

INFORMATION REPORT

September 9, 2005

SECY-05-0163

For: The Commissioners
From: William M. Dean, Assistant for Operations, Office of the EDO
Subject: SECY-05-0163 - "WEEKLY INFORMATION REPORT - WEEK
ENDING SEPTEMBER 2, 2005"

Contents

Enclosure

Nuclear Reactor Regulation	A
Nuclear Material Safety and Safeguards	B
Nuclear Regulatory Research	C
Nuclear Security and Incident Response	D
General Counsel	E*
Administration	F
Office of Information Services	G
Chief Financial Officer	H*
Human Resources	I
Small Business and Civil Rights	J*
Enforcement	K*
State and Tribal Programs	L*
Public Affairs	M
International Programs	N*
Office of the Secretary	O
Region I	P*
Region II	P
Region III	P
Region IV	P*
Executive Director for Operations	Q*
Congressional Affairs	R

*No input this week.

/RA/

William M. Dean
Assistant for Operations, OEDO

Contact:
T. Kim, OEDO

Office of Nuclear Reactor Regulation (NRR)
Items of Interest
Week Ending September 2, 2005

NRC Information Notice (IN) 2005-25: Inadvertent Reactor Trip and Partial Safety Injection Actuation Due to Tin Whisker

On August 25, 2005, NRR issued the subject IN to inform the power reactor licensees about recent operating experience related to the growth of "tin whiskers" in electronic circuits at nuclear power stations. For example, Millstone Nuclear Generating Station, Unit 3, experienced an inadvertent safety injection actuation and reactor trip caused by a fault on a solid state protection system (SSPS) circuit card. The licensee examined the failed circuit card and found a microscopic tin filament, approximately 2 mm long, which created a bridge between the affected diode and the output trace on the card. This microscopic filament of tin called "tin whisker," had grown out of the tin coating covering the leads of the diode. The licensee inspected all circuit cards in the SSPS and discovered tin whiskers on other circuit cards. Suspect cards were either replaced or cleaned before being placed back in service. This IN requires no specific action or written response, however, it is expected that recipients will review the information for applicability to their facilities and consider actions, as appropriate, to avoid similar problems.

Regulatory Issue Summary (RIS) 2005-18: Guidance For Establishing and Maintaining a Safety Conscious Work Environment

On August 25, 2005, NRC issued the subject RIS to provide licensees, applicants for a license, holders of certificates of compliance, and their contractors guidance on establishing and maintaining a safety conscious work environment. All NRC licensees and contractors are expected, although not required by regulation, to establish and maintain a safety conscious work environment. Such a work environment contributes to safe operation of NRC-regulated facilities. The NRC is issuing this RIS to provide supplementary guidance on fulfilling this expectation, originally communicated in the NRC 1996 policy statement, which was published in the Federal Register (61 FR 24336) on May 14, 1996.

Receipt of Application for a New Reactor Design (GE's ESBWR) Review

By letter dated August 25, 2005, NRR staff received an application from the General Electric Company (GE) requesting standard design certification of its Economic Simplified Boiling Water Reactor (ESBWR), a new reactor design. The staff is performing an acceptance review of the application and will notify GE of the results within thirty days. After the application is deemed sufficient for further technical review, the staff will develop and publish a review schedule.

Clinton - Draft Safety Evaluation Report Supplement for Early Site Permit Application

On August 26, 2005, NRR staff issued the subject report which describes seven open items for which additional information from the applicant is needed. The document will not be made available to the public until approximately September 12, 2005, to provide the applicant an opportunity to review it for proprietary information prior to its release. The applicant's responses

to the open items are expected by October 31, 2005, and the staff's final safety evaluation report is currently scheduled to be issued in February 2006.

Issuance of Proposed Fitness for Duty Rule, Part 26

On August 26, 2006, NRC staff published the Proposed Fitness for Duty Rule, Part 26 in the Federal Register (70 FR 50442) for public comment. NRC is proposing to amend its regulations for Fitness for Duty (FFD) programs to update the rule and be consistent with advances in other relevant Federal rules and guidelines, including the Department of Health and Human Services Mandatory Guidelines for Federal Workplace Drug Testing and other Federal drug and alcohol testing programs that impose similar requirements on NRC licensees. The proposed rule would also require nuclear power plant licensees to strengthen the effectiveness of their FFD programs in ensuring against worker fatigue and establish clear, enforceable requirements for managing worker fatigue. The comment period for this action closes December 27, 2005.

