

INFORMATION REPORT

August 30, 2004

SECY-04-0158

For: The Commissioners
From: William M. Dean, Assistant for Operations, Office of the EDO
Subject: SECY-04-0158 WEEKLY INFORMATION REPORT - WEEK
ENDING AUGUST 20, 2004

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*No input this week.

/RA/

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Office of Nuclear Reactor Regulation
Items of Interest
Week Ending August 20, 2004

Reactor Oversight Process (ROP) Public Meeting

On August 18, 2004, the Division of Inspection Program Management (DIPM) held another of a series of public meetings with the Nuclear Energy Institute (NEI) and industry representatives to discuss ROP implementation issues. Topics discussed included significance determination process (SDP) timeliness, safety system functional failures, reactor coolant system (RCS) leakage performance indicator improvement initiative, suggested improvements to the frequently asked question (FAQ) process, changes to NEI 99-02, revision 2, and open FAQs. The next ROP public meeting is scheduled for September 22, 2004.

Mitigating System Performance Index (MSPI) Public Meeting

On August 19, 2004, DIPM met with representatives from NEI and other industry representatives in another of a series of public meetings to discuss MSPI implementation issues. Topics discussed included the need to define the conditions on when to use a front stop (i.e., risk limiter) and the need for a probabilistic risk assessment (PRA) standard and guidelines. These and other issues were outlined in a staff position that was presented to industry during the July public meeting. Performance indicator issues, including action plans for the subcommittee task groups for Reactor Scrams with Loss of Normal Heat Removal and Barrier Integrity, performance indicators (PIs), and open frequently asked questions were also discussed. The next MSPI public meeting is scheduled for September 23, 2004.

Public Meeting Regarding Proposed Rulemaking on Risk-Informed Changes to 10 CFR 50.46

On August 17, 2004, staff from the Office of Nuclear Reactor Regulation (NRR) held a public meeting to obtain public input on potential costs and benefits associated with the implementation of the proposed changes to 10 CFR 50.46. The proposed rule change would permit power reactor licensees to implement a voluntary risk-informed alternative to current requirements for loss-of-coolant accident analyses. The information gathered from this meeting will be factored into the regulatory analysis for the proposed rule. Representatives from NEI, licensees, owners groups, and reactor vendors participated in the meeting. A senior policy advisor from the U.S. Senate Committee on Environment and Public Works was also in attendance. The staff gave a presentation of the conceptual basis for the proposed rule and posed a number of questions on estimated costs and benefits. The public was afforded the opportunity to request clarifications on the structure of the draft rule. The industry representatives had many questions on the structure of the rule, primarily related to understanding the implications for implementing the rule at their facilities. Written input from the stakeholders to support development of the regulatory analysis is expected in September 2004.

Meeting with Atomic Energy of Canada Limited (AECL) and Canadian Nuclear Safety Commission (CNSC)

On August 17, 2004, NRR and the Office of Research (RES) staff met with AECL and CNSC to discuss the design certification process. The purpose of the meeting was for NRC to provide information on the design certification process under 10 CFR Part 52 with a focus on the ACR-700 application expected next year. The topics discussed included the technical and administrative requirements for a design certification application, the roles of RES and the Advisory Committee on Reactor Safety in the process, review schedule considerations and potential impacts, and lessons learned from previous reviews.

Meeting with the Boiling Water Reactor Owners' Group (BWROG) on Power Uprate Operation

On August 18, 2004, the staff held a public meeting at NRC headquarters in Rockville, MD, with BWROG to discuss the status of industry activities to address potential adverse flow effects from power uprate operation. The BWROG representatives stated that the objectives of its effort are (1) to ensure that operating experience and lessons learned are incorporated into power uprate programs to assure safe and reliable operations; and (2) to provide oversight for a broad range of industry efforts related to BWR extended power uprates. As part of its effort, the BWROG is developing recommendations for plants that have implemented, or plan to implement, power uprates. The BWROG stated its belief that the current BWR steam dryer analysis conservatively predicts steam dryer loads. During the meeting, representatives from Exelon reported that its extent-of-condition evaluation for plant systems and components at Dresden and Quad Cities were completed, and that recommendations had been provided to the BWROG for incorporation in September 2004 into operational guidance for power uprates. The BWROG plans to complete a document describing lessons learned from power uprate operation and recommendations by the end of 2004. The BWROG stated that a refinement of the current steam dryer analysis methodology is being developed to facilitate more realistic evaluations of steam dryer structural integrity under power uprate conditions with completion of the refinement scheduled for May 2005. The BWROG indicated that it would provide the NRC staff with the documented results of its activities when available.

