

# INFORMATION REPORT

December 23, 2009

SECY-09-0185

For: The Commissioners

From: Nader L. Mamish  
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Office of the Executive Director for Operations

Subject: WEEKLY INFORMATION REPORT - WEEK ENDING  
DECEMBER 11, 2009

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\*No input this week.

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Office of Nuclear Reactor Regulation (NRR)  
Items of Interest  
Week Ending December 11, 2009

Electric Power Research Institute - Performance Demonstration Initiatives Meetings

On December 1-2, 2009, staff participated in a public meeting with representatives from the Electric Power Research Institute (EPRI) – Performance Demonstration Initiatives (PDI) program at the Florida Power and Light Company in Juno Beach, Florida. The NRC-EPRI meetings are held semi-annually to discuss PDI's approach for implementing selected aspects of the ASME Code, Section XI, Appendix VIII, on qualifications for ultrasonic examination. The December PDI meeting focused on the currently proposed ASME Code actions affecting ultrasonic examinations, ligament measurement accuracy and qualifications, reactor pressure vessel and piping performance demonstrations, and other PDI-related issues of mutual interest.

Alloy 690 and Primary Water Stress-Corrosion Cracking (PWSCC) Chemical Mitigation Public Meetings

On December 2-4, 2009 staff attended two Electric Power Research Institute (EPRI) meetings; Expert Panel Meeting on Alloy 690, and the PWSCC Chemical Mitigation in Pressurized Water Reactors (PWRs) Meeting. The Expert Panel Meeting on Alloy 690 discussed an international approach to address the effectiveness of Alloy 690 against PWSCC crack initiation and crack growth. This meeting discussed the availability of testing materials and testing plans for the upcoming year. The PWSCC Chemical Mitigation in PWRs Meeting provided an update to industry on the status of EPRI's work to update the water chemistry guidelines to address chemical mitigation against PWSCC using zinc and hydrogen in PWRs. A technical basis document is expected sometime in the first half of 2010.

Advisory Committee on Reactor Safeguards Briefing on Draft Final Revision 1 to Regulatory Guide 1.205 and Standard Review Plan, Section 9.5.1.2

On December 3, 2009, staff briefed the Advisory Committee on Reactor Safeguards (ACRS) Full Committee on the Draft Final Revision 1 to Regulatory Guide (RG) 1.205, "Risk-Informed, Performance-Based Fire Protection for Existing Light-Water Nuclear Power Plants." Regulatory Guide 1.205 endorses Nuclear Energy Institute (NEI) 04-02, Revision 2, with exceptions. NEI 04-02 provides guidance to the licensees on the transition to a fire protection program based on the National Fire Protection Association Standard 805. The staff also briefed the ACRS Full Committee on the proposed Standard Review Plan (SRP), Section 9.5.1.2, "Risk-Informed, Performance-Based Fire Protection." Presuming the ACRS endorses the RG and the SRP, staff intends to issue the two documents in December, 2009.

Training Accreditation Team Visit Observation at Watts Bar

During the week of December 7, 2009, the staff observed an Accreditation Team Visit (ATV) led by the Institute of Nuclear Power Operations (INPO) at the Watts Bar facility. The staff uses these annual observations, in conjunction with observations of National Nuclear Accrediting Board (NNAB) meetings, to assess the effectiveness of the training accreditation process and

industry's implementation of the systems approach to training (SAT) with minimal impact on facility licensees.

Availability of License Renewal Application for Diablo Canyon Nuclear Power Plant, Units 1 and 2

On December 8, 2009, the staff announced the receipt and public availability of an application from Pacific Gas & Electric Co. requesting the extension of the operating licenses for the Diablo Canyon Nuclear Power Plant Units 1 and 2. The application requests an additional 20 years beyond the current 40-year license terms, pursuant to 10 CFR Parts 51 and 54. Diablo Canyon Units 1 and 2 current operating licenses expire at midnight on November 2, 2024, and August 26, 2025, respectively. The NRC staff is currently determining whether the application has sufficient information to docket the application for formal review. If the application is sufficient, the staff will docket the application and announce an opportunity to request a public hearing. The application is now available on the NRC Web site at:

<http://www.nrc.gov/reactors/operating/licensing/renewal/applications.html>.

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ENCLOSURE A

Office of New Reactors (NRO)  
Items of Interest  
Week Ending December 11, 2009

Request to Temporarily Suspend Nine Mile Point Unit 3 Combined License (COL) Review

On December 1, 2009, UniStar Nuclear Energy submitted a letter requesting that the NRC temporarily suspend the Nine Mile Point Unit 3 Nuclear Power Plant Combined License Application review, including any supporting reviews by external agencies, until further notice. UniStar informed the NRC that its decision to request the suspension was because the plant was not selected for federal loan guarantees. The NRC understands that the U.S. Department of Energy's final decision on loan guarantees is expected by the end of December 2009. The staff is preparing a response letter to UniStar, informing them of NRC's plans to discontinue all activities in an orderly manner, and preserve the work that has been accomplished.