Office of Nuclear Material Safety and Safeguards (NMSS)
Items of Interest
Week Ending September 2, 2005

Commissioner Lyons Visit to Center for Nuclear Waste Regulatory Analyses (CNWRA)

On August 25, 2005, Commissioner Lyons, accompanied by a member of his staff and representatives from the Division of High-Level Waste Repository Safety and Region IV, visited CNWRA in San Antonio, TX. CNWRA management provided an introduction and overview of the CNWRA's role and areas of support to NRC as a contractor in the area of high-level waste. The visit included tours of the geochemistry, engineered barrier, and groundwater laboratories, and presentations on modeling studies.

NRC High-Level Waste Contractor Attends OECD/NEA Workshop in La Coruna, Spain

On August 22-28, 2005, staff from the Center for Nuclear Waste Regulatory Analyses (CNWRA) attended a workshop for the geologic disposal of radioactive waste titled "Integration of Engineered Barrier Systems in the Safety Case: The Role of Modeling." The workshop was organized by the Organization for Economic Cooperation and Development/Nuclear Energy Agency [OECD/NEA] in cooperation with the European Commission. The workshop provided a forum for staff to interact and collaborate with international experts who are responsible for the engineering design, characterization, modeling, and performance assessment of engineered barrier systems for geologic repositories.

NRC High-Level Waste Staff Visit Idaho National Laboratory to Observe Spent Fuel Handling

On August 29, 2005, Division of High-Level Waste Repository Safety and Center for Nuclear Waste Regulatory Analyses staff visited a "hot cell facility" at the Idaho National Laboratory in Idaho Falls, ID, to observe the spent fuel handling process. The visit included an observation of the "environmentally inerting system." A similar system may be used at the potential Yucca Mountain Geologic fuel handling facilities to limit fuel interaction with air. The visit is part of the staff preparation to review a license application for the Yucca Mountain repository.

Public Meeting on National Source Tracking System

On August 29, 2005, the Division of Industrial and Medical Nuclear Safety held a public meeting on the Proposed Rule associated with the National Source Tracking System. This is the first of two public meetings on the proposed rule. Approximately 50 people attended the meeting, with 8 individuals providing comments on the rule. A number of positive comments were received, with individuals focusing on specific aspects of the rule or responding to specific questions raised in the *Federal Register* Notice. The issues that captured the most interest were: (1) whether to include Category 3 sources in the tracking system, and (2) whether to require reporting of transfers of sources between temporary job sites. The second public meeting on the proposed rule will be held on September 20, 2005, in Houston, TX.

Meeting with Transnuclear, Inc. to NUHOMS® HD Review

On August 29, 2005, the Spent Fuel Project Office held a public meeting with representatives from the Transnuclear, Inc. (TN) to discuss corrective actions associated with the structural analysis used to support the 10 CFR Part 72 Certificate of Compliance for the TN NUHOMS® HD dry spent fuel storage system. The staff requested the meeting with TN to discuss the corrective actions in response to the fuel cladding structural analysis errors identified by the NRC staff during its review. TN briefed the staff on the preliminary results of its root cause evaluation and stated that it planned to complete the evaluation by September 30, 2005.

Meeting with Duratek Regarding New Transport Package for Irradiated Hardware and Waste

On August 25, 2005, Spent Fuel Project Office staff met with representatives from the Duratek Inc., regarding the proposed Model No. 3-60B transportation package. This package is being developed for the highway transport of irradiated hardware and powdered solids. The discussion centered around the conceptual design and the analyses that will be performed. Duratek Inc., plans to submit an application for package approval as early as January 2006.

Draft Environmental Impact Statement on USEC's Proposed Gas Centrifuge Plant

On September 1, 2005, Division of Waste Management and Environmental Protection staff issued the Draft Environmental Impact Statement (DEIS) for the Proposed American Centrifuge Plant in Piketon, Ohio. It is publicly available on the NRC's web site at <http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/>. The staff forwarded the DEIS to the Environmental Protection Agency for publication in the *Federal Register* which is expected to be on or about September 9, 2005, for a 45-day public comment period. A public meeting will be held in the vicinity of the plant during the comment period.

Office of Nuclear Regulatory Research (RES)
Items of Interest
Week Ending September 2, 2005

Publication of NUREG/CR-6877, "Characterization and Head-Loss Testing of Latent Debris from Pressurized-Water-Reactor Containment Buildings"

RES recently published the subject report as part of research conducted in support of the resolution of NRC Generic Letter (GL) 2004-02, "Potential Impact of Debris Blockage on Emergency Recirculation During Design Basis Accidents at Pressurized-water Reactors," dated September 13, 2004. The head loss contribution of latent debris was determined separately for fiber and particle components. Based on a comparison of physical characteristics, the study concluded that the head loss associated with latent debris fibers can be conservatively assessed using fiberglass insulation properties. RES staff is pursuing additional research to substantiate both the head loss measurements and the hydraulic parameters that this report recommends for use in the evaluation of head loss attributed to latent debris particles. The report is publicly available on the NRC's web site at <http://www.nrc.gov/reading-rm/doc-collections/nuregs/contract/cr6877/>.

