the Federal Register on December 18, 2003 (68 FR 70423). This action includes Amendment 7, which supports Amergen Corporation plans to load damaged fuel and additional fuel types at the Oyster Creek Nuclear Station, in Certification of Compliance No. 1004. The direct final rule becomes effective March 2, 2004.

The companion proposed rule to this direct final rule was published in the Federal Register on December 18, 2003 (68 FR 70463). The comment period closes January 20, 2004.

Contract Awards

As a result of a noncompetitive 8(a) negotiated acquisition, a cost-plus-fixed-fee task-ordering type contract no. NRC-08-04-414 was awarded to the Advanced Systems Technology & Management, Inc. on December 15, 2003. The contractor shall provide personnel with a wide range of technical and scientific disciplines applicable to nuclear regulations on a task-ordering basis to assist the NRC's Office of International Programs staff in providing a continuing and uninterrupted transfer of nuclear-related assistance to a select number of countries in Europe and Eurasia. The period of performance is two years with one option year. The total contract value is \$2,974,849.43. The contract was awarded in sixty-one days in accordance with the Nuclear Regulatory Commission/Small Business Administration partnership agreement.

As a result of a competitive negotiated acquisition, a cost-plus-fixed-fee contract number NRC-03-04-026 was awarded to Sonalysts, Inc. on December 15, 2003. The contractor will provide specialized technical assistance in the administration of the Generic Fundamentals Examination Section (GFES) of the written Operator Licensing Examination. The period of performance is thirty-six months. The total estimated cost of the contract is \$935,425.

Chief Information Officer
Items of Interest
Week Ending December 19, 2003

Federal Information Security Management Act (FISMA) Quarterly Update to The Office of Management and Budget (OMB)

NRC has responded, as requested, by letter and e-mail to an August 6, 2003 memorandum from Joshua B. Bolton, Director OMB, on "Reporting Instructions for the Federal Information Security Management Act and Updated Guidance on Quarterly IT Security Reporting." The NRC provided its quarterly report of FISMA Plan of Action and Milestones (POA&M) implementation, which also included the quarterly performance measures report.

Freedom of Information Act and Privacy Act Requests received during the period of December 12 through December 18, 2003:

EA-03-086, Attachment 2, Revised Design Basis Threat	FOIA/PA-2004-0075
Allegation RIII-3-A-0080, concern #5, notes and reports	FOIA/PA-2004-0076
Radioactive material license holders, medical, for IL and WI	FOIA/PA-2004-0077

Office of Human Resources
Items of Interest
Week Ending December 19, 2003

Arrivals		
Victoria E. Nyugen*	Student Clerk	R-III
Jason Paige	Student Engineer	NRR
Denwood Ross**	Consultant	RES
Bhasker Tripathi	Structural Engineer	NMSS

* Effective 12/15/03

**Rehire

Office of Public Affairs
Items of Interest
Week Ending December 19, 2003

Media Interest

NRC's delay of a restart meeting for Davis-Besse, as agency experts raise concerns about the plant's readiness to resume operations.

October 2001 terrorist threat to the Three Mile Island nuclear plant, detailing how the NRC, other Federal agencies, and local officials handled the alert until the threat was deemed not to be credible.

Nevada officials' press conference in Washington outlining their legal strategy in court challenges to the proposed Yucca Mountain nuclear waste repository.

Press Releases	
Headquarters:	
03-163	NRC Finds No Significant Impact from Extended Operation of H.B. Robinson Nuclear Plant (12/15)
Regions:	
I-03-075	NRC to Discuss Concerns About Radiation Safety Programs at FDA Facilities in Maryland and Washington, D.C. (12/15)
I-03-076	New NRC Resident Inspector Assigned to Three Mile Island Nuclear Plant (12/19)
III-03-076	NRC to Hold Public Meeting December 18 on Environmental Scoping Process for Clinton Early Site Permit (12/15)
III-03-077	NRC Staff Seeks Input on Quad Cities Draft Environmental Report for License Renewal (12/15)
III-03-078	Davis-Besse Restart Meeting Postponed to December 29, Meeting on NRC Inspection Findings Delayed Until December 19 (12/15)
III-03-079	NRC Issues Final Significance Determination of "Red" for Auxiliary Feedwater System Problem at Point Beach (12/16)
IV-03-044	NRC Prohibits Former Senior Reactor Operator from Some NRC-Licensed Activities for Three Years (12/15)
IV-03-045	NRC to Conduct Special Inspection at South Texas Project (12/15)

