

INFORMATION REPORT

September 29, 2004

SECY-04-0173

For: The Commissioners
From: William M. Dean, Assistant for Operations, Office of the EDO
Subject: SECY-04-0173 WEEKLY INFORMATION REPORT - WEEK
ENDING SEPTEMBER 17, 2004

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*No input this week.

/RA/

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Office of Nuclear Reactor Regulation
Items of Interest
Week Ending September 17, 2004

NRC Generic Letter (GL) 2004-02: "Potential Impact of Debris Blockage on Emergency Recirculation During Design Basis Accidents at Pressurized-water Reactors," dated September 13, 2004

NRC issued the subject GL to licensees of pressurized-water reactors (PWRs) requesting information that will enable the NRC staff to verify whether emergency core cooling systems (ECCS) and containment spray systems (CSS) are capable of performing their intended post-accident mitigating functions following a design basis accident requiring recirculation operation. This request is based on the identified potential susceptibility of PWR recirculation sump screens to debris blockage during design basis accidents requiring recirculation operation of ECCS or CSS, and on the potential for additional adverse effects due to debris blockage of flow paths necessary for ECCS and CSS recirculation and containment drainage. The objective of this GL is to ensure that licensees are in compliance with the licensing and design bases requirements of their facilities with respect to the ECCS having the capability to provide long-term cooling of the reactor core following a loss-of-coolant accident (LOCA) as specified in 10 CFR 50.46.

Public Meetings on Mitigating System Performance Index (MSPI) and Reactor Oversight Process (ROP)

On September 15-16, 2004, Division of Inspection Program Management (DIPM) and Office of Nuclear Regulatory Research (RES) staff met with representatives from the industry to discuss implementation issues associated with the MSPI and ROP. The staff has been meeting with industry representatives on a monthly basis for the past several months on these issues. Topics discussed at the meetings included: (1) probabilistic risk assessment (PRA) task force charter; (2) MSPI Technical Guidance and Basis Documentation; (3) a timeline for future MSPI implementation milestones; (4) the significance determination processes in the area of radiation protection and fire protection; (5) Safety System Functional Failure Performance Indicator (PI); (6) task force updates on the Scrams with Loss of Normal Heat Removal and Barrier Integrity PIs; (7) Nuclear Management and Resources Council Report 93-01, "Maintenance Rule Unavailability Monitoring in Shutdown Changes;" and (8) Frequently Asked Questions.

Westinghouse AP1000 - Issuance of Final Safety Evaluation Report and Final Design Approval

On September 13, 2004, the Director- Office of Nuclear Reactor Regulation (NRR) signed the AP1000 Final Design Approval (FDA), and the Program Director for the New Research and Test Reactors Program Directorate in NRR signed the AP1000 Final Safety Evaluation Report (FSER). The FSER documents the results of the staff's review of the AP1000 design certification application. The FDA is an approval of the AP1000 design and signifies the completion of the technical review phase of the Westinghouse's application for certification of the AP1000 design.

ACRS Briefing on Dresden and Quad Cities License Renewal Applications

On September 9, 2004, the staff presented the results of its evaluation of the license renewal application for Dresden, Units 2 and 3, and Quad Cities, Units 1 and 2, to the Advisory Committee on Reactor Safeguards (ACRS). The staff had issued the safety evaluation report (SER) on July 23, 2004. The staff presented the resolution of open and confirmatory items to the ACRS. The ACRS members had concerns about the steam dryer, core shroud repairs, operating experience at extended power uprate level on aging effects. The staff informed the ACRS that the Committee would be briefed on these issues separately at a later date, since these issues were not specific to the Dresden and Quad Cities license renewal application and are being reviewed as current operating reactor issues.

Farley - Technical Specification Amendment for New Performance-Based Requirements for Steam Generator Tube Integrity

On September 10, 2004, NRR issued a technical specification amendment for the Farley nuclear power plant incorporating the new programmatic and largely performance-based requirements for ensuring steam generator (SG) tube integrity. This first-of-a-kind technical specification is based on the Nuclear Energy Institute (NEI) Generic License Change Package (GLCP), which had been reviewed by the staff. Issuance of this amendment is the culmination of NRC and industry efforts since the mid-1990s to develop an improved, more effective regulatory framework for ensuring SG tube integrity.