Major Revision to Inspection Manual Chapter (IMC) 0613 Issued

A major revision to IMC 0613 "Documenting 10 CFR Part 52 Construction Inspections" was issued December 2, 2009. The revision includes enhanced inspection issue screening and disposition, incorporation of Safety Culture elements, and detailed inspection report guidance to support new construction programmatic and Inspection, Tests, Analyses and Acceptance Criteria inspection. The revision was issued in conjunction with the first Fitness for Duty program inspection conducted as part of regulatory oversight for Limited Work Authorization activities at Southern Company's Plant Vogtle.

Office of Nuclear Material Safety and Safeguards (NMSS)  
Items of Interest  
Week Ending December 11, 2009

Staff Presentation at Southern States Energy Board

On December 2 and 3, 2009, staff attended and made a presentation at a Radioactive Materials Transportation Task Force meeting, which is part of the Southern States Energy Board in Savannah, Georgia. The presentation updated the task force on the NRC's current activities involving the transportation and storage of spent fuel.

Staff Observation of Leak Rate Testing at ABW Technologies, Inc. (ABW)

On December 3, 2009, staff observed leak rate testing of the TRUPACT-III transportation package at ABW in Arlington, Washington. ABW leak tested both the vent port O-ring and the main containment O-ring. TRUPACT-III passed both leak rate tests. AREVA, the applicant on behalf of the U.S. Department of Energy, required drop testing and subsequent leak rate testing as a part of a planned response to the staff's request for additional information associated with the TRUPACT-III certification request submitted in June 2007. AREVA plans to submit its responses in January 2010.

Office of Federal and State Materials and Environmental Management Programs (FSME)  
Items of Interest  
Week Ending December 11, 2009

Federal Register Notices for Public Comments on Three Draft Supplemental Environmental Impact Statements (EIS)

During the week of December 7, 2009, *Federal Register* Notices were published that seek public comments on the first three draft Supplemental EISs for three applications to operate in-situ recovery uranium milling facilities at Moore Ranch, Nichols Ranch, and Lost Creek. The draft Supplemental EISs tier from NUREG-1910, "Generic Environmental Impact Statement for In-Situ Leach Uranium Milling Facilities." Public comments will be accepted through February 1, 2010. The drafts Supplemental EISs will be available on the NRC public website at two locations:  
(1) <http://www.nrc.gov/reading-rm/doc-collections/nuregs/docs4comment.html>, and  
(2) <http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1910/>

Conference Call with the Utah Division of Radiation Control (UT DRC) Board and Utah Radiation Control Board (UT RCB) Meeting

On December 7, 2009, FSME staff held a conference call with the UT DRC and received an update on the actions of the UT RCB regarding the disposal of depleted uranium (DU). The UT DRC indicated that a proposed license amendment to the Energy *Solutions* license was issued for public comment and comments will be accepted until December 23. The amendment would: (1) require a performance assessment be submitted by Energy *Solutions* to the UT DRC no later than December 31, 2010, and (2) require the Energy *Solutions*' facility to undergo remediation if disposed waste was found to not meet Utah's and NRC's regulatory requirements. Concurrently, a draft regulation, which requires no disposal of large quantities of DU until a revised Energy *Solutions* facility performance assessment is approved by the UT DRC, was discussed at the UT RCB meeting on December 8. The UT RCB supported the draft regulation to be issued for a 30-day public comment period. It is anticipated that the draft regulation will be published in early January 2010. Also, the draft regulation will be sent to the NRC for a Compatibility review.

Office of Administration (ADM)  
Items of Interest  
Week Ending December 11, 2009

State of Nevada: Denial of Portions of Petition for Rulemaking, Consideration of the Remaining Portions in the Rulemaking Process, 10 CFR Part 73 (PRM-73-10 NRC-2000-0026)

On December 7, 2009, the NRC published a document (74 FR 64012) in the *Federal Register* denying, in part, a petition for rulemaking submitted by the State of Nevada on June 22, 1999. The NRC will consider the remainder of the petition in the rulemaking process. The petitioner requested that NRC amend its regulations governing safeguards for shipments of spent nuclear fuel against sabotage and terrorism. The petitioner also requested that the NRC conduct a comprehensive assessment of the consequences of terrorist attacks that have the capability of radiological sabotage, including attacks against transportation infrastructure used during nuclear waste shipments, attacks involving capture of nuclear waste shipments and use of high energy explosives against a cask or casks, and direct attacks upon a nuclear waste shipping cask or casks using antitank missiles or other military weapons. This action closes the docket for PRM-73-10.

The NRC portion of the Unified Agenda of Regulatory and Deregulatory Actions was noticed in the *Federal Register* of December 7, 2009 (74 FR 64571).

