

INFORMATION REPORT

February 22, 2008

SECY-08-0023

For: The Commissioners  
From: Vonna L. Ordaz, Assistant for Operations, Office of the EDO  
Subject: WEEKLY INFORMATION REPORT - WEEK ENDING  
FEBRUARY 15, 2008

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\*No input this week.

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Office of Nuclear Reactor Regulation (NRR)  
Items of Interest  
Week Ending February 15, 2008

American Society of Mechanical Engineers (ASME) Code Meetings

From February 4 to 8, 2008, Division of Component Integrity staff participated in the ASME Boiler and Pressure Vessel Code (BPVC), Section XI, meetings in Boston, MA. Topics of discussion during the meetings included; (1) the development of a code case for the inspection requirements of dissimilar metal welds, (2) organizational realignment of the BPVC committees, (3) ensuring the integrity of pressure retaining components in operational commercial nuclear power plants, and (4) development of a code case for design, fabrication, joining and inspection of replacement piping made from high density polyethylene.

Shearon Harris Nuclear Power Plant, Unit 1 Fire Probabilistic Risk Assessment (PRA) Model

From February 4 to 8, 2008, Division of Risk Assessment staff conducted a review of the Shearon Harris Nuclear Power Plant Unit 1 (HNP) fire PRA model to support implementation of National Fire Protection Association (NFPA) Standard NFPA-805, "Performance-Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants," as allowed under Title 10 of the Code of Federal Regulations, Section 50.48(c). This review was to allow the NRC staff to assess the technical adequacy of the base HNP fire PRA model. The staff used as a basis for its review the requirements of Part 3 of the soon to be published ASME/American Nuclear Society (ANS) combined PRA standard. The results of the review will support NRC review of HNP's anticipated license amendment request to transition the HNP fire protection program to one based on NFPA-805.

Meeting on Electric Power Research Institute Ground Water Protection Guidelines

On February 5, 2008, the staff conducted a Category 2 public meeting with representatives of the Nuclear Energy Institute and Electric Power Research Institute (EPRI) to discuss the new EPRI Ground Water Protection Guidelines. These guidelines complement the EPRI Ground Water Monitoring Guidelines issued in 2005.

EPRI Joint Utility Task Group

From February 5 to 7, 2008, Division of Engineering (DE) staff attended the EPRI Joint Utility Task Group (JUTG) Procurement Forum in Las Vegas, NV. The JUTG provides an opportunity for utility procurement personnel to exchange information and to work together to address common industry issues related to procurement of materials and services. The NRC staff gave a presentation entitled "NRC Perspectives on Dedication and Counterfeit Products." Several nuclear vendors and representatives from the Nuclear Procurement Issues Committee and the ASME NQA-1 Commercial-Grade Item Dedication Working Group also gave presentations at the forum. The NRC presentation prompted discussion regarding possible updating of the JUTG templates for the dedication of commercial-grade components.

### Staff Participation in an Industry Workshop on the Control of Heavy Loads

On February 11, 2008, Division of Safety Systems staff participated in an industry workshop on the status of the industry initiative on the control of heavy loads. The intent of the workshop was to discuss progress on the development of the industry guidance for conducting realistic load drop analyses, lessons learned from recent outages, and single failure proof crane equivalence. The workshop provided the staff a better understanding of the industry's draft guidance. NRC expects to have additional meetings with industry on this topic.

### Testing at Utah State University

From February 11 to 15, 2008, Division of Safety Systems staff observed testing of the Westinghouse Crossflow Ultrasonic Flow Meter (UFM) at Utah State University. The UFM is being tested to determine if it can be certified with sufficient accuracy to allow use for measurement uncertainty recovery power uprates.

### Hydrogen Igniter Backup Power Verification Document

On February 12, 2008, the staff issued temporary instruction (TI) 2515/174, "Hydrogen Igniter Backup Power Verification," (ADAMS Accession Number ML073060392). The objective of this TI is to verify that licensees of pressurized-water reactors (PWRs) with ice-condenser containments or boiling-water reactors (BWRs) with Mark III containments have adequately implemented commitments related to provision of backup power to containment hydrogen igniters.