Similar amendment requests were submitted for the South Texas Project and Catawba nuclear power plants, which are under staff review. NEI plans to submit a revised GLCP incorporating lessons learned from the Farley review. Staff's review and approval of the revised GLCP will allow for expedited review of future amendment requests via the Consolidated Line Item Improvement Program process.

Meeting on Exelon's Early Site Permit Application (Clinton Site)

On September 16, 2004, NRR staff met with representatives of Exelon Generating Company, LLC, regarding Exelon's early site permit (ESP) application for the Clinton site. Exelon presented its "performance-based" approach, as an alternative to the existing regulatory guidance for developing an SSE analysis, to comply with the safe shutdown earthquake (SSE) requirements specified in 10 CFR Part 100. As a result of this meeting, Exelon stated that it intends to pursue additional information to support its performance-based approach. The staff agreed to develop a more firm estimate on the time required for review of Exelon's approach. The participants also discussed finality of conclusions reached at the ESP stage on SSE analysis, and the staff referred the applicant to the finality provisions of 10 CFR 52.39.

Staff Presentation to the "Nuclear Energy Task Force"

On September 16, 2004, staff gave a presentation on the NRC's licensing process for new nuclear power plants to the Secretary of Energy's "Nuclear Energy Task Force." The Co-Chairmen for the Task Force are Former New Hampshire Governor John Sununu and Former NRC Chairman Richard Meserve. The task force is preparing a report on key factors that must

be addressed if the U.S. is to commit to the building, financing, and deployment of new nuclear power generation plants to meet the nation's electric power demands in the 21st Century.

Final Amendment to 10 CFR 50.55a, "Codes and Standards"

On September 14, 2004, the Executive Director for Operations signed a final rule that amends 10 CFR 50.55a, "Codes and Standards." The final rule incorporates by reference the 2001 Edition, 2002 Addenda, and 2003 Addenda of the Sections III and XI (Division 1) of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME BPV Code) and the ASME Code for Operation and Maintenance of Nuclear Power Plants (OM Code). The ASME BPV and OM Codes are used for the construction, inservice inspection (ISI), and inservice testing (IST) of nuclear power plant components. The final rule will be published in the Federal Register after September 22, 2004, and will become effective 30 days after publication. Once the final rule becomes effective, licensees will be required to (1) update their ISI and IST programs to the 2001 Edition with the 2002 and 2003 Addenda of Section XI (Division 1) and OM Codes in accordance with the 120-month update requirements in 10 CFR 50.55a; and (2) construct new nuclear power plants in accordance with the 2001 Edition with the 2002 and 2003 Addenda of Section III (Division 1).

September 17, 2004

ENCLOSURE A

Office of Nuclear Material Safety and Safeguards
Items of Interest
Week Ending September 17, 2004

Meeting with Government Accountability Office

On September 8, 2004, staff from the Division of Waste Management and Environmental Protection, the Division of Industrial and Medical Nuclear Safety, the Division of Fuel Cycle Safety and Safeguards, the Office of Nuclear Security and Incident Response, the Office of the General Counsel (OGC), and the Office of State and Tribal Programs participated in a meeting with representatives from the Government Accountability Office (GAO). The GAO is beginning a study of the safety and security of both stored Classes B and C, and greater than Class C, waste. NRC provided an overview of the NRC waste classification system specified in 10 CFR Part 61, "Licensing Requirements for Land Disposal of Radioactive Waste," and of the Offsite Recovery Program for sealed sources. In addition, NRC staff provided preliminary responses to GAO questions on low-level waste volumes, types, regulation, security procedures, inspections, and international issues. NRC will continue to interact with GAO during the development of their report.

Maine Yankee - Certificates of Compliance for the NAC-UMS Spent Fuel Cask System

On September 9, 2004, Spent Fuel Project Office and OGC staff met with representatives from Maine Yankee to discuss its June 15, 2004, request for Certificates of Compliance (CoC's) under 10 CFR Parts 71 and 72 for the NAC International (hereafter, NAC) NAC-UMS cask systems, with Maine Yankee as the certificate holder. NAC is the current holder of the CoC for the casks being used by Maine Yankee. The NRC staff informed the Maine Yankee representatives that the requests will not be processed pending a legal determination by OGC regarding the process for implementing a change in the holder of the CoC. Maine Yankee has 60 NAC-UMS casks loaded with spent fuel, and four loaded with "greater than Class C" waste. The NAC-UMS CoC is not due to expire until 2020.

