

INFORMATION REPORT

December 30, 2009

SECY-09-0187

For: The Commissioners

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

Subject: WEEKLY INFORMATION REPORT - WEEK ENDING
DECEMBER 18, 2009

Contents

Enclosure

Nuclear Reactor Regulation	A
New Reactors	B*
Nuclear Material Safety and Safeguards	C*
Federal and State Materials and Environmental Management Programs	D*
Nuclear Regulatory Research	E
Nuclear Security and Incident Response	F*
Administration	G
Information Services	H
Chief Financial Officer	I*
Human Resources	J
Small Business and Civil Rights	K*
Enforcement	L
Public Affairs	M
International Programs	N*
Secretary	O
Region I	P*
Region II	P*
Region III	P*
Region IV	P*
Executive Director for Operations	Q*
Congressional Affairs	R

*No input this week.

/RA James Andersen For/

Nader L. Mamish
Assistant for Operations, OEDO

Contact:
L. Rakovan, OEDO

Office of Nuclear Reactor Regulation (NRR)
Items of Interest
Week Ending December 18, 2009

American Society of Mechanical Engineers (ASME) Code for Operation and Maintenance of Nuclear Power Plants (OM Code) Meeting Synopsis

On December 8-10, 2009, staff participated in committee meetings with members of the ASME OM Code committee in Clearwater, Florida. Highlights of the meeting included: (1) discussions regarding ongoing activities by the various subgroups on pumps, valves, actuators and snubbers to develop, and in some cases vote on, the resolutions to code inquiries, code cases and other related issues; (2) announcements by the Subcommittee on OM Codes of their intention to publish the next OM Code edition in the February 2010 time frame and of their intention to not publish OM Code addenda going forward; (3) and Work continued on adapting OM Code for use by new reactors.

Pressurized-Water Reactor Owners Group (PWROG) Meeting on Pressurized Water Reactor (PWR) Emergency Core Cooling System (ECCS) Sump Performance

On December 16, 2009 staff met with representatives of the PWROG to support finalizing the staff's position on certain technical reports related to Generic Letter 2004-02, which addresses PWR ECCS sump performance. The reports in question are intended to justify licensee use of a reduced zone of influence (the assumed volume around a hypothetical primary pipe break within which insulation is disrupted by the break jet and available to clog the sump strainer).

Public Meeting on Lessons Learned from National Fire Protection Association Standard (NFPA) 805 Pilot Process

On December 16, 2009 staff held a Category 3 public meeting to discuss the lessons learned from the NFPA 805 pilot process as they apply to the license amendment request template guidance for nuclear plants transitioning to a fire protection program based on NFPA 805.

Fire Protection Meeting on NFPA 805 Frequently Asked Questions (FAQs)

On December 17, 2009, staff held a Category 2 public meeting with the Nuclear Energy Institute NFPA 805 Task Force, other stakeholders, and the public, to discuss the 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 at least throughout the transition period for the pilot plants adopting NFPA 805.

PWROG Meeting Regarding Westinghouse Commercial Atomic Power Report (WCAP-16793)

On December 17, 2009 staff met with representatives of the PWROG to support finalizing the staff's position on the Owners Group's proposed responses to staff requests for additional information on WCAP-16793. This topical report evaluates in-vessel effects associated with Generic Letter 2004-02 regarding PWR ECCS sump performance.

Office of Nuclear Regulatory Research (RES)
Items of Interest
Week Ending December 18, 2009

RES Publication of Draft Regulatory Guide 8032 (DG-8032) "Planned Special Exposure"

On December 14, 2009, the RES staff issued DG-8032 to provide an opportunity for public comments. The draft guide is a proposed Revision 1 of Regulatory Guide 8.35, which provides guidance on the conditions and prerequisites for permitting planned special exposures as allowed by 10 CFR Part 20 including the associated specific monitoring and reporting requirements. The draft guide also provides examples of acceptable means of satisfying these requirements. DG-8032 is available on the NRC website at <http://www.nrc.gov/reading-rm/doc-collections/reg-guides/occupational-health/draft-index.html>.

December 18, 2009

ENCLOSURE E

Office of Administration (ADM)
Items of Interest
Week Ending December 18, 2009

Electronic Subscription Services

On December 10, 2009, as a result of a competitive acquisition, a fixed price type contract (NRC-33-10-302) was awarded to IHS Global, Inc. in Inglewood, Colorado for electronic subscription services for codes and standards used by NRC staff for research and regulatory responsibilities. The period of performance is December 13, 2009, through December 12, 2010, with four 1-year option periods. The total value of the contract is \$1,713,791.82 inclusive of all options.

Verbatim Reporting Services

On December 11, 2009, as a result of a competitive acquisition, a fixed price indefinite delivery, indefinite quantity type contract (NRC-12-10-494) was awarded to Neal Gross and Co. in Washington, D.C. to provide verbatim reporting services for the NRC's Atomic Safety and Licensing Board Panel. The period of performance is December 11, 2009, through December 10, 2010, with two 1-year option periods. The estimated value of the contract is \$2,549,531.00 inclusive of options.

