

# INFORMATION REPORT

May 8, 2009

SECY-09-0070

For: The Commissioners

From: Vonna L. Ordaz  
Assistant for Operations  
Office of the Executive Director for Operations

Subject: WEEKLY INFORMATION REPORT - WEEK ENDING  
APRIL 24, 2009

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\*No input this week.

*/RA/*

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Office of Nuclear Reactor Regulation (NRR)  
Items of Interest  
Week Ending April 24, 2009

Public Meetings Related to the License Renewal Process for Crystal River Unit 3 Nuclear Generating Plant (CR-3)

On April 16, 2009, the staff conducted two meetings to inform the public about the license renewal process and to solicit comments from the public on the scope of the environmental review of the CR-3 license renewal application. Approximately 15 people attended each of the two meetings, including members of the public, representatives of Progress Energy (the applicant), local governmental officials, and local news media. Most of the comments provided by the public were supportive of the continued operation of CR-3. The evening session did include two attendees who felt that continued operation of CR-3 was not in the public's best interest.

The public scoping period for the preparation of the Supplemental Environmental Impact Statement (SEIS) associated with the CR-3 license renewal ends on June 6, 2009.

Meeting with Canadian Nuclear Safety Commission (CNSC)

From April 20 to April 22, 2009, the staff met with representatives from the CNSC to discuss operator licensing. Some areas of focus included: (1) Overview of the "Accredited" Initial Training and Certification program; (2) Control Room Staff Recertification Examination Program Experience; (3) Performance Indicators; (4) NRC Enforcement Program; and (5) New Reactor Licensing Activities.

Public Meeting to Discuss Harris and Oconee License Amendment Requests

On April 21 and 22, 2009, the staff held a Category 2 public meeting at the NRC headquarters in Rockville, Maryland, with representatives of Progress Energy Carolinas and Duke Energy Carolinas, the licensees for Shearon Harris Nuclear Plant and Oconee Nuclear Station. The purpose of the meeting was to discuss topics related to Harris and Oconee license amendment requests to transition to NFPA Standard 805, "Performance-Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants. This meeting presented an opportunity to discuss issues with the pilot plant licensees. The meeting topics of discussion included the planned treatment of incipient detection, fire modeling verification and validation, the impact of recovery actions, and prior approval of fire probabilistic risk assessment methods to be used in NFPA 805 change evaluations post transition.

Office of Nuclear Regulatory Research  
Items of Interest  
Week Ending April 24, 2009

Publication of Draft Regulatory Guide 1220 (DG-1220) "Performance-Based Containment Leak-Test Program"

On April 23, 2009, the staff issued DG-1220 to provide an opportunity for public comments. The draft guide is proposed Revision 1 of Regulatory Guide 1.163, which describes a method that the staff of the NRC considers acceptable for use in complying with the Option B, performance-based requirements, in Appendix J, "Primary Reactor Containment Leakage Testing for Water-Cooled Power Reactors," to Title 10, Part 50, "Domestic Licensing of Production and Utilization Facilities," of the *Code of Federal Regulations* (10 CFR Part 50). DG-1220 is available on the NRC website at <http://www.nrc.gov/reading-rm/doc-collections/reg-guides/power-reactors/draft-index.html>.

April 24, 2009

ENCLOSURE E

Office of Administration (ADM)  
Items of Interest  
Week Ending April 24, 2009

Closure of Petition for Rulemaking (PRM-50-77)

On April 13, 2009, the NRC published a document (74 FR 16802) in the *Federal Register* to close a Petition for Rulemaking (PRM-50-77) submitted by Bob Christie. The NRC will consider the issues raised in this PRM in the NRC's rulemaking process. The petition was dated May 2, 2002, and the petitioner requested that the NRC amend its regulations in 10 CFR Part 50, Appendix A, to eliminate the requirement for assuming a loss-of-offsite-power coincident with postulated accidents. The petitioner believes this requirement is detrimental to safety because it results in fast start time requirements for emergency diesel generators and because it requires operator training to focus on unrealistic events.