NRC/DOE Technical Exchange - Yucca Mountain Surface and Subsurface Facility Design

On September 14-15, 2004, Department of Energy (DOE) and NRC staff conducted a Technical Exchange in Las Vegas, Nevada, in which DOE presented the design of the surface and subsurface facilities that would be included in the proposed licence application for a geologic repository. The discussion included details on the preclosure safety analysis that was performed to identify systems, structures, and components important to safety, in accordance with 10 CFR Part 63, "Disposal of High-level Radioactive Wastes in a Geologic Repository at Yucca Mountain, Nevada."

Office of Nuclear Regulatory Research
Items of Interest
Week Ending September 17, 2004

Review of Halden Reactor Project Research Project Plan

On September 14, 2004, as part of ongoing efforts to ensure that international research projects align with current regulatory needs, Office of Nuclear Regulatory Research (RES), Office of Nuclear Reactor Regulation (NRR), and Office of Nuclear Material Safety and Safeguards (NMSS) staff met with representatives from the OECD Halden Reactor Project (HRP) to discuss the HRP 2006-2008 project plan. The HRP is an internationally sponsored research program located in Halden, Norway, which performs research in the areas of nuclear fuels, materials and water chemistry, digital instrumentation and control, human factors, and human reliability assessment under the sponsorship of 19 countries.

Meeting on Effectiveness of Inservice Inspection and Leak Monitoring Techniques

On September 7-11, 2004, RES conducted a workshop at Argonne National Laboratory (ANL) to evaluate the effectiveness of inservice inspection and leak monitoring techniques for evaluation of components that have experienced degradation. The effectiveness of these programs was evaluated, and recommendations for improvements in inspection and monitoring programs were discussed. A draft report will be prepared in November 2004. This work will provide a basis for development of regulatory guidance on proactive materials degradation management programs. Experts from RES contractors at Pacific Northwest National Laboratory and ANL and technical staff from RES and the Office of Nuclear Reactor Regulation (NRR) participated in the workshop.

Nuclear Security and Incident Response
Items of Interest
Week Ending September 17, 2004

Preliminary Notifications

1. PNO-IV-04-024, CANSPEC (USA) - TRUCK FIRE INVOLVING AN AEA TECHNOLOGY MODEL 880 RADIOGRAPHY CAMERA.
2. PNO-IV-04-025, Entergy Operations, Inc., River Bend Station and Waterford 3 - REGION IV RESPONSE TO HURRICANE IVAN.
3. PNO-IV-04-025A, Entergy Operations, Inc., River Bend Station, and Waterford 3 - UPDATE TO REGION IV RESPONSE TO HURRICANE IVAN.

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ENCLOSURE D

Office of Administration
Items of Interest
Week Ending September 17, 2004

Medical Use of Byproduct Material Minor Amendments: Extending Expiration Date for 10 CFR Part 35, Subpart J

On September 16, 2004, a final rule was published in the Federal Register (69 FR 66736) that extends the expiration date of training and experience requirements for the medical use of byproduct material (Subpart J of Part 35). The extension will allow sufficient time for the implementation of amended training and experience requirements that are being established in an ongoing rulemaking. This final rule becomes effective October 22, 2004.

Export and Import of Nuclear Equipment and Radioactive Materials: Security Policies (AH44 - Part 110)

On September 16, 2004, a proposed rule was published in the Federal Register (69 FR 55785) that would amend the regulations pertaining to the export and import of nuclear equipment and radioactive materials. The proposed rule would require a specific license for the export and import of high-risk radioactive material. The proposed rule reflects recent changes to the security policies of the Executive Branch and the Commission. The comment period on this proposed rule expires November 30, 2004.

Contract Awards

On September 9, 2004, a fixed price Delivery Order No. DR-33-04-026 was awarded to Marzik, Inc., under the General Services Administration's Federal Supply Schedule. The contractor will provide tape drive replacement equipment for the data center silos used to backup the Agencywide Documents Access Management System (ADAMS) and other agency application systems. The total value is \$111,703.00.

On September 14, 2004, a labor-hour type Delivery Order No. DR-04-04-089 was awarded to Energy Research, Inc., under the General Services Administration's Federal Supply Schedule. The contractor will provide technical support for evaluation of severe accident phenomena for the ACR-700 reactor design. The not-to-exceed value is \$149,966.22.

