

INFORMATION REPORT

July 29, 2009

SECY-09-0105

For: The Commissioners

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

Subject: WEEKLY INFORMATION REPORT - WEEK ENDING
JULY 17, 2009

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*No input this week.

/RA Mindy S. Landau Acting For//

Vonna L. Ordaz
Assistant for Operations, OEDO

Contact:
V. Medina, OEDO

Office of Federal and State Materials and Environmental Management Programs (FSME)
Items of Interest
Week Ending July 17, 2009

Mississippi's Radiation Control Program Reviewed

On July 13, 2009, the Management Review Board met to consider the findings of the Mississippi Integrated Materials Performance Evaluation Program review. The State performed satisfactorily in the overall review, but needs improvement in the area of Technical Staffing and Training, which has resulted from staff turnover due to low starting salaries. The State was found satisfactory for all other indicators reviewed. Overall, the program was found adequate to protect public health and safety and compatible with NRC's program. Staff is preparing a letter of support to senior State management to stress the importance of Technical Staffing and Training. Staff will hold a periodic meeting in one year to assess the State's actions to address staff turnover.

Interagency Meeting on West Valley Held

On July 14, 2009, the NRC staff participated in a West Valley Interagency Meeting in West Valley, New York. Other participating agencies included the U.S. Department of Energy, U.S. Environmental Protection Agency, New York State Energy Research and Development Authority, New York State Department of Environmental Conservation, and New York State Department of Health. The purpose of this meeting was to address topics related to finalizing DOE's Environmental Impact Statement for Decommissioning and/or Long-Term Stewardship at the West Valley Demonstration Project and Western New York Nuclear Service Center.

Environmental Assessment Published

On July 16, 2009, an "Environmental Assessment and Final Finding of No Significant Impact with Regard to Exemption from Certain Regulatory Requirements in 10 CFR Part 32 and 10 CFR Part 35" was published in the *Federal Register*. Following publication of the Environmental Assessment, NRC will issue exemptions, to all of its medical use licensees, from specific requirements that govern calibration tests that use technetium-99m (Tc-99m), and distribution of Tc-99m and Tc-99m radioactive drugs to and from medical use licensees. This will ensure that available Tc-99 is being used for patient administrations during any period of U.S. shortages of molybdenum-99.

Governors' Designees Receiving Advance Notification of Transportation of Nuclear Waste Published in the *Federal Register*

On July 14, 2009, NRC published in the *Federal Register* (74 FR 34053) the Governors' Designees Receiving Advance Notification of Transportation of Nuclear Waste. Amendments to 10 CFR Parts 71 and 73 (effective July 6, 1982) require advance notification to Governors or their designees by NRC licensees prior to transportation of certain shipments of nuclear waste and spent fuel. The advance notification covered in Part 73 is for spent nuclear reactor fuel shipments and the notification for Part 71 is for large quantity shipments of radioactive waste (and of spent nuclear reactor fuel not covered under the final amendment to 10 CFR Part 73). The published list updates the names, addresses, and telephone numbers of those individuals

in each State who are responsible for receiving information on nuclear waste shipments. Current State contact information can also be accessed throughout the year at the FSME external website: <http://nrc-stp.ornl.gov/special/designee.pdf> .

July 17, 2009

ENCLOSURE D

Office of Nuclear Regulatory Research (RES)
Items of Interest
Week Ending July 17, 2009

RES Withdraws Regulatory Guide (RG) 6.3, "Design, Construction, and Use of Radioisotopic Power Generators for Certain Land and Sea Applications"

On July 17, 2009, the staff published a *Federal Register* Notice (74FR 34804) announcing the withdrawal of RG 6.3 titled, "Design, Construction, and Use of Radioisotopic Power Generators for Certain Land and Sea Applications." RG 6.3 supported activities requiring a license pursuant to Title 10 of the *Code of Federal Regulations*, Parts 30, 40, and 70. The guidance in RG 6.3 applies to types of devices that are no longer used and have been replaced by other technology. Therefore, no licensing actions for these devices are being submitted or reviewed by license reviewers and the guidance is no longer needed.

July 17, 2009

ENCLOSURE E

Office of Administration (ADM)
Items of Interest
Week Ending July 17, 2009

Medical Use of Byproduct Material – Authorized User Clarification; Direct Final Rule (10 CFR PART 35) (RIN 3150-A159, NRC-2009-0098)

On July 14, 2009, the NRC published a direct final rule (74 FR 33901) in the *Federal Register* that amends regulations pertaining to the medical use of byproduct material to clarify the applicability of specific requirements. The direct final rule clarifies that individuals who were authorized on a license or permit at the time the training and experience (T & E) regulations were amended are considered “grandfathered” and may serve as preceptors and work experience supervisors for individuals seeking recognition on NRC licenses for the same medical uses of byproduct material. Although this was NRC’s intent when the T & E provisions were revised, this was not clearly indicated in the regulations as written. The direct final rule becomes effective September 28, 2009, unless significant adverse comments are received by August 13, 2009.