### Spain-US bilateral visit at NRC Headquarters

On February 12, 2008, the Division of Risk Assessment staff participated in a Spain-US bilateral visit at NRC Headquarters. The staff briefed the Spanish regulators on the status of the pilot plants transition to NFPA 805, the resolution of fire-induced operator manual actions, and the resolution of fire-induced circuit failures.

### Issuance of Regulatory Issue Summary 2007-03

On February 13, 2008, the staff issued Regulatory Issue Summary (RIS) 2007-03, "Return/Reuse of Previously Discharged Radioactive Effluents." This RIS discusses the legal status of radioactive material that was discharged from a licensed facility as liquid or gaseous radioactive effluent, subsequently returned to the site through plant systems (e.g., lake water drawn in to plant cooling systems) or natural processes (e.g., rain out of gaseous materials from atmosphere), and then re-released to the environment. The RIS concludes that these radioactive materials properly released in effluents are not considered licensed material when returned to the facility, and do not have to be accounted for as new effluent when re-released.

### Byron Unit 2 Relaxation Request From NRC Order EA-03-009

On February 13, 2008, the NRC staff conducted a pre-application meeting with Exelon representatives for the Byron Station to discuss a relaxation request from the first revised NRC Order EA-03-009, "Establishing Interim Requirements for Reactor Pressure Vessel (RPV) Head

at Pressurized Water Reactors,” for Byron Station, Unit No. 2. The licensee provided information which summarized Exelon's inspection results and evaluations.

#### Observation of Institute of Nuclear Power Operations Meetings

From February 13 to 14, 2008, the Director of the Division of Inspection and Regional Support observed four meetings of the National Nuclear Accrediting Board (NNAB). The NRC recognizes the Institute of Nuclear Power Operations managed accreditation as a means of meeting systems approach to training requirements. Observation of the NNAB meetings allows NRC to monitor the implementation of programmatic aspects of the accreditation process, to understand what is happening with industry training programs, to assess the effectiveness of the accreditation process, and to determine the overall well-being of industry training programs.

#### Regional Utility Group IV Workshop

On February 14, Division of Inspection and Regional Support staff presented the Reactor Oversight Process safety culture initiative at a workshop sponsored by the Region IV Regional Utility Group (RUG IV) in Ft. Worth, Texas. NRC staff from Region IV also participated in the meeting to discuss the RIV-led cross-cutting issue review, its experiences, and challenges to the industry. The meeting provided a forum for information exchange on current topics of interest between the NRC and Region IV licensees.

#### Final Rule for 10 CFR Parts 19, 20, and 50

On February 14, 2008, a *Federal Register* notice was published confirming the effective date for the Final Rule for 10 CFR Parts 19, 20, and 50 related to Occupational Dose Records, Labeling Containers, and the Total Effective Dose Equivalent. The final rule becomes effective on Friday, February 15, 2008.

Office of New Reactors (NRO)  
Items of Interest  
Week Ending February 15, 2008

Staff Issues Notice of Intent to Prepare an Environmental Impact Statement and to conduct Scoping for the Calvert Cliffs Combined License Partial Application in the *Federal Register*

The staff issued the Notice of Intent (NOI) to prepare an environmental impact statement (EIS) and to conduct scoping related to the Calvert Cliffs combined license (COL) partial application on Friday, February 8, 2008. The NOI was published in the *Federal Register* on February 14, 2008. A 60-day public comment period is expected to begin with the Notice of Intent being published. The staff has scheduled public meetings at the Holiday Inn Select in Solomons, Maryland on March 19, 2008, at 1:00 p.m. and 7:00 p.m. to present an overview of the COL and environmental process and to accept public comments on the scope of the EIS.

In addition, the NRC staff will host an informal "open house" for one hour prior to the two meetings to enable the public to interact informally with the staff.

The public comment period ends on April 14, 2008. At the conclusion of the comment period, the staff will evaluate the comments received and prepare and issue the draft EIS.