Chief Information Officer
Items of Interest
Week Ending September 17, 2004

Federal Information Security Management Act (FISMA) Report Submitted to the Office of Management and Budget (OMB)

On September 15, 2004, NRC submitted its fourth quarterly update report for FY 2004 of the FISMA Plan of Action and Milestones implementation to OMB in response to OMB Memorandum M-04-25. The NRC's submittal also included the requested quarterly performance measures report.

Freedom of Information Act and Privacy Act Requests Received During the Period of September 10 through September 16, 2004:

Site assessment, 212 S. Tryon Street, Charlotte, NC, license #32-23067-01, issued 4-23-85, all records, violations or environmental issues	FOIA/PA-2004-0360
Active NRC licensees authorized to possess 3-H and 14-C	FOIA/PA-2004-0361
Extended power uprate, all documents re: discussions & other communications concerning William Sherman's letter of 12-8-03	FOIA/PA-2004-0362
Licensees for Regions I, II, III & IV	FOIA/PA-2004-0363
Transformer, serial #66PA2016 and style type 267PX1, significant deficiency, adverse incident, or potential for damage	FOIA/PA-2004-0364

Office of Human Resources
Items of Interest
Week Ending September 17, 2004

Arrivals		
Janielle R. Battiste	Physical Scientist (NSPDP)	NSIR
Olga Benjumea	IT Specialist	OCIO
Ada L. Bowie	Secretary (OA)	OGC
Allan M. Fisher	Director, Division of Resource Management	R-I
Erica Hardy	Secretary	NRR
John Kramer	Reactor Systems Engineer	NRR
Fredonia D. McDowell	Secretary	OCFO
Anna McGowan	Team Leader	OCIO
June Y. Morris	Budget & Finance Assistant	R-IV
James R. Peyton, Jr.	Student IT Specialist (Co-Op)	OCIO
Adam T. Taff	Student Engineer (Co-Op)	NMSS
Brian Wittick	Reactor Inspector	R-I
Departure		
Susan Lin	Law Clerk	ASLBP

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ENCLOSURE I

Office of Public Affairs
Items of Interest
Week Ending September 17, 2004

Media Interest

The Office of Public Affairs (OPA) responded to significant media interest in the following:

Testimony by NRC officials on nuclear plant security before a House subcommittee.

Final design approval for the AP1000 advanced reactor design.

The Energy Department's appeal of an Atomic Safety and Licensing Board decision on DOE's document certification for the impending Yucca Mountain license application.

Other Public Affairs Items:

OPA assisted in the Chairman's appearance on C-Span's "Washington Journal" program on September 16, as well as an interview of the EDO on MSNBC.

Press Releases	
Headquarters:	
04-111	Revised: NRC Modifies Availability of Security Information for All Nuclear Plants (9/13)
04-112	NRC Issues Final Safety Evaluation Report and Final Design Approval for Westinghouse AP1000 Advanced Reactor Design (9/13)
04-113	NRC Testifies on Nuclear Power Plant Security Before Congressional Committee (9/14)
04-114	NRC Issues Generic Letter Concerning Potential Reactor Containment Sump Issue (9/14)
04-115	NRC Proposes Tougher Export-Import Requirements for High-Risk Radioactive Materials (9/15)
04-116	NRC Advisory Committee on Nuclear Waste to Meet Sept. 22-23 in Las Vegas, Nevada (9/16)
Regions:	
I-04-043	NRC, FPL to Discuss Apparent Violation at Seabrook Nuclear Plant (9/16)
II-04-048	NRC Cites Surry Nuclear Power Plant for Inspection Findings of Low to Moderate Safety Significance (9/17)
II-04-049	NRC to Meet with Honeywell Officials on September 30 to Discuss Long-Term Improvement Plans for Metropolis Plant (9/17)

IV-04-036	NRC Assigns New Resident Inspector to Callaway Nuclear Plant (9/14)
IV-04-037	NRC Dispatches Staff in Preparation for Hurricane Ivan (9/15)
IV-04-038	NRC to Discuss Safety Significance of Inspection Finding at Cooper Nuclear Station (9/17)
IV-04-039	NRC to Meet with Pacific Gas & Electric to Discuss Radioactive Material Control Program at Humboldt Bay Nuclear Plant (9/17)

