

# INFORMATION REPORT

May 15, 2009

SECY-09-0072

For: The Commissioners

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

Subject: WEEKLY INFORMATION REPORT - WEEK ENDING  
MAY 1, 2009

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\*No input this week.

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Office of Nuclear Reactor Regulation (NRR)  
Items of Interest  
Week Ending May 1, 2009

Status of NRR Petitions for Rulemaking (PRM)

On April 13, 2009, the last of 14 NRR legacy PRMs was completed and published in the *Federal Register*. This concludes a major effort involving many staff from the Offices of NRR, General Counsel, Administration, and other offices, that began in early 2007. These legacy PRMs were submitted before June 1, 2006, and ranged in age from 1.4 to 33.6 years old upon completion. The average age (i.e., time between PRM submittal and completion) was 9.4 years old.

In addition to addressing the legacy PRMs, NRR has implemented several process enhancements to improve PRM timeliness for new PRMs submitted after June 1, 2006. These enhancements include: (1) development of a Monthly Operational Level Report with status, schedule, resource expenditures and metrics; (2) monthly status meetings with Project Managers to discuss current PRM status; (3) improved budgeting and resource tracking; (4) updated guidance in NRR Office Instruction, LIC-300, "Rulemaking Procedures;" and (5) development of a PRM document package template. Since implementing these process enhancements to the 13 PRMs submitted since June 1, 2006, 12 were completed within 0.2 to 2.0 years, with an average age for completion of 1.4 years. The last open PRM is on schedule for completion by October 2009.

Public Meetings Related to the License Renewal Process for Duane Arnold Energy Center (DAEC)

On April 22, 2009, the staff conducted two meetings in the vicinity of DAEC 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 DAEC license renewal application. Approximately 15 people attended each of the two meetings, including members of the public and representatives of Florida Power and Light Company Energy Duane Arnold. One commenter did not support license renewal and believed other energy generation alternatives should be pursued.

The public scoping period for the preparation of the Supplemental Environmental Impact Statement associated with the DAEC license renewal ends on May 25, 2009.

Fire Protection Task Force meeting with Nuclear Energy Institute (NEI)

On April 29, 2009, the staff held a Category 2 public meeting with NEI National Fire Protection Association (NFPA) Standard 805 Task Force, other stakeholders, and the public, to discuss the Frequently Asked Questions (FAQs) related to licensees' adoption of NFPA 805. The staff began holding these monthly public meetings in July 2006, and expects to continue holding them throughout the transition period for licensees' adopting NFPA 805.

## Fire Protection Meeting with NEI

On April 29, 2009 the staff held a Category 2 public meeting with representatives of NEI to discuss NFPA Standard 805 draft guidance documents: NUREG-0800, Section 9.5.1.2., Rev.0, "Risk-Informed, Performance-Based Fire Protection Program;" and Draft Regulatory Guide (DG-1218), "Risk-Informed, Performance-Based Fire Protection for Existing Light-Water Nuclear Power Plants." These documents are available for public comment and can be viewed on the Agency-wide Documents Access and Management System, Accession Numbers ML090050052 and ML090420462 respectively. These documents are also available on the NRC website at: <http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr0800/ch9> and <http://www.nrc.gov/reading-rm/doc-collections/reg-guides/power-reactors/draft-index.html> respectively.

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ENCLOSURE A

Office of Nuclear Regulatory Research (RES)  
Items of Interest  
Week Ending May 1, 2009

NRC-U.S. Department of Energy (DOE) Memorandum of Understanding (MOU) Signed

On April 22, 2009, NRC and DOE renewed the previous, expired, cooperative nuclear safety research office-level agreement. This MOU provides office-level guidance on the planning and conduct of cooperative research involving NRC and DOE, extends the scope of the expired 1999 MOU to include the sharing of information from international cooperative programs, and remains in full force and effect for a period of 5 years. NRC and DOE have worked together on various areas of mutual interest, including collaborative efforts on the Next Generation Nuclear Plant and the Global Nuclear Energy Partnership. NRC and DOE also are planning to collaborate in other areas such as nuclear plant aging research.

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ENCLOSURE E

Office of Administration (ADM)  
Items of Interest  
Week Ending May 1, 2009

Closure of Petition for Rulemaking (PRM-50-89)

On April 22, 2009, the NRC published a document (74 FR 18303) in the *Federal Register* to close a Petition for Rulemaking (PRM-50-89) filed by Raymond A. West. The NRC will consider the issues raised in this PRM in the NRC's rulemaking process. The petition was dated December 14, 2007, and revised December 19, 2007. The petitioner requested that the NRC amend the regulations that govern domestic licensing of production and utilization facilities at nuclear power plants. Specifically, the petitioner requested that the regulations that govern codes and standards at nuclear power plants be amended to provide applicants and licensees a process for requesting NRC approval of changes or modifications to American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code) cases that are listed in the relevant NRC-approved regulatory guides cited in the current regulations. The petitioner believes that the current requirements do not allow changes or modifications to be proposed as alternatives to NRC-approved ASME Code cases. The petition for rulemaking was closed on April 22, 2009.

Office of Information Services (OIS)  
Items of Interest  
Week Ending May 1, 2009

Freedom of Information Act (FOIA) and Privacy Act (PA) Requests Received During the Period of April 24, 2009 through April 30, 2009:

All agency records on named individual	FOIA/PA-2009-0150
Ribonomics Lease Space, 3908 Patriot Drive, Durham, Durham County, North Carolina, all records	FOIA/PA-2009-0151
NUREG/CR-6847, "Cyber Security Self-Assessment Method for U.S. Nuclear Power Plants"	FOIA/PA-2009-0152
NRC-sponsored surveillance activities regarding named individual, investigation reports, correspondence, etc.	FOIA/PA-2009-0153
Investigative report on or about June 15, 2006, all records	FOIA/PA-2009-0154
NUREG/CR-5550, "Passive Non-destructive Assay of Nuclear Materials"	REF-2009-0005
Requests for exemptions from fire protection regulations, Browns Ferry Nuclear Plant, referenced in March 6, 2009, letter from NRC to Tennessee Valley Authority	FOIA/PA-2009-0155
Nuclear waste dumping at Federal prison site located in Atwater, California	FOIA/PA-2009-0156

REF = Referral requests from other agencies: a new DOJ requirement to track referrals separately from FOIA/PA requests.

