

INFORMATION REPORT

July 31, 2003

SECY-03-0128

For: The Commissioners
From: William M. Dean, Assistant for Operations, Office of the EDO
Subject: SECY-03-0128 WEEKLY INFORMATION REPORT - WEEK
ENDING JULY 25, 2003

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*No input this week.

/RA/ by Melinda Malloy acting for

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Office of Nuclear Reactor Regulation
Items of Interest
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Workshop on Mixed Oxide (MOX) Fuel Qualification

From July 21 through 23, 2003, two staff members from the Division of Systems Safety and Analysis participated in the workshop on MOX fuel qualification in Moscow, Russia. Also participating were staff from the MOX fuel program from the Department of Energy and Department of State and counterparts from the Russian government. The purpose of the workshop was to exchange information on criteria for MOX fuel qualification and fuel performance as part of the bilateral agreement to dispose of excess plutonium through fuel utilization in commercial nuclear reactors. The NRC staff presentation described the NRC regulations and licensing criteria which will be applied to the application for the MOX fuel design. A similar presentation was provided by the Russian nuclear regulatory authority.

Staff Holds Public Meetings on the Update to the Generic Environmental Impact Statement for License Renewal of Nuclear Plants (NUREG-1437)

The NRC staff participated in four scoping meetings over the last two weeks related to the update to the Generic Environmental Impact Statement for License Renewal of Nuclear Plants (NUREG-1437). A scoping meeting was held in each of the four NRC regions to solicit comments from the public on the update to NUREG-1437. The meetings were July 8 in Atlanta, July 10 in Chicago, July 15 in Anaheim, and July 17 in Boston. The people attending the meetings included representatives of the NRC staff, NRC contractors from Pacific Northwest National Laboratory, members of the public, the nuclear industry, and the news media. Approximately 60 people attended the four meetings, and 30 people spoke at the meetings. Some of the public concerns included security of nuclear facilities, cancer in populations living near nuclear facilities, and storage of high-level radioactive waste. The comment period ends on September 2, 2003.

In addition, in an effort to improve communication and increase interaction with members of the public, the staff conducted open houses for one hour prior to each meeting session with displays and brochures.

AP1000

On July 17-18, 2003, Westinghouse Electric Company (Westinghouse) briefed the Advisory Committee on Reactor Safeguards (ACRS) Future Plant Design subcommittee in a public meeting at the Westinghouse Energy Center in Monroeville, Pennsylvania regarding the AP1000 reactor design. Westinghouse briefed the subcommittee on the automatic depressurization system phase 4 (ADS-4) squib valve reliability, the post-loss-of-coolant accident (LOCA) aerosol deposition on containment, and the seismic and structural design. Westinghouse also discussed two specific NRC draft safety evaluation report (DSER) open-item-related issues: leak-before-break and sump performance.

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The NRC staff provided an overview of the 174 DSER open items and the staff's current review status. Westinghouse provided a discussion of the resolution paths for selected open issues. A member of the public also provided comments to the ACRS subcommittee during the meeting on July 17. The NRC staff plans to respond to this stakeholder's concerns in a letter.

Nuclear Regulatory Commission (NRC) Information Notice 2002-26, Supplement 1, Additional Failure of Steam Dryer After a Recent Power Uprate, dated July 21, 2003

The U.S. Nuclear Regulatory Commission is issuing this information notice to alert addressees to another failure of the steam dryer at Quad Cities Nuclear Power Station, Unit 2, a boiling water reactor, during operations following a power uprate. It is expected that the recipients will review the information for applicability to their facilities and consider actions, as appropriate, to avoid similar problems.