Office of Nuclear Material Safety and Safeguards (NMSS)  
Items of Interest  
Week Ending February 15, 2008

Nuclear Energy Agency Forum on Stakeholder Confidence

From February 7 to 8, 2008, in Paris, France, a member of the NRC staff, representing the United States, served as chair of the Nuclear Energy Agency/Forum on Stakeholder Confidence core group. The core group also included forum members from France, Japan, Spain, Sweden, and the United Kingdom. Using information from a previous workshop, a new program for future work was developed. A draft of this new program will be circulated to forum members for their review and approval before the annual meeting from June 4 to 6, 2008.

Public Meeting Regarding Regulatory Review of Hanford Waste Treatment Plant

On February 13, 2008, Division of Fuel Cycle Safety and Safeguards (FCSS) staff held a public meeting in Richland, Washington, about the Hanford Waste Treatment Plant. The purpose of the meeting was to inform the public about the NRC's role in a Congressionally directed review of the U.S. Department of Energy's (DOE) regulatory processes regarding the Hanford Waste Treatment Plant. The public meeting was held in conjunction with an FCSS staff visit to the DOE Waste Treatment Plant site.

Office of Federal and State Materials and Environmental Management Programs (FSME)  
Items of Interest  
Week Ending February 15, 2008

Staff Makes Presentation on Irradiated Gemstones

On February 8, 2008, an FSME staff member provided a seminar at the Tucson, Arizona, Annual Gem Fair on "Exempt Distribution of Irradiated Gemstones," at the request of The Jewelry Vigilance Committee, an industry advisory group. A Region IV staff member participated, along with approximately one hundred stakeholders. The seminar presented the NRC requirements for the distribution of gemstones that are irradiated in reactors and particle accelerators to enhance their commercial value.

Draft Report Issued by Independent External Review Panel

On February 8, 2008, the Independent External Review Panel, chartered through the U.S. Government Accountability Office Action Plan, issued its draft report to the Commission. The panel was chartered to identify vulnerabilities concerning the NRC's materials licensing and tracking programs and to validate the agency's ongoing byproduct materials security. The draft report is publicly available in the Agency-wide Documents Access and Management System under accession number ML080230554. The Panel will finalize its report by March 15, and present it in a public Commission meeting on March 18. Public comments will be accepted on the draft report as described in a *Federal Register* Notice that was published on February 6.

Office of Nuclear Regulatory Research (RES)  
Items of Interest  
Week Ending February 15, 2008

Progress in Loss-of-Coolant Accident (LOCA) Research Program at Argonne National Laboratory (ANL)

On February 12, 2008, a high-temperature (1200°C) oxidation and embrittlement test was completed on an irradiated ZIRLO specimen as part of a series of tests on the behavior of high-burnup fuel cladding under conditions of a LOCA. These tests are being performed to provide the basis for revising the LOCA-related acceptance criteria in 10 CFR 50.46. ANL has measured hydrogen and oxygen content of irradiated ZIRLO cladding specimens from the North Anna Pressurized Water Reactor. ANL performed metallography to show features, such as corrosion layer thickness and the presence of a fuel-to-cladding bond layer, which are important to embrittlement behavior. The results of the February 12 test confirmed previous data that demonstrate a need to revise the acceptance criteria. Results of the current test series and prior tests will be presented at the Regulatory Information Conference on March 12.

Letter of Agreement Relating to International Common-Cause Failure Data Exchange

On February 13, the Executive Director for Operations signed a Letter of Agreement between the NRC and the Organization for Economic Cooperation and Development / Nuclear Energy Agency (OECD/NEA). This Letter of Agreement defines the terms and conditions by which the NRC and OECD/NEA will continue to cooperate in the exchange of international common-cause failure data on the basis of mutual benefit and reasonable equity and reciprocity. Data obtained augments the NRC's common-cause failure database with foreign experience and enables us to compare our operating experience with that of other countries to glean insights for use in our quantitative risk studies and inspection activities. This Agreement will remain in effect for three years (through March 31, 2011).