Office of Human Resources (HR)  
Items of Interest  
Week Ending May 1, 2009

<b>Arrivals</b>		
Cunningham, Brandon	Student Engineer	NRO
Maldonado, Guillermo	Consultant	ACRS
<b>Retirements</b>		
Cyr, Karen	General Counsel	OGC
Garner, Larry	Senior Project Engineer	RII
Hagan, Timothy	Dir., Office of Administration	ADM
Harris, Jacqueline	Records Management Technician	OIS
<b>Departures</b>		
Meyer, Ralph	Senior Reactor Engineer	RES
Wilson, Joshua	Reactor Engineer	NRO

Office of Public Affairs (OPA)  
Items of Interest  
Week Ending May 1, 2009

OPA Received Significant Media Inquiries on the Following

Concerns raised about a potential failure of buried piping at the Indian Point nuclear plant in Buchanan, New York

Small hole and corrosion in the containment building liner at the Beaver Valley, Unit 1 nuclear power plant, located in Shippingport, Pennsylvania

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

High turbine vibrations that caused a scram at the Fermi nuclear power plant, located near Toledo, Ohio.

Changes in NRC's AP1000 review schedule and impact on the review of the Combined License (COL) application for new reactors to be located in Levy County, Florida

Other Public Affairs Items

OPA facilitated an interview of James McDermott, NRC Director of Human Resources, by Federal News Radio for its program, "Ask the CIO," about NRC recent hiring, employee training and retention, and human capital best practices.

OPA coordinated interviews of NRC staff by a New York Times reporter on emergency cooling methods available at the Indian Point 2 nuclear power plant, located near New York City, New York.

OPA facilitated an interview of NRC staff by the Caspar (Wyoming) Star-Tribune on the effect of the current economy on companies applying for NRC licenses for uranium recovery.

<b>Press Releases</b>	
<b>Headquarters:</b>	
09-078	NRC Seeks Public Comment on Potential Changes to Radiation Protection Regulations (04/27)
09-079	NRC Advisory Committee on Reactor Safeguards to Meet May 7-9 in Rockville, Maryland (04/30)
09-080	NRC Announces Opportunity to Request a Hearing on Operating License Application for Watts Bar 2 Nuclear Reactor (5/1)

<b>Regions:</b>	
I-09-026	NRC to Discuss Annual Assessment for Salem, Hope Creek Plants at Public Meeting Set for May 5 in Woodstown, New Jersey (04/30)
II-09-027	NRC Schedules Open House to Answer Questions on 2008 Performance of Catawba Nuclear Power Plant (04/27)
II-09-028	NRC Schedules Open House to Answer Questions on 2008 Performance of McGuire Nuclear Power Plant (04/27)
II-09-029	NRC Schedules Open House To Answer Questions on 2008 Performance Of Oconee Nuclear Power Plant (04/27)
IV-09-014	NRC to Discuss 2008 Performance Assessment for San Onofre Nuclear Generating Station (04/29)

Office of the Secretary (SECY)  
Items of Interest  
Week Ending May 1, 2009

<b>Document Released to Public</b>	<b>Date</b>	<b>Subject</b>
<b>Decision Documents</b>		
1. SECY-09-0059	04/09/09	Final Rule Related to Alternate Fracture Toughness Requirements for Protection Against Pressurized Thermal Shock Events (10 CFR 50.61a) (RIN 3150-AI01)
2. SRM-SECY-08-0137	05/01/09	Proposed Rule: Limiting the Quantity of Byproduct Material in a Generally Licensed Device (RIN 3150-AI33)
Commission Voting Record on SECY-08-0137	05/01/09	(same)
<b>Information Papers</b>		
1. SECY-09-0061	04/14/09	Status of the Nuclear Regulatory Commission Staff Efforts to Improve the Predictability and Effectiveness of Digital Instrumentation and Control Reviews
2. SECY-09-0067	04/27/09	Weekly Information Report – Week Ending April 17, 2009
<b>Memoranda</b>		
1. M090415	04/29/09	Staff Requirements – Briefing on the Status of Corporate Support
2. M090417	05/01/09	Briefing on Low-Level Waste (LLW) Program

Commission Correspondence

1. Letter to Arne Duncan, Secretary of Education, dated April 24, 2009, provides NRC's FY 2008 Annual Federal Performance Report on Executive Agency Actions to Assist Tribal Colleges and Universities (TCUs).

Federal Register Notices Issued

1. Advisory Committee on Reactor Safeguards (ACRS), Meeting of the ACRS Subcommittee on US-APWR, notice of meeting (05/21-22/2009).
2. Tennessee Valley Authority, Notice of Receipt of Update to Application for Facility Operating License and Notice of Opportunity for Hearing for the Watts Bar Nuclear

Plant, Unit 2 and Order Imposing Procedures for Access to Sensitive Unclassified Non-Safeguards Information and Safeguards Information for Contention Preparation, Docket No. 50-391, NRC-2008-0369.

3. Establishment of Atomic Safety and Licensing Board, AmerenUE, Inc. (Callaway Plant Unit 2), Docket No. 52-037-COL, ASLBP No. 09-884-07-COL-BD01.