Office of Nuclear Security and Incident Response (NSIR)
Items of Interest
Week Ending September 2, 2005

Public Meeting on Emergency Preparedness

On August 31 and September 1, 2005, the NRC conducted a public meeting, in coordination with the Federal Emergency Management Agency (FEMA)/Department of Homeland Security (DHS) to discuss selected topics on emergency preparedness. NRC Chairman Diaz provided opening remarks. Approximately 190 people attended the meeting. Comments were provided by State/local/Tribal governmental organizations, public interest groups, and utility representatives.

Preliminary Notifications

1. PNO-I-05-026, PSEG Nuclear, LLC - SHUTDOWN EXPECTED TO BE GREATER THAN 72 HOURS TO REPAIR AN INOPERABLE DRYWELL TO SUPPRESSION CHAMBER VACUUM BREAKER.
2. PNO-I-05-026A, PSEG Nuclear, LLC - SUPPLEMENT - SHUTDOWN EXPECTED TO BE GREATER THAN 72 HOURS TO REPAIR AN INOPERABLE DRYWELL TO SUPPRESSION CHAMBER VACUUM BREAKER.
3. PNO-II-05-005, Duke Energy Corporation - REACTOR TRIP WITH EMERGENCY CORE COOLING SYSTEM (ECCS) INITIATION.
4. PNO-III-05-012, Dresden, Unit 2 - SHUTDOWN EXPECTED TO BE GREATER THAN 72 HOURS TO REPLACE THE UNIT 2 MAIN TRANSFORMER.
5. PNO-IV-05-012, Entergy Operations, Inc. - NOTICE OF UNUSUAL EVENT, PLANT SHUTDOWN, AND LOSS OF OFFSITE POWER AT WATERFORD-3.
6. PNO-IV-05-012A, Entergy Operations, Inc. - UPDATE - NOTICE OF UNUSUAL EVENT, PLANT SHUTDOWN, AND LOSS OF OFFSITE POWER AT WATERFORD-3.
7. PNO-IV-05-012B, Entergy Operations, Inc. - UPDATE - NOTICE OF UNUSUAL EVENT, PLANT SHUTDOWN, AND LOSS OF OFFSITE POWER AT WATERFORD-3

Office of Administration (ADM)
Items of Interest
Week Ending September 2, 2005

List of Approved Spent Fuel Storage Casks: VSC-24, Amendment 5, Revision, Confirmation of Effective Date (AH70 - Part 72)

On August 29, 2005, the NRC published a notice in the Federal Register (70 FR 50957) confirming the effective date of September 13, 2005, for a direct final rule that revises the VSC-24 (Ventilated Storage Cask) (Amendment 5) cask system listing in the list of approved spent fuel storage casks. This action changes the certificate holder's name from Pacific Sierra Nuclear Associates to BNG Fuel Solutions Corporation.

Contract Awards

On August 30, 2005, a competitive delivery order no. DR-04-05-074, was awarded to Information Systems Laboratories, Inc. under the General Services Administration's Federal Supply Schedule. The contractor is to provide assistance in the development of a regulatory structure for new plant licensing. The total estimated cost is \$124,103.00. The period of performance is for five months.

On August 30, 2005, a competitive delivery order was awarded to Information Systems Laboratories, Inc. under the General Services Administration's Federal Supply Schedule for technical assistance entitled "Update of Technical Basis for Revision of Regulatory Guidance for Siting and Seismic Design." The estimated cost of this delivery order is \$258,970.00. The period of performance is for two years.

Energy Policy Act of 2005 Requirements; Treatment of Accelerator- Produced and Other Radioactive Material as Byproduct Material; Waiver (10 CFR Chapter I)

On August 31, 2005, the NRC issued in the Federal Register (70 FR 51581) a time-limited waiver of the requirements of Section 651(e) of the Energy Policy Act of 2005 titled "Treatment of Accelerator-Produced and Other Radioactive Material as Byproduct Material." Prior to enactment of the Energy Policy Act of 2005, the NRC did not have authority over the newly covered byproduct material, and it fell under the authority of the States. Therefore, the NRC does not have regulations in place that specifically apply to these materials. With the enactment of the Energy Policy Act of 2005, the States may no longer assert the authority to regulate the newly covered byproduct material, except as authorized to do so by the Act. The waiver allows persons owning, using, and otherwise engaging in activities involving the material to continue with their activities and States to continue to regulate this material during the applicable waiver period. This waiver is effective from August 31, 2005, through August 7, 2006, for the import and export of materials covered by the waiver, unless terminated sooner if the Commission determines that an earlier termination is warranted. For all other matters, it is effective through August 7, 2009, unless terminated sooner if the Commission determines that an earlier termination is warranted or required.