On July 14, 2009, the NRC published the companion proposed rule (74 FR 33925) to this direct final rule in the *Federal Register*. The comment period closes August 13, 2009.

Test Data for GE Design

On July 14, 2009, as a result of a competitive acquisition, a cost (no fee) contract (NRC-04-07-94) was awarded to Purdue University, in West Lafayette, Indiana, for the design and production of integral test data for the GE design, 200MW Simplified Boiling Water Reactor, the conducting of various tests including loss of coolant accidents and to obtain data on passive containment cooling systems for assessing the TRACE code. The period of performance is effective from July 14, 2009, through June 30, 2010, with a contract ceiling of \$341,443.00.

Financial Accounting and Integrated Management Information System Independent Validation and Verification Services

On July 13, 2009, as a result of a competitive acquisition, a labor-hour contract (NRC-DR-09-09-345) was awarded to The MIL Corporation in Bowie, Maryland, in support of the independent validation and verification services for the Financial Accounting and Integrated Management Information System. The period of performance is from July 13, 2009, through January 31, 2011 (no options) and the total value of the contract is \$638,963.00.

University of Maryland Research Grant

On July 13, 2009, as a result of an unsolicited proposal, a grant (NRC-04-09-143) was awarded to the University of Maryland in College Park, Maryland, in support of the need to improve human reliability analysis methodologies for application to nuclear power plant probabilistic safety assessments. The period of performance is from July 13, 2009, through June 30, 2012. The total value of the grant is \$120,000.00.

American Society of Mechanical Engineers (ASME) Standards Research Grant

On July 14, 2009, as a result of an unsolicited proposal, a grant (NRC-04-09-148) was awarded to ASME Standard of New York City, New York in support of the ASME Committee on Nuclear Risk Management for the development and maintenance of probabilistic risk assessment standards to support risk-informed regulatory programs and associated industry implementation and compliance efforts. The period of performance is from July 14, 2009, through June 30, 2012. The total value of the grant is \$225,000.00.

July 17, 2009

ENCLOSURE G

Office of Information Services (OIS)
 Items of Interest
 Week Ending July 17, 2009

Freedom of Information Act (FOIA) and Privacy Act (PA) Requests Received During the Period of July 10, 2009 through July 15, 2009:

Office of Investigations (OI) case 1-2008-029, all records	FOIA/PA-2009-0220
Raytheon (formerly E-Systems, Melpar, Westinghouse Air Brake) 7700 Arlington Blvd., Falls Church, Virginia, site information, license, etc.	FOIA/PA-2009-0221
OI Case 4-2007-049, Exhibit 35, Daily Log for October 20, 2003	FOIA/PA-2009-0222
OI Case 4-2007-049, Exhibit 36, Daily Log for October 20, 2003	FOIA/PA-2009-0223
Shearon nuclear facility, North Carolina, and Sequoyah nuclear facility, Tennessee, inspection reports re: emergency preparedness and security breaches, last 5 years, violations, civil penalties	FOIA/PA-2009-0224
Nuclear Metals Superfund site, Concord, Massachusetts, all non-public documents	FOIA/PA-2009-0225
NUREG/IA-0212, Vol. 2, Part 2 – Kalinin VVER-1000 Nuclear Power Station Unit 1 PRA (Beta Project)	FOIA/PA-2009-0226
Indian Point Unit 2, “backfill specification” referenced in response to question 4 of Chairman’s letter to Congressmen Markey & Hall dated June 17, 2009	FOIA/PA-2009-0227
OI Report 4-2007-016	FOIA/PA-2009-0228
Exelon Generation Company’s Morris, Illinois facility and Unitech Services Group’s Morris, Illinois facility, operations and releases	FOIA/PA-2009-0229

Office of Human Resources (HR)
Items of Interest
Week Ending July 17, 2009

Arrivals		
JohnsonBell, Nyah	Student Trainee (IT Specialist)	RIV
Kanney, Joseph	Hydrogeologist	RES
Melly, Nicholas	Fire Protection Engineer (NSPDP)	RES
Merriweather, Pearlette	Sr. Contract Specialist	ADM
Reed, Wendy	Radiochemist	RES
Departures		
Cunningham, Brandon	Student Engineer	NRO
Kim, Tae	Sr. Tech Communications Assistant	EDO
Schmidt, Barbara	Human Resources Specialist	HR

July 17, 2009

ENCLOSURE J

Office of Public Affairs (OPA)
Items of Interest
Week Ending July 17, 2009

OPA Received Significant Media Inquiries on the Following

An alert at Babcock & Wilcox Nuclear fuel fabrication facility, near Lynchburg, Virginia, about the concentration of highly enriched uranium mixed with oil in the cutting saw reservoir.

Letter to Constellation that requests more information before beginning a formal review of a power uprate application for Nine Mile Point Unit 2 in Syracuse, New York.

Reappointment of a previously disciplined operator senior reactor operator at Palo Verde nuclear power plant (Phoenix, Arizona).