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Office of Nuclear Material Safety and Safeguards
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U.S. Department of Transportation Public Meeting on International Transport Regulations

On July 22, 2003, staff from the Spent Fuel Project Office participated in a public meeting at the U.S. Department of Transportation's (DOT's) Headquarters in Washington, DC. About 30 people attended the meeting. The meeting was held to collect comments on 63 proposed changes to the requirements of the 1996 Edition of the International Atomic Energy Agency (IAEA) Regulations for the Safe Transport of Radioactive Material (TS-R-1). The changes, if ultimately accepted, would be published in revised IAEA regulations in 2005, and would likely necessitate domestic compatibility rulemakings by both NRC and DOT. IAEA's revision process calls for an opportunity for a period of 120 days to provide comments. DOT is the U.S. competent authority, before IAEA, for transportation issues; is consolidating all U.S. comments; and is accepting written comments through August 8, 2003. NRC plans to provide comments to IAEA through DOT. DOT expects to convene another public meeting in early October, also with NRC participation, to present U.S. consolidated comments.

Fuel Cycle Safety and Safeguards Vulnerability Assessment Visit to Westinghouse

During the week of July 21, 2003, Division of Fuel Cycle Safety and Safeguards staff members participated in a Vulnerability Assessment visit with Sandia and Los Alamos National Laboratories at the Westinghouse Facility in Columbia, South Carolina. This site visit will allow the laboratories to gather and evaluate data to support the ongoing Vulnerability Assessment efforts.

Nuclear Fuel Services Predecisional Enforcement Conference

On July 21, 2003, at NRC Headquarters, Region II held the Nuclear Fuel Services (NFS) Predecisional Enforcement Conference regarding Material Control and Accounting. The region provided a synopsis of the events that resulted in the apparent violations. Much of the remainder of the meeting was spent allowing NFS to discuss the apparent violations, its completed and planned corrective actions, and its views on the severity of the violations. After a brief NRC caucus, the meeting reconvened to request additional information from NFS regarding the specific legal citation it referenced during its presentation and discussion. NFS stated that it will provide this information formally in writing. The Region II Regional Administrator provided closing remarks stating that, pending receipt of the requested information, the region would provide its decision on the apparent violations in 4 to 5 weeks.

Staff Meets with Molycorp and State of Pennsylvania on Decommissioning of Washington, Pennsylvania, Facility

On July 22, 2003, a meeting was held at the Regional Pennsylvania Department of Environmental Protection (PADEP) office in Pittsburgh, Pennsylvania, between NRC, PADEP, and Molycorp and its contractors, to discuss Phase III of decommissioning the Washington, Pennsylvania, facility. Phase III is a new site characterization integrating both radiological and chemical concerns to provide a better understanding of the type and amount of subsurface

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contamination. After the meeting, the group conducted a site overview. A reporter from a local newspaper and two local city council members were invited to participate in the walkover. A draft characterization plan is to be presented to NRC and PADEP by the end of August 2003.

Denial of a Petition for Rulemaking (PRM-34-05)

On July 15, 2003, the Office of the Federal Register published the NRC notice of denial of a petition for rulemaking (PRM-34-05) from Amersham Corporation (currently known as AEA Technology, QSA, Inc.). The petitioner requested that NRC amend its regulations that specify performance requirements for industrial radiography equipment by removing the reference to associated equipment, clarifying provisions in the current regulations that the petitioner believes are not clearly defined, and by requiring routine inspection and maintenance of associated equipment.

In summary, the petition was denied because the NRC determined that registration of associated equipment is not required. Therefore, the staff is changing NRC practice, contained in guidance and inspection procedures, to not include associated equipment in the registration process. This information will be provided to affected internal and external stakeholders via a regulatory issue summary. In addition, it is important to retain the reference to the American National Standards Institute (ANSI), N432-1980, "Radiological Safety for the Design and Construction of Apparatus for Gamma Radiography" (ANSI N432), which is incorporated by reference in 10 CFR 34.20, to ensure that radiography equipment meets the minimum performance criteria to protect health and minimize danger to life and property. At the time of the request to amend 10 CFR 34.28, NRC had already proposed rulemaking to include routine inspection and maintenance of associated equipment in 10 CFR 34.31, as stated in the current regulations.