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ENCLOSURE M

Office of the Secretary
Items of Interest
Week Ending September 17, 2004

Document Released to Public	Date	Subject
Decision Documents		
1. SRM-COMEXM-04-0002	8/26/04	Schedule for Part 26 Rulemaking Concerning Drug Testing and Fatigue
2. COMSECY-04-0037	6/21/04	Fitness-for-Duty Orders to Address Fatigue of Nuclear Facility Security Force Personnel
SRM on COMSECY-04-0037	9/1/04	(same)
Commission Voting Record on COMSECY-04-0037	9/1/04	(same)
Information Papers		
1. SECY-04-0156	8/27/04	Summary of Activities Related to Generic Safety Issues
2. SECY-04-0157	8/30/04	Status of Staff's Proposed Regulatory Structure for New Plant Licensing and Associated Policy Issues
3. SECY-04-0160	8/30/04	Agencywide Documents Access and Management System: New Semiannual Progress Report
4. SECY-04-0164	9/15/04	Weekly Information Report - Week Ending September 3, 2004

Commission Correspondence

1. Letter to Bradley M. Campbell, State of New Jersey, dated September 9, 2004, responds to letter expressing concerns with Shieldalloy Metallurgical Corporation's proposed use of the NRC's Long-Term Control, possession-only license for its site in New Field, NJ.

Federal Register Notices Issued

1. Proposed Rule - 10 CFR Part 110, 3150-AH44, Export and Import of Nuclear Equipment and Radioactive Materials: Security Policies.

2. Advisory Committee on Reactor Safeguards (ACRS) - Notice of Meeting (October 7-9, 2004).
3. ACRS Subcommittee Meeting on Planning and Procedures.
4. Establishment of Atomic Safety and Licensing Board - Entergy Nuclear Vermont Yankee, LLC, and Entergy Operations, Inc.
5. Establishment of Atomic Safety and Licensing Board - Tennessee Valley Authority.

September 17, 2004

ENCLOSURE O

Region I
Items of Interest
Week Ending September 17, 2004

Indian Point - Status of Security Union Contract Negotiations

Entergy, the license for the Indian Point Nuclear Plant, and the Bargaining Unit of the plant security force have agreed to resume negotiations on September 22, 2004. The Region continues with its strike contingency preparations and continues to monitor conditions at the site. A Region I senior security specialist was on-site during the week of September 13 to review Entergy's contingency plans and preparations for a potential strike by its proprietary security force. Entergy's plans were found to be appropriate.

Maine Yankee - Containment Building Demolition

On September 17, 2004, the licensee for the decommissioning Maine Yankee nuclear plant and their contractors successfully brought down the containment building using explosive charges. A series of timed explosive charges were used to weaken the remaining portion of the containment walls and allow the upper containment dome to drop to the ground. The remainder of the dome will be demolished using conventional machinery. Approximately 400 employees, former employees, family members, government regulators and news media observed the event.

Region II
Items of Interest
Week Ending September 17, 2004

Oconee - Meeting to Discuss Inspection Finding

On September 13, 2004, Region II staff held a public meeting with representatives from Duke Energy Corporation in Region II Offices. The purpose of the meeting was to discuss a recent inspection finding at the Oconee nuclear power plant concerning inadequate fire response procedures that would delay transfer of control to the Standby Shutdown Facility.

September 17, 2004

ENCLOSURE P

Office of Congressional Affairs
 Items of Interest
 Week Ending September 17, 2004

CONGRESSIONAL HEARING SCHEDULE, NO. 72

OCA Contact	DATE & PLACE	TIME	WITNESS	SUBJECT	COMMITTEE
Keeling	09/21/04, 09/22/04 SD-342	10:00	Markup	Reorganizing Intelligence Gathering Activities of the Federal Government	Senators Collins/Lieberman Governmental Affairs
Keeling	09/22/04 2247 RHOB	10:00	9/11 Commission members and others	9/11 Commission Recommendations	Reps. Shays/Kucinich National Security, Emerging Threats and International Relations Government Reform
Portner	TBA SD-124	TBA	Markup	FY2005 Energy and Water Development Appropriations	Senators Domenici/Reid Energy and Water Development Appropriations
Keeling	TBA 345 CHOB	TBA	Markup	Homeland Security Authorization	Reps. Cox/Turner Select Committee on Homeland Security