Reactor decommissioning fund shortfalls; specific impacts to the Beaver Valley (Pennsylvania) and Vermont Yankee nuclear power plant (Vermont).

NRC's receipt of a petition from environmental groups about a new license for Watts Bar Nuclear Plant Unit 2, near Spring City, Tennessee.

Medical isotope shortage of technetium-99m, and the solutions proposed by University of Missouri and Babcock & Wilcox.

Other Public Affairs Items

OPA responded to an alternative news blog criticizing NRC 28 Diablo Canyon public meeting.

OPA set up an interview with Chairman Jaczko and reporters from Inside NRC and Nuclear New Build Monitor.

Press Releases	
Headquarters:	
09-126	Turkey Point Application for New Reactors in Florida Available on NRC Website (7/16)
Regions:	
II-09-036	NRC Reschedules Nuclear Fuel Services Meeting on Proposed New Line for July 22 (7/13)
II-09-037	NRC Cites Southern Nuclear Operating Co. for Farley Nuclear Plant Emergency Plan Violation (7/14)
II-09-038	NRC Activates Incident Response Centers After Alert Declared at B&W in Lynchburg, Virginia (7/16)
III-09-023	NRC to Discuss 2008 Performance Assessment for Perry Nuclear Power Plant July 21 (7/16)
I-09-035	NRC Begins Special Inspection at Oyster Creek Nuclear Plant (7/16)

Office of the Secretary (SECY)
Items of Interest
Week Ending July 17, 2009

Commission Correspondence

1. Letter to Peter Orszag, Office of Management and Budget, dated July 9, 2009, submits report of the total size of the NRC's workforce.
2. Letter to Congress, dated July 7, 2009, submitting proposed legislation which authorizes appropriations for FY 2010.

Federal Register Notices

1. Advisory Committee on Reactor Safeguards (ACRS), Meeting of the ACRS Subcommittee on Plant Operations and Fire Protection, notice of meeting (August 18, 2009, am).
2. ACRS, Meeting of the ACRS Subcommittee on Reliability and Probabilistic Risk Assessment, notice of meeting (August 18, 2009, pm).
3. ACRS, Meeting of the Subcommittee on Digital Instrumentation and Control Systems, notice of meeting (August 19-21, 2009).
4. ACRS, Meeting of the ACRS Subcommittee on Economic Simplified Boiling Water Reactor, notice of meeting (August 21, 2009).
5. Notice, Applications and Amendments to Facility Operating Licenses Involving Proposed No Significant Hazards Considerations and Containing Sensitive Unclassified Non-Safeguards Information or Safeguards Information and Order Imposing Procedures for Access to Sensitive Unclassified Non-Safeguards Information or Safeguards Information.

Office of Congressional Affairs (OCA)
 Items of Interest
 Week Ending July 17, 2009

CONGRESSIONAL HEARINGS SCHEDULE, NO. 17					
OCA Contact	Date & Place	Time	Committee	Subject	Witnesses
Weil	07/14/09 366 DSOB	10:00	Senate Energy and Natural Resources (Senators Bingaman / Murkowski)	The Hardrock Mining and Reclamation Act of 2009 (S796) and the Abandoned Mine Reclamation Act of 2009 (S140)	<ul style="list-style-type: none"> • Ken Salazar – Secretary of the Interior • Jim Butler – Attorney, Parsons Behle and Latimer • John Leshy – Professor of Real Property Law, Hastings College of the Law, University of California • Robin Nazzaro – Director, Natural Resources and Environment Issues, Government Accountability Office • Cathy Carlson – Policy Adviser, EARTHWORKS • Phillips Baker Jr. – President, and CEO, Hecla Mining Co., representing National Mining Association
Decker	07/15/09 2118 RHOB	10:00	House Armed Services (Representatives Skelton / McHugh)	Addressing a New Generation of Threats from Weapons of Mass Destruction: Department of Energy Non-proliferation Programs and the Department of Defense Cooperative Threat Reduction Program	<ul style="list-style-type: none"> • Thomas P. D'Agostino – Undersecretary of Energy for Nuclear Security, and Administrator, National Nuclear Security Administration • Michael L. Nacht – Assistant Secretary of Defense for Global Strategic Affairs, Office of the Secretary of Defense for Policy

Decker	07/16/09 406 DSOB	9:30	Senate Environment and Public Works Committee (Senators Boxer / Inhofe)	Clean Energy Economy	<ul style="list-style-type: none"> • John Doer – Partner, Kleiner Perkins Caufield and Byer • Julian L. Won – Senior Policy Analyst, Center for American Progress Action Fund • Harry C. Alford – President and CEO, National Black Chamber of Commerce
Powell	07/16/09 210 CHOB	10:00	House Budget (Representatives Spratt / Ryan)	Budgeting for Nuclear Waste Management	<ul style="list-style-type: none"> • Christopher A. Kouts – Acting Director, Office of Civilian Radioactive Waste Management, Department of Energy • Kim P. Cawley – Natural and Physical Resources Cost Estimates Unit, Congressional Budget Office