Office of Nuclear Regulatory Research
Items of Interest
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Public Meetings on the Proposed Rulemaking on 10 CFR 50.46 and General Design
Criterion 35

Staff from the Office of Nuclear Regulatory Research (RES) participated in two public meetings held on July 24, 2003, related to the proposed rulemaking on 10 CFR 50.46 and General Design Criterion 35. In the morning meeting, RES staff, staff from the Office of Nuclear Reactor Regulation, and the Nuclear Energy Institute (NEI) discussed issues related to the redefinition of the large-break Loss of Cooling Accident (LOCA). NEI presented a draft paper which provided their rationale and suggested approach for a proposed rule. Discussion also focused on analytic tools and the approach for maintaining defense-in-depth needed to support redefinition of the large-break LOCA.

In the afternoon meeting, the Boiling Water Reactor Owners Group (BWROG) presented their plan for submitting a licensing topical report covering LOCA-LOOP (loss of offsite power) exemption requests (10 CFR 50.12 exemptions). The topical would be based in part on results from the codes, Material Access Authorization Program (MAAP), and Transient Reactor Analysis Code (TRACG). MAAP would be used as a screening tool to help decide the appropriate base case scenarios to pursue and to perform some sensitivities. TRACG would be used for the base case calculations. Industry wanted feedback as to the acceptability of this approach. It was agreed that an update would be provided by the BWROG after it had more results, probably in late September 2003.

Nuclear Security and Incident Response
Items of Interest
Week Ending July 25, 2003

Preliminary Notifications

1. PNO-I-03-020A, Guthrie Healthcare System and Guthrie Clinic - UPDATE ON POTENTIAL MEDICAL EVENT AT GUTHRIE HEALTHCARE SYSTEM AND GUTHRIE CLINIC.
2. PNO-III-03-032, The Ohio State University, MEDICAL EVENT INVOLVING A HIGH-DOSE RATE BRACHYTHERAPY AFTERLOADER UNIT (UNDERDOSE).

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Office of Administration
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List of Approved Spent Fuel Storage Casks: NAC International, Inc., Multipurpose Canister (NAC-MPC) Revision (Part 72)

A direct final rule that revises the NAC International, Inc., Multipurpose Canister (NAC-MPC) cask system listing in the list of approved spent fuel storage casks was published in the Federal Register on July 18, 2003 (68 FR 42570). This amendment incorporates changes supporting the Yankee Rowe fuel loading campaign and makes corrections to the Connecticut Yankee technical specifications. The direct final rule becomes effective October 1, 2003. The companion proposed rule to this direct final rule was published in the Federal Register on July 18, 2003 (68 FR 42646). The comment period closes August 18, 2003.

Emergency Planning and Preparedness for Production and Utilization Facilities (Part 50)

A proposed rule that would amend the emergency planning regulations for the domestic licensing of production and utilization facilities was published in the Federal Register on July 24, 2003 (68 FR 43673). The proposed rule would amend requirements relating to Emergency Action Levels and clarify exercise requirements for co-located licensees. The comment period for this action closes October 7, 2003.

Chief Information Officer
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OCIO Participates in the Federal Enterprise Architecture Data Reference Model Pre-briefing

Staff from the Office of the Chief Information Officer (OCIO) participated in the Federal Enterprise Architecture Data Reference Model (DRM) pre-briefing recently held at the White House Truman Conference Room. Participation affords NRC an opportunity to provide input to the Office of Management and Budget (OMB) prior to the first DRM Federal agency briefing, tentatively scheduled for August 11, 2003. OMB envisions the DRM to be a framework to support the classification of Federal data and information. The DRM will provide clear data ownership and stewardship and will build upon best practices such as the Federal Geographic Data Committee work. The DRM will not be a government-wide data model or a replacement for ISO 11179 or other government-wide initiatives.

CISCO Integrated Operating System (IOS) Vulnerability Implementation Plan

As a result of the Federal Computer Incident Response Center (FedCIRC) advisory "FA_2003-17, Exploit Available for the CISCO IOS Interface," an implementation plan for upgrade of 167 CISCO devices was forwarded to FedCIRC on Tuesday, July 22, 2003. This upgrade is scheduled for completion for all impacted agency devices by August 31, 2003.