Office of Nuclear Security and Incident Response (NSIR)  
Items of Interest  
Week Ending February 15, 2008

Emergency Planning Rulemaking

On February 14, 2008, the NRC made the draft preliminary rule language for the Emergency Planning (EP) rulemaking available to the public. It can be found in the Agency-wide Document Management System (ADAMS) under accession number ML080370069 and was posted on the NRC website. This draft language is being made publicly available in an effort to gain early stakeholder feedback on the staff's direction for the EP rule. This language will also support discussions at the March 5 public meeting on the EP rule. The proposed rule is scheduled to be published in the *Federal Register* in spring 2009.

Office of Administration (ADM)  
Items of Interest  
Week Ending February 15, 2008

North Carolina Utilities Commission Public Staff: Withdrawal of Petition for Rulemaking (PRM-50-57)

On February 11, 2008, NRC published a document in the *Federal Register* (73 FR 7690), withdrawing, at the petitioner's request, a petition for rulemaking (PRM-50-57) (57 FR 2059; January 17, 1992) filed by the North Carolina Utilities Commission Public Staff (petitioner). The petitioner requested that the Commission amend its regulations to substantially reduce or eliminate insurance requirements for nuclear power reactors when all the nuclear reactors on a reactor station site have been shut down or awaiting decommissioning and all nuclear fuel has been removed from the reactor site.

Revision of Fee Schedules: Fee Recovery for FY 2008 (RIN 3510-AI28)

On February 13, 2008, the NRC published a document in the *Federal Register* (73 FR 8508), proposing to amend the licensing, inspection, and annual fees charged to its applicants and licensees. The proposed amendments are necessary to implement the Omnibus Budget Reconciliation Act of 1990 (OBRA-90), as amended, which requires that the NRC recover approximately 90 percent of its budget authority in fiscal year (FY) 2008, less the amounts appropriated from the Nuclear Waste Fund (NWF), amounts appropriated for Waste Incidental to Reprocessing (WIR), and amounts appropriated for generic homeland security activities. Based on the Consolidated Appropriations Act, 2008 (Pub. L. 110-161), signed by the President on December 26, 2007, the NRC's required fee recovery amount for the FY 2008 budget is approximately \$779.1 million. After accounting for carryover and billing adjustments, the total amount to be billed as fees is approximately \$760.7 million. The comment period for the proposed rule expires March 14, 2008.

Occupational Dose Records, Labeling Containers, and the Total Effective Dose Equivalent: Confirmation of Effective Date (RIN 3150-AH40)

On February 14, 2008, the NRC published a document in the *Federal Register* (73 FR 8588), confirming the effective date of February 15, 2008, for the final rule that was published in the *Federal Register* on December 4, 2007 (72 FR 68043). The final rule amended the NRC's regulations on the reporting of annual dose to workers, the definition of Total Effective Dose Equivalent (TEDE), the labeling of certain containers holding licensed material, and the determination of cumulative occupational radiation dose. On December 20, 2007, the NRC published a document in the *Federal Register* (72 FR 72233) that deferred the effective date of this final rule from January 3, 2008, until February 15, 2008.

Office of Information Services (OIS)  
Items of Interest  
Week Ending February 15, 2008

Freedom of Information Act (FOIA) and Privacy Act (PA) Requests Received During the Period of February 8, 2008 through February 14, 2008:

Expected applications for power uprates, names of licensees as reported on NRC's public web site	FOIA/PA-2008-0116
Mailing list for engineers that joined NRC after January 2000	FOIA/PA-2008-0117
Communications between NRC and John McCain or his staff, 1999 - present; log of FOIA requests filed since January 1, 2005	FOIA/PA-2008-0118
Theft of nuclear materials from a General Electric facility in Wilmington, North Carolina in 1979 (Referral by Department of Energy)	FOIA/PA-2008-0119
Law Enforcement Officer Retirement Benefits, 1984-1987, documents where NRC determined that Office of Investigations individuals were eligible per Office of Personnel Management guidance	FOIA/PA-2008-0120
List of FOIA requests for most recent 12 months including requester, organization, exemptions for denials	FOIA/PA_2008-0121