List of Approved Spent Fuel Storage Casks: HI-STORM 100 Revision 7, Confirmation of Effective Date (10 CFR PART 72) (RIN 3150-AI71, NRC-2009-0349)

On December 11, 2009, the NRC published a document (74 FR 65679) in the *Federal Register* confirming the effective date of December 28, 2009, for the direct final rule that was published in the *Federal Register* on October 13, 2009. The direct final rule amended the NRC's spent fuel storage regulations in 10 CFR 72.214 to revise the HI-STORM 100 dry cask storage system listing to include Amendment No. 7 to Certificate of Compliance (CoC) Number 1014.

Office of Information Services (OIS)
Items of Interest
Week Ending December 18, 2009

Controlled Unclassified Information (CUI) Council (CUIC) Meeting

On December 10, 2009, OIS staff participated in a meeting of the CUIC. A member of the Information Sharing Policy Committee, National Security Council (NSC), provided a status of the NSC review of the recommendations of the CUI Task Force made to the President on August 25, 2009. The NSC has completed a review of the recommendations and plans to draft an Executive Order (EO) by the end of March 2010. The EO will be coordinated with Federal agencies and the public. The committee member stated that the technology rollout piece of the CUI Framework will probably not occur until Fiscal Year (FY) 2013, and that FY 2011 and FY 2012 will be used to train and prepare for the ramp up. The CUIC Chairman provided attendees a consolidated straw man of the CUI Framework that was completed on December 1, 2009.

Office of Management and Budget (OMB) Paperwork Reduction Act (PRA) Revision Meeting

On December 17, 2009, OIS staff attended a meeting convened by OMB regarding the *Federal Register* Notice published by OMB on October 27, 2009, (74 FR 55269) entitled "Improving Implementation of the Paperwork Reduction Act." Several comments by various agencies regarding ways to smoothly implement the PRA were discussed. OMB was encouraged by the group's participation and comments, and pledged to find ways to make the PRA easier to follow for both respondents and agencies. NRC is preparing written comments for submission to OMB by the *Federal Register's* deadline of December 28, 2009. OMB intends to use these comments to make the PRA process more efficient.

Freedom of Information Act (FOIA) and Privacy Act (PA) Requests Received During the Period of December 11, 2009 through December 17, 2009:

Kerr-McGee Corp & Kermac Nuclear Fuels Corp mining operations on Navajo nation land from 1952 to present, all records such as licenses, dates of operation, materials mined, etc.	FOIA/PA-2010-0065
Specific event reports, records such as memoranda, letters, statements, photos, etc.	FOIA/PA-2010-0066
NRC's international activities/international nuclear safety assistance, line item spending authorization, FY 2000 to present	FOIA/PA-2010-0067
Incidents with Alternative Dispute Resolution (ADR) processes or equivalents resulting in monetary settlement; ADRs involving AmerenUE or its Callaway plant	FOIA/PA-2010-0068
Dow Chemical Company facility, Madison, Illinois, specific records	CON-2010-0002
Material License Tracking System, active and retired facilities	FOIA/PA-2010-0069

Personnel counts for occupation series 0080, 0085, 1801, 1802, 1810, 1811 including count for each office.	FOIA/PA-2010-0070
North Korean involvement in any Nuclear program within Burma (Myanmar).	FOIA/PA-2010-0071
Russian involvement in any Nuclear program within Burma (Myanmar).	FOIA/PA-2010-0072
Licensees of High Dose After Loading Machine for medical use and manufacturer of the machine the licensee uses	FOIA/PA-2010-0073

CON = Consultation requests from other agencies: a U.S. Department of Justice requirement to track consultations separately from FOIA/PA requests.

Office of Human Resources (HR)
 Items of Interest
 Week Ending December 18, 2009

Arrivals		
Azarbarzin, Patrick	Student Management Analyst (Co-Op)	ACRS
Cowdrey, Christian	Project Manager	NRR
Fuller, Gabrielle	Student Clerk (Co-Op)	ACRS
Garcia, Karla	Student Contract Assistant (Co-Op)	ACRS
Iyengar, Raj	Materials Engineer	RES
Le, Sophie	Student Scientist (Co-Op)	FSME
Lohrmann, Mark	Sr. Contract Specialist	ADM
Makris, Nestor	Reactor Engineer / Reactor Inspector	RIV
Nicholas-Thomas, Consuelo	Property Management Specialist	ADM
Sathyamoorthy, Vidya	Student Management Analyst	OIG
Washington, Brittany	Student Clerk	ADM
Yee, Linda	Administrative Assistant	NRR
Johnsonbell, Nyah	Student IT Specialist	RIV
Departures		
Pardinas, Marilyn	Administrative Assistant	RII

Office of Enforcement (OE)
Items of Interest
Week Ending December 18, 2009

EDO Decision on Differing Professional Opinion (DPO) 2008-002 Appeal: First Energy Nuclear Operating Company's (FENOC) Response to NRC Request for Information (RFI)

On December 1, 2009, the Executive Director for Operations (EDO) issued a decision on the appeal of DPO 2008-002. The DPO submitted on October 15, 2008, stated that FENOC's May 2, 2007, response to an RFI was materially incomplete, and violated 10CFR50.9, "Completeness and Accuracy of Information." The DPO further stated that although the NRC's preceding letter specifically requested any assessment of the Exponent Report, FENOC did not provide a consultant's assessment of the Exponent Report.