Physical Protection of Byproduct Material, Availability of Preliminary Draft Rule Language (10 CFR Part 37) (RIN 3150-A112)

On April 17, 2009, the NRC published a document (74 FR 17794) in the *Federal Register* to make available preliminary draft proposed rule language to amend its regulations to add a new Part 37 to Title 10 of the Code of Federal Regulations. The new Part 37 will contain the security (physical protection) requirements that are designed to provide reasonable assurance of preventing the theft or diversion of Category 1 and Category 2 quantities of radioactive material as designated by the International Atomic Energy Agency. The new provisions will address background investigations, access control, physical security during use, and physical security during any transport of Category 1 and Category 2 quantities of radioactive material. At this time, the staff is only posting the preliminary draft language for the background investigations and access control program. These requirements will be contained in Subpart B of the new Part 37. The draft preliminary language for security during transport was noticed in November 2008 (73 FR 69590; November 19, 2008). Draft preliminary language for physical security during use will be posted and noticed in the future. The availability of the preliminary draft rule language is intended to inform stakeholders of the current status of the NRC's activities and solicit public comments on the information being provided at this time. The comment period for this preliminary draft proposed rule expires June 1, 2009.

Office of Information Services (OIS)  
Items of Interest  
Week Ending April 24, 2009

Freedom of Information Act (FOIA) and Privacy Act (PA) Requests Received During the Period of April 17, 2009 through April 23, 2009:

|                                                                                                                                                         |                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| Civil and administrative violations for which a monetary penalty was assessed, calendar year 2008                                                       | FOIA/PA-2009-0143 |
| Office of Investigations Report 4-2008-034                                                                                                              | FOIA/PA-2009-0144 |
| Nuclear Fuel Services Inc. response to Notice of Violation report dated December 21, 2006 (ADAMS ML073050171)                                           | FOIA/PA-2009-0145 |
| Material license database, Radiation Safety Officers in 50 states                                                                                       | FOIA/PA-2009-0146 |
| Workers Compensation claim, 1991, on named individual, any and all documents                                                                            | FOIA/PA-2009-0147 |
| Investigative file regarding named individual's Equal Employment Opportunity Commission complaint held by the Office of Small Business and Civil Rights | FOIA/PA-2009-0148 |
| Specific information on all NRC employees to include title, series, grade, salary, appraisal score/rating, awards, promotions, etc.                     | FOIA/PA-2009-0149 |

April 24, 2009

ENCLOSURE H

Office of Public Affairs (OPA)  
Items of Interest  
Week Ending April 24, 2009

OPA Received Significant Media Inquiries on the Following

Tritiated water in a cable vault at the Oyster Creek nuclear plant, located near Toms River, New Jersey

Staff Requirements Memorandum on the Commission decision to consider depleted uranium as Class A low-level waste and responses to letters from Rep. Markey (D-Massachusetts) and Rep. Jim Matheson (D-Utah) about this issue.

Areva NP's plan to double the planned capacity of its proposed Eagle Rock nuclear fuel enrichment plant, to be located near Idaho Falls, Idaho.

Fire protection exemption and request to withhold proprietary information about the spent fuel casks, for the Indian Point nuclear plant, located near New York City, New York.

Constellation Energy Nuclear Group, LLC's application for an order to transfer licenses of its nuclear power plants to Electricite de France Development.

Other Public Affairs Items

OPA arranged for Chairman Dale Klein to speak at an energy summit hosted by the University of Missouri, Columbia, Missouri, and afterwards, to be interviewed by local reporters and those from St. Louis and Kansas City.

OPA facilitated an interview of Chairman Dale Klein by the Washington Post Federal Diary columnist about what makes the NRC the best place to work in the Federal Government.

OPA coordinated a phone interview of staff by the Times Record, serving western Arkansas and eastern Oklahoma, on NRC's recent approval of the reclamation plan to facilitate decommissioning and eventual termination of the license of Sequoyah Fuel Corporation for its inactive uranium recovery facility located near Gore, Oklahoma.