Office of Nuclear Material Safety and Safeguards
Items of Interest
Week Ending August 20, 2004

High-Level Waste Staff and Contractors Observe Drop Testing of Department of Energy (DOE) Canisters

On August 10-12, 2004, Division of High-Level Waste Repository Safety and Center for Nuclear Waste Regulatory Analyses staff members observed four spent nuclear fuel canister drop tests at Sandia National Laboratory. Two Idaho Spent Fuel Project and two Multi-Canister Overpack canisters were dropped from various heights and angles onto an unyielding 6-foot thick reinforced concrete pad. The purpose of the tests was to evaluate the canister performance under accidental drops and to validate the DOE's mechanical deformation computer models. Visual inspection of the canisters after the tests did not reveal any breaches and the resulting deformations agreed reasonably well with those predicted by the finite-element computer models.

Staff Review of Wyoming Underground Injection Control Program

On August 10-12, 2004, staff from the Office of Nuclear Material Safety and Safeguards (NMSS) visited with the State of Wyoming to determine if the State's underground injection control (UIC) program for in-situ Leach (ISL) uranium facilities is, at a minimum, equivalent to NRC's groundwater protection requirements. A representative of the Environmental Protection Agency was also present. Staff identified a major deficiency in the Wyoming groundwater restoration requirements that resulted from a recent challenge to Wyoming's regulations by the Wyoming Mining Association (WMA). WMA stated that Wyoming's regulations and guidance were more stringent than their overriding statute. Until recently, language in Wyoming's regulations had existed that was consistent with NRC's guidance which states that the primary goal of groundwater restoration is to achieve background water quality. Because of the challenge by the WMA, this language has been deleted. The result is that staff will not be able to defer part of the groundwater ISL program dealing with review of groundwater restoration, excursion monitoring, and excursion corrective action.

Meeting with BFS Regarding Transport of VSC-24 Canisters in the Model No. TS125 Cask

On August 12, 2004, Spent Fuel Project Office staff met with BNFL Fuel Solutions (BFS) on the subject topic. The meeting centered on the structural analysis for the fuel canister and basket, and criticality calculations. BFS plans to take credit for fuel burnup in the criticality analysis using actual fuel characteristics for the 58 canisters that are currently loaded at three reactor sites. BFS estimates that an application for approval will be submitted to NRC in April 2005.

Office of Nuclear Regulatory Research
Items of Interest
Week Ending August 20, 2004

Public Meeting on Good Practices for Implementing Human Reliability Analysis

On August 16, 2004, the Office of Nuclear Regulatory Research (RES) held a public meeting to present NUREG-1792, "Good Practices for Implementing Human Reliability Analysis (HRA), Draft Report for Comment," which was published in July 2004. The meeting was well attended by both internal and external stakeholders including representatives from the nuclear power industry, and the National Aeronautics and Space Administration. During the meeting, NRC staff provided an overview of NUREG-1792 and obtained preliminary comments from attendees. The public comment period for NUREG-1792 ends on October 4, 2004. After reviewing public comments and incorporating necessary changes, RES intends on issuing the final version of NUREG-1792 in the Spring of 2005.

Meeting of the Proactive Materials Degradation Assessment (PMDA) Expert Panel

On August 9 -13, 2004, RES held the first meeting of the PMDA expert panel to discuss the Phenomena Identification and Ranking Table (PIRT) process. The purpose of the PMDA-PIRT is to identify locations and components in light water reactors (LWRs) that could be susceptible to future materials degradation phenomena, thereby avoiding reactionary responses to unanticipated issues. The PMDA-PIRT utilizes a panel comprised of eight internationally recognized experts in materials degradation phenomena in LWRs from industry, regulatory agencies, and academic institutions in the United States, France, Sweden, Japan, and Canada. Staff from the NRC Technical Training Center (TTC) presented detailed system and operational history information on the pressurized water reactor (PWR) Reactor Coolant System (RCS), which is the first system to be addressed by the panel.

The process developed at this meeting will be used at seven additional Expert Panel meetings, three of which will be used to examine the remaining PWR systems of interest and four meetings to examine a range of boiling water reactor (BWR) systems. The final report for all PWR components examined is expected to be available in June 2005, and the final report for the BWR systems examined should be completed in December 2005. Results from this activity will be used to guide research and regulatory actions to minimize unanticipated safety implications from materials degradation.

Office of Administration
Items of Interest
Week Ending August 20, 2004

List of Approved Spent Fuel Storage Casks: NAC-MPC, Amendment 4, Revision (AH50 - Part 72)

On August 13, 2004, NRC published a direct final rule (69 FR 50053) that revises 10 CFR 72.214, "List of approved spent fuel storage casks," and the accompanying notice for public comment (69 FR 50089) in the Federal Register. The revised rule adds Amendment No. 4 to the certificate of compliance associated with the NAC multipurpose canister cask system. This amendment will modify the cask design to incorporate vacuum drying enhancements under a general license. The direct final rule becomes effective October 27, 2004, unless significant adverse comments are received by September 13, 2004.