The above concern was addressed by an Allegations Review Board (ARB) which concluded that the consultant's report was not material to the NRC. The DPO submitter disagreed with the ARB conclusion. A DPO Panel was established on November 13, 2008. The DPO Panel concluded that the omission of the consultant's report from FENOC's response to the RFI did not constitute a violation of 10 CFR 50.9. The Region III Regional Administrator issued its decision on May 29, 2009, supporting the Panel's findings.

A DPO appeal was submitted on June 18, 2009. In the DPO appeal decision, the EDO stated that he supports both the DPO Panel technical conclusion and Region III Regional Administrator technical decision. The EDO found that the regulatory actions the NRC took to confirm that the licensee's commitments and corrective actions, which were designed to ensure that information of potential regulatory significance is recognized and communicated to the NRC in a timely and effective manner, were adequate. The EDO further stated that the information included in the consultant's report would not have changed the agency's technical decisions and regulatory actions. Nevertheless, the EDO stated that the DPO submitter was right in questioning the basis for the staff's decision, given the language of the RFI and that the concerns raised by the DPO submitter regarding the allegation process did bring to light improvements to the process

Office of Public Affairs (OPA)
Items of Interest
Week Ending December 18, 2009

OPA Received Significant Media Inquiries on the Following:

Questions on future decommissioning plans for nuclear plants including Vermont Yankee in Vermont and Oyster Creek in New Jersey.

Discussion about the license amendment process and the recent additional request by Indian Point Unit 3 nuclear power plant in New York, to work on an auxiliary feed water pump.

Mixed oxide fuel fabrication facility recent performance review public meeting in Augusta, Georgia.

NRC policy regarding blending of low-level waste.

An unusual event declared at San Onofre nuclear plant in California when both emergency diesel generators were declared inoperable.

Other Public Affairs Items:

OPA responded to a broad range of questions from an AP investigative reporter about relicensing of nuclear power plants and the possibility of life beyond 60 years for nuclear reactors.

OPA coordinated an extended interview with the Philadelphia Inquirer and Region 3 staff for an article about the Veterans Administration and the NRC's investigation in the Virginia's brachytherapy misadministrations.

OPA supported staff's participating in the Senate Energy Committee hearing on small reactors.

Press Releases	
Headquarters:	
09-200	NRC Seeks Participants for Upcoming Discussions on Draft Safety Culture Policy (12/18)
Regions:	
II-09-069	NRC Names New Resident Inspectors at Nuclear Fuel Services (12/18)

Office of the Secretary (SECY)
Items of Interest
Week Ending December 18, 2009

Document Released to Public	Date	Subject
Information Papers		
1. SECY-09-0174	12/02/09	Staff Progress in Evaluation of Buried Piping at Nuclear Reactor Facilities
2. SECY-09-0184	12/17/09	Weekly Information Report – Week Ending December 4, 2009

Commission Correspondence

1. Letter to Senator Jeff Bingaman, dated December 10, 2009, submitting comments regarding S. 2052, the “Nuclear Energy Research Initiative Improvement Act of 2009,” and S. 2812, the “Nuclear Power 2021 Act.”
2. Letter to Senator Thomas Carper, dated December 10, 2009, responds to letter regarding NRC’s efforts related to the review of new nuclear reactor applications.

Federal Register Notices Issued

1. The University of New Mexico Facility Operating License No. R-102 - Notice of Acceptance for Docketing and Opportunity for hearing on the Application Regarding Renewal for an Additional 20-Year Period for the University of New Mexico AGN-201M Research reactor and Order Imposing Procedures for Access to Safeguards Information and Sensitive Unclassified Non-Safeguards information.
2. Advisory Committee on the Medical uses of Isotopes: Call for Nominations.

Office of Congressional Affairs (OCA)
 Items of Interest
 Week Ending December 18, 2009

CONGRESSIONAL HEARINGS SCHEDULE, NO. 34					
OCA Contact	Date & Place	Time	Committee	Subject	Witnesses
Shane	12/15/09 366 DSOB	10:00	Senate Energy and Natural Resources (Senators Bingaman / Murkowski)	Reducing the Cost of Nuclear Reactors	<ul style="list-style-type: none"> • Warren "Pete" Miller – Assistant Secretary of Energy, Office of Nuclear Energy • Tom Sanders – President, American Nuclear Society • Tony Pietrangelo – Senior Vice President and Chief Nuclear Officer, Nuclear Energy Institute • Michael Johnson – Director, Office of New Reactors, Nuclear Regulatory Commission
Weil	12/16/09 366 DSOB	11:30	Senate Energy and Natural Resources (Senators Bingaman / Murkowski)	Mark up of HR 3276 – American Medical Isotopes Production Act of 2009	<ul style="list-style-type: none"> • N/A