NRC - NIH Fiber Optic Connection

Staff from the Office of the Chief Information Officer (OCIO) met with National Institutes of Health (NIH) Center for Information Technology personnel at the NIH Fernwood location to review plans for the migration to the NIH dark fiber optic connection. It was agreed that early the week of July 28th, 2003, a physical layer test would be conducted to ensure that communications could be established at that layer. Depending upon those test results, the plan is to place the Megabits/second (100Mb/s) link into operation either in late August or early September of this year. This will provide a upgrade from the current 10Mb/s connection.

Kids.us

At the invitation of the Department of Commerce, National Telecommunications and Information Administration, the Nuclear Regulatory Commission joined other Federal agencies in fostering a safe environment for children on the Web. NRC's public Web site for children, "Student's Corner" will be made available under the domain name, "kids.us." According to kids.us, "All content on affiliated sites is thoroughly and regularly screened and monitored, making kids.us the most 'youth-friendly' space on the Web."

PDR Trains Regional Inspectors on Web-based ADAMS

Staff from the NRC's Public Document Room (PDR) recently responded to a request from the Office of Nuclear Reactor Regulation (NRR) to host a training session on NRC's Web-based search engine for two visiting inspectors from Regions I and III. On July 17, 2003, the PDR provided a hands-on training session for the two inspectors and two NRR staff members on how

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to navigate and search for documents using Web-based ADAMS. The training session covered the differences between Citrix and Web-based ADAMS, the Legacy libraries, and who to call for assistance.

Freedom of Information and Privacy Act Requests received during the period of July 18 through July 24, 2003:

CFC Logistics Inc., license application & submission fee, dated 2-19-03	FOIA/PA-2003-0356
OIG investigation case #97-88F, all records	FOIA/PA-2003-0357
10 CFR 50, Appendix RIII.G.2 and non-compliant "operator manual actions" at nuclear power plants, 1-1-2000 through 7-18-2003, all NRC communications	FOIA/PA-2003-0358
NRC report 01-4-2000-057, 01-4-2002-053, and allegation RIV-2002-A-0122, all documents	FOIA/PA-2003-0359

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Office of Human Resources
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Arrivals		
BARRETT, Andrew	REACTOR ENGINEER	RIV
BELL, Michael	CONSULTANT	NMSS
DARANG, Kristin	STUDENT CLERK	RI
DENNIS, Steven	OPERATIONS ENGINEER	NRR
HARVEY, Robert (Brad)	PHYSICAL SCIENTIST	NRR
HIGGINS, Patrick	REACTOR ENGINEER	RIII
HUYCK, Douglas	SECURITY SPECIALIST	NSIR
McGRAW, Aaron	NUCLEAR SAFETY INTERN	STP
McMURTRAY, Anthony	SR. PROJECT MANAGER	NRR
MUESSLE, Mary	PROGRAM ANALYST	OCFO
PHILLIPS, Richard	CHIEF, FINANCIAL SYSTEMS TEAM	OCFO
RIVERA, Eric	ACCOUNTANT	OCFO
WARD, William	PHYSICAL PROTECTION SPECIALIST	NSIR
WEDEWER, Harry	STUDENT LAW CLERK	OGC
YU, DeANNA *	STUDENT CLERK (summer)	ADM
Retirements		
None		
Departures		
GIGLIO, Nicolas	STUDENT ENGINEER	RII
GO, Geoffrey	NUCLEAR SAFETY INTERN	RI
KLEIN, Gabriel	STUDENT ENGINEER	NRR
OLENCZ, Joseph	TECHNICAL ASSISTANT	NMSS

* She appeared on the EOD list for Monday, June 21st. Her actual EOD date changed to Monday, June 28th.

Office of Public Affairs
Items of Interest
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Media Interest

- ! Statements by the Federal Emergency Management Agency (FEMA) and NRC that emergency preparations provide “reasonable assurance” of public safety in the region surrounding the Indian Point nuclear plant. Also, preparations for a mock terrorist attack to test security at the plant.
- ! Repairs completed on South Texas Project Unit 1; utility awaits NRC approval for restart.
- ! Community opposition to a proposed commercial irradiator in Bucks County, Pennsylvania.
- ! More delays for restarting Davis-Besse.