Office of Human Resources (HR)  
 Items of Interest  
 Week Ending February 15, 2008

<b>Arrivals</b>		
BURKET, ELISE	REACTOR INSPECTOR	RI
BAKER, PAMELA	DIRECTOR, DIV OF RESOURCE MANAGEMENT	RI
BOWMAN, ADRIANE	SECRETARY (OA)	NSIR
BRANCH, RICHARD	REACTOR SYSTEMS ENGINEER	NRO
CAGGIANO, PETER	CRIMINAL INVESTIGATOR	OIG
CERMENO, DORA	SECRETARY	OGC
FLEMING, KRESLYON	HR ASSISTANT	HR
FRANCIS, KARIN	PARALEGAL SPECIALIST	OGC
GAGE, PAUL	SENIOR REACTOR INSPECTOR	RIV
GRANCORVITZ, RICK	SR. PROGRAM ANALYST	CFO
GUTTERIDGE, JOHN	PROGRAM ANALYST	HR
HRISTOPOULOS, THEODOSIOS	SECRETARY (OA)	NMSS
JOSHI, RAVINDRA	PROJECT MANAGER	NRO
KOCHUBA, VICTOR	SR. PROGRAM ANALYST	CFO
MCINTYRE, LAURA	LABOR AND EMPLOYEE RELATIONS SPECIALIST	HR
MURRAY, DEMETRIUS	GENERAL ENGINEER/SCIENTIST	NRO
RIDDICK, NICOLE	SECRETARY (OA)	NRO
RODRIGUEZ, SANDRA	SECRETARY (OA)	HR
SELF, STEPHEN	SENIOR VOLCANOLOGIST	NMSS
STIEVE, ALICE	GEOLOGIST	NRO
TEAL, SUSAN	SECRETARY (OA)	RII
WIMBUSH, ANDREA	SECRETARY (OA)	NSIR
<b>Departures</b>		
CASTLEBERRY, PAMELA	CRIMINAL INVESTIGATOR	OIG

February 15, 2008

ENCLOSURE J

Office of Public Affairs (OPA)  
Items of Interest  
Week Ending February 15, 2008

OPA Received Significant Media Inquiries on the following:

GAO report on research test reactor security

Nuclear Fuel Services upcoming licensee performance review

Energy Solutions of Utah request for import/export licensing related to low-level waste from Italy

Braidwood nuclear plants recent tritium leak

Commission Order effectively postponing the South Texas combined license (COL) application hearing

Oyster Creek nuclear plant's license renewal application

Potassium iodide beyond the 10-mile emergency planning zone

Other Public Affairs Items:

OPA supported three NRC women at a Science, Technology Engineering and Math (STEM) program (2/10) to promote careers for young women in these fields.

OPA arranged a media interview with Federal Computer Week about how the standardization of business standards and processes affects this agency.

<b>Press Releases</b>	
<b>Headquarters:</b>	
08-028	NRC Pursues Enhancements of its Allegation and Inspection Activities Following Security Officer Issues at Peach Bottom Nuclear Power Plant (2/12)
08-029	NRC Proposes to Amend Licensing, Inspection and Annual Fees Rule (2/13)
08-030	NRC to Hold Public Workshop Feb. 22 on Regulation of Uranium Conversion / Deconversion Facilities (2/14)
08-031	NRC Announces Transition Schedule For Advisory Committee Merger (2/14)

<b>Regions:</b>	
I-08-005	NRC Issues "White" Finding to Peach Bottom Nuclear Plant for Security Officer Inattentiveness and Related Issue (2/12)
II-08-005	NRC Issues Order to Former Turkey Point Security Employee Prohibiting Work in NRC-Licensed Activities for Three Years (2/12)
II-08-006	NRC to Hold Public Meeting On Feb. 28 in Erwin, Tenn. to Review NFS Safety Performance (2/12)
II-08-007	Browns Ferry Unit 1 Nuclear Power Plant to Receive Additional NRC Oversight (2/13)
III-08-004	NRC to Hold Informational Meeting on Final Decommissioning Of Battelle Memorial Institute's West Jefferson Site (2/14)