NRC Enforcement Policy; Alternative Dispute Resolution

On August 13, 2004, NRC published an amendment to its Enforcement Policy in the Federal Register (69 FR 50219). The amendment includes an interim enforcement policy regarding the use of Alternative Dispute Resolution in the enforcement program for cases involving discrimination and wrongdoing.

Chief Information Officer
Items of Interest
Week Ending August 20, 2004

Quarterly Information Technology (IT) Focus Group Meeting

On August 11-12, 2004, the quarterly IT Focus Group meeting was held at NRC Headquarters. Participants included staff from numerous headquarters and regional offices. Some of the presentation topics included knowledge management, wireless 802.11, wireless email, Adobe PDF converter software, and the draft NRC wireless security policy.

Office of the Chief Information Officer (OCIO) Agencywide Documents Access and Management System (ADAMS) Records Management Briefing to the Food and Drug Administration (FDA)

On August 17, 2004, OCIO staff conducted an ADAMS records management briefing to the records management staff of FDA. FDA plans to design a system similar to ADAMS that will include both document management and records management functions, as well as document tracking and automatic processing of e-mails into the system. The purpose of the briefing was to share NRC's experience with ADAMS as an electronic document and records management system.

Office of Public Affairs
Items of Interest
Week Ending August 20, 2004

Media Interest

The Office of Public Affairs (OPA) received significant media inquiries on the following:

Discussions with reporters in Nevada, Utah, and New York concerning the Office of Inspector General (OIG) report dismissing allegations about spent fuel cask quality. These reporters wrote about the allegations at the outset, and they were given the web link to the OIG report.

Ongoing response to newspaper editorials concerning removal of physical protection information from the Reactor Oversight Process web page.

Questions on preparations for a possible strike at Vermont Yankee.

Questions on Rep. Markey's letter and Sen. Clinton's press release concerning "dirty bombs" and NRC activities to control sources under materials licenses.

Questions concerning the upcoming HBO documentary on Indian Point.

Press Releases	
Headquarters:	
04-097	NRC Approves Request by Utah to Amend Its Agreement With Agency (8/18)
Regions:	
III-04-045	NRC Proposes \$3,000 Fine Against Michigan Firm for Failing to Adequately Secure Nuclear Gauge (8/20)
IV-04-035	NRC to Conduct Inspections at Palo Verde Nuclear Generating Station (8/20)

Office of the Secretary
 Items of Interest
 Week Ending August 20, 2004

Document Released to Public	Date	Subject
Decision Documents		
1. SECY-04-0140	8/2/04	Request of the State of Nevada to Begin the Process for Obtaining Security Clearances for Nevada Representatives
SRM on 04-0140	8/18/04	(same)
Commission Voting Record on 04-0140	8/18/04	(same)
2. Commission Voting Record on 04-0127	8/17/04	Final Rule: Medical Use of Byproduct Material - Minor Amendments: Extending Expiration Date for Subpart J of Part 35
3. SECY-04-0102	6/22/04	Results of the Staff's Evaluation of Potential Doses to the Public from Material at the Kiski Valley Water Pollution Control Authority Site in Leechburg, Pennsylvania
Memoranda		
M040818A	8/18/04	Staff Requirements - Affirmation Session: I. SECY-04-0092 - Tennessee Valley Authority (Watts Bar Nuclear Plant, Unit 1, Sequoyah Nuclear Plant, Units 1 & 2, Browns Ferry Nuclear Plant, Units 1, 2 & 3), Docket Nos. 50-390-CIVP; 50-327-CIVP; 50-328-CIVP, 50-259-CIVP; 50-260-CIVP; 50-296-CIVP; LBP-03-10 (6/26/03); II. SECY-04-0137-Louisiana Energy Services, L.P. (National Enrichment Center)

M040817A	8/17/04	Staff Requirements - Affirmation Session: (1) SECY-04-0105 - Private Fuel Storage (Independent Spent Fuel Storage Installation) Docket No. 72-22-ISFSI; (2) SECY-04-0127 - Final Rule: Medical Use of Byproduct Material - Minor Amendments: Extending Expiration Date for Subpart J of Part 35; (3) SECY-04-0142 - FirstEnergy Nuclear Operating Co. (Davis-Besse Nuclear Power Station, Unit 1); Petitioners' Appeal of LBLP-04-11
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Commission Correspondence

1. Letter to Congress, dated August 13, 2004, provides NRC's Strategic Plan for FY 2004-2009.
2. Letter to Olene S. Walker, Governor of Utah, dated August 10, 2004, provides approval of the proposed amendment to the Agreement requested by former Governor Michael Leavitt.
3. Letter to Congresswoman Marcy Kaptur, dated August 10, 2004, provides response to letter concerning fine that was levied against the licensee of the Davis-Besse NPP.