Office of Information Services (OIS)
Items of Interest
Week Ending September 2, 2005

Freedom of Information Act (FOIA) and Privacy Act Requests Received During the Period of August 26 through September 1, 2005:

Commission response to Rep. Edward Markey's questions about the Commissions' response to the New York Times article of Aug. 7, 2005, re: shipping of radioactive waste to ordinary landfills by Florida Power & Light, all records	FOIA/PA-2005-0339
Ventura County, CA, purchase orders and/or contracts for agency lodging and/or meetings	FOIA/PA-2005-0340
Purchase card holders, phone numbers, e-mail & all departments within the agency	FOIA/PA-2005-0341
Listing of NUREG report "non-publicly available," include legacy and main libraries in ADAMS	FOIA/PA-2005-0342
Investigation RI-2003-A-0071, all records	FOIA/PA-2005-0343
Mercy Hospital, Darby, PA, final report of incident from January 2004	FOIA/PA-2005-0344
Alcoa Research Laboratory (ARL), all radioactive materials licenses since 1958; inspections conducted on 12-15-58 & 9-28-61, all documents; material use in specific locations	FOIA/PA-2005-0345

Office of Human Resources (HR)
 Items of Interest
 Week Ending September 2, 2005

Arrival		
BATY, MARY	LEGAL INTERN	OGC
FLYNN, SEAN M.	INFORMATION TECHNOLOGY SPECIALIST (TEAM LEADER)	R-II
FOLTZ, JEFFREY A.	BRANCH CHIEF	R-III
HILL, BRITTAIN E.	SR. TECHNICAL ADVISOR FOR REPOSITORY SCIENCE	NMSS
LAI, SANDRA H.	HEALTH PHYSICIST (NSPDP)	OSTP
LINDSAY, JERED	LAW CLERK	ASLBP
SKINKER, RICHARD K.	ACCOUNTANT	OCFO
SPENCER, MICHAEL	LEGAL INTERN	OGC
WOLF, DEBRA	LAW CLERK	ASLBP
YARSKY, PETER	GENERAL ENGINEER (NSPDP)	NRR
Retirements		
CRLENJAK, RICHARD V.	DEPUTY DIRECTOR, DIV. OF REACTOR SAFETY	R-I
FLOREK, DONALD J.	SENIOR PROJECT ENGINEER	R-I
GAGNER, SUE F.	SPECIAL ASSISTANT TO THE DIRECTOR	OPA
GUNDERSEN, GORDON E.	PROJECT MANAGER	NMSS
KNOX, JOHN L.	SENIOR ELECTRICAL ENGINEER	NRR
LEVIN, ARNOLD E.	DIR, INFRASTRUCTURE & COMPUTER OPERATIONS DIV	OIS
Departures		
ADAMS, KATHLEEN M.	HUMAN RESOURCES ASSISTANT (OA)	OHR
BLANCO, ANDREW JOSEPH	STUDENT ADMINISTRATIVE SUMMER	OIG
CROSS, SHERRI L.	SR. PROGRAM MANAGER	NSIR
GARRETT, ALBERT G.	SENIOR SECURITY SPECIALIST	NSIR

LUCH, WILLIAM M.	IT SPECIALIST	NSIR
MONAHAN, KELLEY A.	SECRETARY (OA)	OCFO
SCHNECK, DEBRA A.	EMERGENCY PREPAREDNESS SPECIALIST	NSIR
SMITH, TYSON R.	ATTORNEY	OGC

Office of Public Affairs (OPA)
Items of Interest
Week Ending September 2, 2005

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

Impact of Hurricane Katrina on Waterford, Grand Gulf, and River Bend.

The August 31 - September 1 Public meeting on emergency preparedness.

D.C. Cook license renewal.

Other OPA Items:

OPA staff assisted at the public meetings on emergency preparedness and security.