Office of the Secretary (SECY)  
Items of Interest  
Week Ending February 15, 2008

Document Released to Public	Date	Subject
<b>Information Papers</b>		
1. SECY-08-0014	1/28/08	Annual Freedom of Information Act Report
2. SECY-08-0011	1/25/08	Licensing Support Network Program Administration – Semiannual Report
3. SECY-08-0016	2/8/08	Weekly Information Report – Week Ending February 1, 2008

Commission Correspondence

1. Letter to Congress, dated February 6, 2008, provides NRC's Annual Report of the Administration of the Government in the Sunshine Act for calendar year 2007.
2. Letter to Debbie Gillie, Conference of Radiation Control Programs Directors (CRCPD), Inc, dated February 4, 2008, responds to letter submitted on behalf of the Board of Director of the CRCPD, which informed NRC of a resolution passed relating to the control and disposal of tritium exit signs.
3. Letter to Congress, dated February 4, 2008, provides NRC's fiscal year 2009 Performance Budget.

Federal Register Notices Issued

1. Independent External Review Panel to Identify Vulnerabilities in the NRC's Materials Licensing Program: notice of meeting (3/5-7/2008).
2. Establishment of Atomic Safety and Licensing Board, U.S. DOE, Docket No. PAPO-001, ASLBP No. 08-861-01-PAPO-BD01.
3. South Texas Project Nuclear Operating Co.; South Texas Project Units 3 and 4, ORDER, Docket Nos. 52-012; 52-014.

Region I (RI)  
Items of Interest  
Week Ending February 15, 2008

Meeting with NRC and Agreement State Licensees

On February 11, 2008, a meeting was held in the White Flint Auditorium with NRC and Agreement State licensees to discuss the contents of the "Order Imposing Fingerprinting and Criminal History Records Check Requirements for Unescorted Access to Certain Radioactive Material," issued on December 5, 2007. Staff members from RI and the Office of Federal and State Materials and Environmental Management Programs hosted the session. During this meeting, the NRC reviewed the requirements of the Order, the fingerprinting process, and addressed questions. About 18 licensee representatives attended; an additional 26 representatives participated by teleconference. Similar workshops have been held in Regions III and IV, and an additional session is planned to be held in Boston, Massachusetts on February 20, 2008.

Office of the Executive Director for Operations (EDO)  
Items of Interest  
Week Ending February 15, 2008

Decision on DPO-2005-002 Appeal Involving Red Oil Events at a Mixed-Oxide Fuel Fabrication Facility

On November 9, 2007, the Executive Director for Operations (EDO) issued his decision on a Differing Professional Opinion (DPO) appeal involving the adequacy of information pertaining to the prevention and mitigation of potential red oil explosion events in a mixed-oxide (MOX) construction authorization request (DPO-2005-002). The construction authorization request was submitted for NRC approval in accordance with 10 CFR 70.23(b). While the EDO agreed with the DPO safety concerns (i.e., a MOX plant red oil explosion could have high consequences), the EDO also supported the conclusions made by the independent DPO panel in its final panel report as well as the conclusions made by the Director of the Office of Nuclear Materials Safety and Safeguards on both the DPO decision and the contested issues. Specifically, the EDO agreed with the conclusions (1) that the NRC staff, Advisory Committee on Reactor Safeguards, and independent DPO panel all recognize that these concerns need to be addressed by the applicant through the results of their research, the integrated safety analysis results, or modifications and backfitting, as appropriate, and (2) that the technical issues associated with the DPO and the Center for Nuclear Waste Regulatory Analyses's questions need to be resolved at the license application review stage. The public records for this DPO are available in the DPO case file package in ADAMS (ML080510433). The DPO Program is addressed in Management Directive 10.159, which can be found in the Electronic Reading Room on the NRC website at <http://www.nrc.gov/reading-rm/doc-collections>.