OPA provided information about dry cask storage (purpose and safety/security record) to a reporter from KC24-TV in Fresno, California working on a story about dry cask storage at the Diablo Canyon nuclear plant, located near San Luis Obispo, California.

| <b>Press Releases</b> |                                                                                                                               |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------|
| <b>Headquarters:</b>  |                                                                                                                               |
| 09-075                | Licensing Board to Hear Oral Argument May 5 in Monroe, Michigan, on Fermi New Nuclear Reactor Application (04/21)             |
| 09-076                | NRC Renews License of AREVA Nuclear Fuel Fabrication Facility in Richland, Washington, for 40 More Years of Operation (04/24) |
| 09-077                | NRC to Hold Management Meeting with Shaw Areva to Discuss Progress on                                                         |

April 24, 2009

ENCLOSURE M

|                 |                                                                                                                                                   |
|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------|
|                 | Mixed-Oxide Nuclear Fuel Plant (04/24)                                                                                                            |
| <b>Regions:</b> |                                                                                                                                                   |
| I-09-023        | NRC to Conduct Open House on April 30 Regarding Annual Assessment of Performance for Nine Mile Point and Fitzpatrick Nuclear Power Plants (04/23) |
| I-09-024        | NRC to Discuss Annual Assessment for Seabrook Nuclear Plant at Public Meeting Set for April 30 in Hampton, New Hampshire (4/23)                   |
| I-09-025        | NRC Reduces Civil Penalty Levied Against York, Pennsylvania, Firm (04/24)                                                                         |
| II-09-022       | NRC Schedules Enforcement Conference with Global Nuclear Fuel (04/21)                                                                             |
| II-09-023       | NRC Schedules Open House to Answer Questions on 2008 Performance of Turkey Point Nuclear Power Plant (4/22)                                       |
| II-09-024       | NRC Schedules Meeting to Discuss 2008 Performance of Robinson Nuclear Power Plant (4/22)                                                          |
| II-09-025       | NRC Schedules Open House to Answer Questions on 2008 Performance of St. Lucie Nuclear Power Plant (4/22)                                          |
| II-09-026       | NRC Schedules Open House to Answer Questions on 2008 Performance of Crystal River Nuclear Power Plant (4/22)                                      |
| III-09-010      | NRC to Discuss 2008 Performance Assessment for Kewaunee Nuclear Power Plant (04/21)                                                               |
| III-09-011      | NRC to Discuss 2008 Performance Assessment for Point Beach Nuclear Power Plant April 29 (4/22)                                                    |
| IV-09-013       | NRC to Discuss 2008 Performance Assessment for Arkansas Nuclear One (04/21)                                                                       |

Office of Congressional Affairs (OCA)  
 Items of Interest  
 Week Ending April 24, 2009

| CONGRESSIONAL HEARINGS SCHEDULE, NO. 6 |                                                           |      |                                                                                                       |                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------------------------------------|-----------------------------------------------------------|------|-------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| OCA Contact                            | Date & Place                                              | Time | Committee                                                                                             | Subject                                       | Witnesses                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Riley                                  | 04/21/09<br>04/22/09<br>04/23/09<br>04/24/09<br>2123 RHOB | 9:30 | House Energy and Commerce<br>Energy and Environment<br>Subcommittee<br>Representatives Markey / Upton | Climate Change<br>Legislation                 | <ul style="list-style-type: none"> <li>• Day 1 – Opening Statement from Members</li> <li>• Day 2 – Lisa Jackson, Administrator, EPA<br/>Steven Chu, Secretary, DOE<br/>Ray LaHood, Secretary, DOT</li> <li>• Day 3 – State, non-governmental, and<br/>private sector witnesses</li> <li>• Day 4 – Former VP Al Gore and former<br/>Senator John Warner<br/><i>(For a complete list of witnesses for these four<br/>hearings, please contact OCA)</i></li> </ul> |
| Riley                                  | 04/23/09<br>366 DSOB                                      | 9:30 | Senate Energy and Natural<br>Resources<br>(Senators Bingaman / Murkowski)                             | Energy and Interior<br>Department Nominations | <ul style="list-style-type: none"> <li>• N/A</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                         |