Office of the Secretary
Items of Interest
Week Ending December 19, 2003

Document Released to Public	Date	Subject
Decision Documents		
1. Commission Voting Record on SECY-03-0195	12/18/03	Final Rule, 10 CFR Part 50, "Financial Information Requirements for Applications to Renew or Extend the Term of an Operating License for a Power Reactor"
2. COMNJD-03-0002	9/8/03	Stabilizing the PRA Quality Expectations and Requirements
SRM on COMNJD-03-0002	12/18/03	(same)
Commission Voting Record on COMNJD-03-0002	12/18/03	(same)
Information Papers		
1. SECY-03-0212	12/15/03	SECY-03-0212 Weekly Information Report - Week Ending December 5, 2003
Memoranda		
1. M031218	12/18/03	Staff Requirements - Affirmation Session: I. SECY-03-0195 - Final Rule, 10 CFR Part 50, "Financial Information Requirements for Applications to Renew or Extend the Term of an Operating License for a Power Reactor"; II. SECY-03-0211 - Dominion Nuclear Connecticut, Inc. (Millstone Nuclear Power Station, Unit 2)
2. M031209B	12/18/03	Briefing on the Equal Employment Opportunity Program (SECY-03-0203)

Federal Register Notices Issued

1. Advisory Committee Reactor Safeguards Subcommittee Meeting on Future Plant Designs.
2. Advisory Committee Reactor Safeguards Subcommittee Meeting on Thermal-Hydraulic Phenomena.

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ENCLOSURE O

3. Designation of Presiding Officer - U.S. Army Jefferson Proving Ground Site.
4. Advisory Committee Reactor Safeguards Subcommittee Meeting on Planning and Procedures.
5. Peer Review Committee for Source Term Modeling - Notice of Meeting.

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ENCLOSURE O

Region I
Items of Interest
Week Ending December 19, 2003

Navy Radiation Safety Committee Meeting

On December 17, 2003, two members of the Region I Division of Nuclear Materials Safety (DNMS) attended the quarterly Navy Radiation Safety Committee Meeting in Crystal City, Virginia. Prior to the meeting, the DNMS staff members were briefed on the Navy's use of depleted uranium ammunition for specific applications. Licensee personnel and DNMS staff also discussed potential methodologies that licensees may use to demonstrate that decommissioned facilities are suitable for unrestricted release.

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ENCLOSURE P

Region II
Items of Interest
Week Ending December 19, 2003

Tennessee Valley Authority - Senior Management Meeting

On December 15, 2003, representatives from Tennessee Valley Authority (TVA) attended a Category 1 public meeting in the Regional Office to discuss strategic objectives and initiatives of the TVA nuclear organization.

Florida Power and Light Company - Management Meeting

On December 18, 2003, representatives from Florida Power and Light Company (FP&L) attended a Category 1 public meeting in the Regional Office to provide Region II with a FP&L engineering overview.

State of North Carolina - Emergency Preparedness Training

On December 18-19, 2003, the Emergency Preparedness Coordinator and the representatives from NSIR conducted RASCAL computer code training for the State of North Carolina and local government officials in North Carolina.

Region IV
Items of Interest
Week Ending December 19, 2003

Mats Haggblom, Inspector from the Swedish Nuclear Power Inspectorate, Completes Rotation

Following a three-week visit to the Office of Nuclear Reactor Regulation, Mats Haggblom, an inspector from the Swedish Nuclear Power Inspectorate completed a 3-month rotation in Region IV. During his stay, Mr. Haggblom participated in several Division of Reactor Safety inspection/examinations and spent six weeks at the San Onofre Nuclear Generating Station, accompanying the NRC resident inspectors.

South Texas Project Special Inspection

During the week of December 15-19, 2003, Region IV conducted a Special Inspection at the South Texas Project, Unit 2 facility in response to a significant mechanical failure of the No. 22 emergency diesel generator. The failure occurred during the performance of a surveillance test on December 9, 2003. The team is following the licensee's determination of root causes, extent-of-condition review for impact on other emergency diesels at the plant, and corrective actions.

Palo Verde Nuclear Generating Station Management Changes

The licensee has announced that on January 4, 2004, it will implement a new organizational structure, which includes a new plant manager position reporting to Gregg Overbeck, Senior Vice President Nuclear. Dave Smith, the previous Director of Operations, has been selected to fill the new Plant Manager position.