Federal Register Notices Issued

1. Advisory Committee on Reactor Safeguards, Subcommittee Meeting on Thermal-Hydraulic Phenomena, notice of meeting scheduled for September 22-23, 2004.
2. Final Policy Statement on the Treatment of Environmental Justice Matters in NRC Regulatory and Licensing Actions.
3. Advisory Committee on Reactor Safeguards, notice of 515th meeting (09/09-11/04).

Region I
Items of Interest
Week Ending August 20, 2004

Vermont Yankee - Briefing of Vermont State Nuclear Advisory Panel (VSNAP)

On August 18, 2004, NRC's engineering inspection team leader briefed members of the VSNAP on the on-going engineering inspection. The briefing included an overview of the inspection, the process for the selection of components and operator actions to be inspected, and a general discussion of how issues would be documented. Panel members asked questions regarding the team's independence and expertise, whether the inspection would cover certain issues (e.g., credit for containment over-pressure and plant reliability), and potential impact on the inspection in case of a strike. Region I and Entergy management also attended the briefing and responded to questions, as appropriate.

North Carolina IMPEP Review

From August 16-20, 2004, an Integrated Materials Performance Evaluation Program (IMPEP) review of the North Carolina Agreement State Program was conducted by staff from Region I, Office of State and Tribal Programs, and representatives from the Commonwealth of Massachusetts. This review focused on the State's performance over the last four years and the actions taken in response to recommendations made during the previous IMPEP reviews conducted in September 2000. The review team presented its preliminary findings to North Carolina State representatives after it concluded its on-site activities.

Florida Bureau of Radiation Control Response to Hurricane Charley

In response to Hurricane Charley which hit the State of Florida beginning Friday, August 13, 2004, Region I staff contacted the State of Florida, Bureau of Radiation Control, to inquire if assistance was needed to aid their staff and to assess damage to material licensees in Florida. Florida Bureau of Radiation Control staff reported that they had contacted all 26 major licensees by August 16, 2004, within the affected counties to assess damage. No storm-related damages were reported by these licensees.

Region III
Items of Interest
Week Ending August 20, 2004

Point Beach - Meeting to Discuss Status of Performance Improvement Plan

On August 18, 2004, Region III staff met with Nuclear Management Company officials in Manitowoc, Wisconsin, to discuss the status of activities under the company's performance improvement program and the associated NRC Confirmatory Action Letter regarding the Point Beach Nuclear power plant.

August 20, 2004

ENCLOSURE P

Region IV
Items of Interest
Week Ending August 20, 2004

San Onofre - Site Visit by California Public Utilities Commission (CPUC) Representatives

On August 16, 2004, two representatives from the CPUC visited the San Onofre Nuclear Generating Station (SONGS), to obtain additional information regarding the licensee's request to replace steam generators in 2009.

During their visit, the CPUC representatives met with the NRC Senior Resident Inspector (SRI). The representatives were interested in obtaining a general understanding of NRC oversight for steam generator replacement and the resident inspector's role in daily plant oversight.

Cooper - Public Meeting with Nebraska Public Power District

On August 18, 2004, the Regional Administrator and other members of the Region IV staff conducted a public meeting with representatives of the Nebraska Public Power District officials in the Region IV office. The purpose of the meeting was to discuss the results of the licensee's self-assessment of the effectiveness of the actions implemented at the Cooper Nuclear Station in addressing the issues specified in NRC Confirmatory Action Letter, dated January 30, 2003.

Fort Calhoun - Site Visit by South Dakota State Representatives

On August 18, 2004, representatives of the South Dakota Rural Electric Association visited the Fort Calhoun Nuclear Station to observe how nuclear technology is being implemented in Nebraska.

Office of Congressional Affairs
 Items of Interest
 Week Ending August 20, 2004

CONGRESSIONAL HEARING SCHEDULE, NO. 69

OCA Contact	DATE & PLACE	TIME	WITNESS	SUBJECT	COMMITTEE
Keeling	09/14/04 2247 RHOB	10:00	NRC, GAO	Homeland Security: Monitoring Nuclear Power Plant Security	Reps. Shays/Kucinich National Security, Emerging Threats, and International Relations Government Reform
Portner	TBA SD-124	TBA	Markup	FY2005 Energy and Water Development Appropriations	Senators Domenici/Reid Energy and Water Development Appropriations
Keeling	TBA 345 CHOB	TBA	Markup	Homeland Security Authorization	Reps. Cox/Turner Select Committee on Homeland Security

Note: The Senate and the House of Representatives are in recess until September 7.