Office of Information Services (OIS)  
Items of Interest  
Week Ending December 11, 2009

Freedom of Information Act (FOIA) and Privacy Act (PA) Requests Received During the Period of December 4-10, 2009:

Correspondence between NRC and former members of Congress, Charlie Bass of New Hampshire, Mike Fitzpatrick of Pennsylvania, Steve Chabot of Ohio, and Steve Pearce of New Mexico	FOIA/PA-2010-0061
List of approved tritium exit sign manufacturers in the U.S.	FOIA/PA-2010-0062
RFQRSOIS07358, basic contract and statement of work	FOIA/PA-2010-0063
Indian Point 2, buried pipe failure in February 2009, Root Cause Analysis report, all references and photos, provided to Congressmen Markey and Hall	FOIA/PA-2010-0064

Office of Public Affairs (OPA)  
Items of Interest  
Week Ending December 11, 2009

OPA Received Significant Media Inquiries on the Following

Follow-up information on worker exposure levels stemming from the recent contamination event at the Three Mile Island nuclear plant in Pennsylvania.

Indian Point nuclear plant in New York recent siren test and identification of potential problems.

Status of NRC scheduled reviews for operating reactors license renewal applications and concerns over any unexpected delays.

NRC's ongoing review of the amended AP1000 reactor design shield building issue.

A potential "white" finding at the Waterford Unit 3 nuclear plant in Louisiana and the NRC's reactor oversight process.

Other Public Affairs Items

OPA contacted the *Freelance-Star* newspaper about an erroneous headline that read "NRC Shuts Down North Anna Reactor" the newspaper immediately corrected it on the publication's web page and in the following day's print edition.

OPA contacted a freelance reporter for the New York Daily News about several inaccuracies contained in her story about last month's shutdown of Indian Point Unit 2.

OPA staff wrote a Letter to the Editor of the *Southtown Star* newspaper to correct misinformation about the NRC with regard to the contamination event at the Three Mile Island 1 nuclear power plant in Middletown, Pennsylvania.

<b>Press Releases</b>	
<b>Headquarters:</b>	
09-194	NRC Announces Availability of License Renewal Application for Diablo Canyon Nuclear Power Plant (12/8)
09-195	NRC Chairman Gregory B. Jaczko Remarks at Today's Meeting about Public Comments on Proposed Emergency Preparedness Rule Changes (12/8)
09-196	NRC Announces Hearing Opportunity, Public Meeting on Westinghouse Hematite Decommissioning Plans (12/8)
09-197	NRC Seeks Public Comment on Draft Environmental Reports for Three Proposed Uranium Recovery Facilities (12/10)
09-198	Strengthens Openness and Transparency with New and Ongoing Initiatives (12/11)
09-199	NRC Seeks Comment, Plans Public Meetings on Blending of Low-Level Radioactive Waste (12/11)

<b>Regions:</b>	
II-09-068	NRC Schedules Public Meeting in Waynesboro to Discuss Inspection Plans for Vogtle Site (12/8)
III-09-036	NRC to Hold Enforcement Conference December 17 with Department of Veterans Affairs (12/10)
III-09-037	NRC Seeks Public Comments on Draft Environmental Report for Prairie Island Nuclear Plant License Renewal (12/11)
III-09-038	NRC to Discuss Results of License Renewal Inspection for Duane Arnold Nuclear Power Plant (12/11)
IV-09-036	NRC to Hold Regulatory Conference with Entergy Operations on Waterford 3 Nuclear Plant (12/8)

Office of the Secretary (SECY)  
Items of Interest  
Week Ending December 11, 2009

Document Released to Public	Date	Subject
<b>Decision Documents</b>		
1. SECY-09-0170	11/25/09	Addition of a Diagnostic Radiologist on the Advisory Committee on the Medical Uses of Isotopes
SRM-SECY-09-0170	12/09/09	(same)
Commission Voting Record on SECY-09-0170	12/09/09	(same)
<b>Information Papers</b>		
1. SECY-09-0177	12/08/09	Weekly Information Report – Week Ending November 27, 2009
<b>Memoranda</b>		
1. M091204	12/09/09	Staff Requirements - Meeting with Advisory Committee on Reactor Safeguards (ACRS)
2. M091103B	12/10/09	Staff Requirements – Briefing on Fire Protection Lessons Learned from Shearon Harris

Commission Correspondence

1. Letter to Yutaka Sagayama, Japan Atomic Energy Agency, dated November 30, 2009, responds and declines invitation to participate in workshop on future licensing of next generation sodium fast reactors one.
2. Letter to Danielle Brian, Project on Government Oversight, dated November 30, 2009, provides acknowledgement letter concerning the Office of the Inspector General's investigation of former Commissioner Jeffrey Merrifield.

Federal Register Notices Issued

1. Exelon Generation Company, LLC, Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination and Opportunity for a Hearing and Order Imposing Procedures for Access to Sensitive Unclassified Non-Safeguards Information for Contention Preparation.