Press Releases	
Headquarters:	
05-118	NRC Monitoring Approach of Hurricane Katrina; Waterford Shuts Down (8/29)
05-119	NRC Renews Operating Licenses for Donald C. Cook Nuclear Plant for an Additional 20 Years (8/30)
05-120	NRC Reorganizing Office of Nuclear Reactor Regulation (9/1)
05-121	NRC Issues Mid-Cycle Assessments for All Nuclear Plants (9/1)
05-122	NRC to Recruit Aggressively, Hire 350 New Employees in 2006 (9/2)
Regions:	
II-05-038	NRC to Conduct Special Inspection at Oconee Nuclear Power Plant (9/2)
IV-05-031	NRC Continues to Monitor Nuclear Plants Affected by Hurricane Katrina (8/30)

Office of the Secretary (SECY)
 Items of Interest
 Week Ending September 2, 2005

Document Released to Public	Date	Subject
Decision Documents		
1. SRM-SECY-05-0144	8/30/05	Proposed Rule: 10 CFR Part 63: "Implementation of a Dose Standard After 10,000 Years" (RIN 3150-AH68)
Commission Voting Record on 05-0144	8/30/05	(same)
2. SRM-SECY-05-0126	8/31/05	Summary of Activities Related to Generic Safety Issues
Commission Voting Record on 05-0126	8/31/05	(same)
Information Papers		
1. SECY-05-0155	8/29/05	Weekly Information Report - Week Ending August 19, 2005

Federal Register Notices Issued

1. Petition for Rulemaking: Denial - 10 CFR Part 50 [Docket No. PRM-50-76] , Robert H. Leyse; Denial of Petition for Rulemaking.
2. Establishment of Atomic Safety and Licensing Board (ASLB), In the Matter of Nuclear Management Company, LLC (Palisades Nuclear Plant), Docket No. 50-255-LR, ASLBP No. 05-842-03-LR.
3. Notice of Reconstitution, Nuclear Management Company, LLC, Docket No. 50-263-LR, ASLBP No. 05-841-02-LR.
4. Proposed Rule: 10 CFR Part 63, RIN: 3150-AH68, Implementation of a Dose Standard after 10,000 Years.

Region II (RII)
Items of Interest
Week Ending September 2, 2005

Sequoyah Nuclear Plant - Management Meeting with Tennessee Valley Authority

On August 30, 2005, Region II management met with representatives from the Tennessee Valley Authority in the Regional Office to discuss Sequoyah's Operating Performance for Units 1 and 2.

September 2, 2005

ENCLOSURE P

Region III (RIII)
Items of Interest
Week Ending September 2, 2005

Participation in Monticello Emergency Preparedness (EP) Exercise

On August 30, 2005, both Region III and Headquarters participated in a periodic full participation EP exercise involving Monticello Nuclear Power Plant in Monticello, Minnesota.

Region III also supported a three-person delegation from the Japan Nuclear Safety Organization (JNES) in their observation of the licensee's and Region III Site Team's actions during the Monticello exercise. On the following day, the Region III Emergency Response Coordinator provided a briefing to the JNES representatives in the regional office on the NRC's actions related to the Monticello Exercise, and answered questions relative to the NRC's Incident Response Program from a regional perspective.

Region III Management Visits to Region III Plant Sites

The Regional Administrator conducted a routine site visit at the Monticello Nuclear Power Plant on August 29, 2005, and at the Prairie Island Nuclear Power Station on August 31, 2005. Separately, the Deputy Regional Administrator conducted a routine site visit at the Palisades Nuclear Plant on August 31 and at the D. C. Cook Nuclear plant on September 1, 2005. The purpose of these management visits include plant tours for first-hand observation of plant conditions and meetings with resident inspectors and licensee management to discuss plant status and performance.

Special Inspection to Review Lost Radioactive Source at Michigan State University

On August 30, 2005, Michigan State University reported to Region III that a 0.958 microcurie Californium-249 foil source was missing. On September 1, 2005, a Region-based inspector conducted a special inspection of the event. The licensee is continuing its search of the source. The inspection will remain open until the licensee completes its search, determines the likely disposition of the source, and submits the required written report of the loss.

Office of Congressional Affairs (OCA)
 Items of Interest
 Week Ending September 2, 2005

CONGRESSIONAL HEARING SCHEDULE, NO. 29

OCA Contact	DATE & PLACE	TIME	WITNESS	SUBJECT	COMMITTEE
Keeling	09/08/05	10:30	DOS	U.S.-India Nuclear Cooperation	Reps. Hyde/Lantos International Relations
Keeling	September (Tentative)	TBA	Ed McGaffigan, Jr.	Confirmation hearing for Ed McGaffigan, Jr. to be NRC Commissioner	Senators Inhofe/Jeffords Environment and Public Works
Madden	TBA	TBA	Conference	FY 2006 Energy and Water Development Appropriations	House/Senate Appropriations Committee conferees

September 2, 2005

ENCLOSURE R