Press Releases	
Headquarters:	
03-098	NRC Releases Final Version of Yucca Mountain Review Plan (7/22)
03-099	NRC Finds Indian Point Meets Reasonable Assurance Criteria for Emergency Preparedness (7/25)
Regions:	
I-03-043	NRC Assigns New Resident Inspector to Indian Point 3 (7/22)
I-03-044	NRC to Hold Public Meetings Regarding Draft Environmental Report for Ginna Nuclear Plant License Renewal Application (7/22)
II-03-038	NRC to Hold Public Meeting at Global Nuclear Fuel - Americas July 31 to Discuss Plant's Regulatory Safety Performance (7/22)
III-03-051	NRC Will Discuss License Termination Plan for Big Rock Point (7/23)
IV-03-032	NRC to Hold Public Meeting July 28 on Reactor Vessel Leakage at South Texas Nuclear Power Plant (7/21)

Office of International Programs
Items of Interest
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Japanese Visitors

A team from Japan's two nuclear regulatory organizations (Ministry of Economy, Trade and Industry (METI) and Ministry of Education, Culture, Sports, Science and Technology (MEXT), accompanied by the Embassy of Japan) visited NRC on Monday, July 21, 2003. They met with representatives of the Office of the General Counsel and the Office of Nuclear Security and Incident Response to discuss the International Atomic Energy Agency (IAEA) Information Circular 225/Rev 4. The Japanese government is currently reviewing its physical protection system for material and nuclear facilities.

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Office of the Secretary
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Commission Correspondence

1. Letter to Congress dated July 18, 2003, provides May report on status of NRC's licensing and regulatory duties.
2. Letter to Joe F. Colvin, Nuclear Energy Institute (NEI), dated July 15, 2003, concerns Staff Requirements Memorandum (SRM) associated with SECY-02-0166, "Policy Options and Recommendations for Revising the NRC's Process for Handling Discrimination Issues."
3. Letter to Colleen M. Kelly, National Treasury Employees Union (NTEU), dated July 14, 2003, concerns implementation of revised Office of Management and Budget (OMB) Circular A-76, "Performance of Commercial Activities."
4. Letter to Representative Sue W. Kelly, dated July 13, 2003, concerns public information meeting about the Indian Point Energy Center.
5. Letter to Senator Charles Schumer, dated July 13, 2003, concerns request that NRC and Federal Emergency Management Agency (FEMA) representatives meet with local officials and the public to discuss emergency planning for the Indian Point nuclear power plants.

Federal Register Notices Issued

1. Notice of Agreement with the State of Wisconsin - Discontinuance of Certain Commission Regulatory Authority within the State.
2. Risk-Informed Categorization and Treatment of Structures, Systems and Components for Nuclear Power Reactors - Notice of extension of comment period.

Region I
Items of Interest
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IG Baseline Audit of Region I

Staff from the Office of Inspector General (OIG) conducted the in-office portion of their audit of the baseline inspection program. Audit focus areas include program methodology, staffing, and calendar year 2002 program completion. Next week OIG auditors will visit the Beaver Valley and Peach Bottom sites. Region I is the first region visited in this audit.

Pilgrim Security Guards Strike Authorization Vote

On Thursday, July 24, 2003, the security guards at the Pilgrim station voted to authorize a strike by a count of 72-to-1. The contract dispute between the security force and Wackenhut, the Pilgrim security contractor, involves issues over mandatory overtime. Although the vote authorizes the strike, the security force has not announced any plans to strike. A National Labor Relations Board meeting is currently scheduled for August 4, 2003. The Region has reviewed the licensee's strike contingency plans and is monitoring the activities.

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Region II
Items of Interest
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Nuclear Fuel Services, Inc.-Closed Predecisional Enforcement Conference

On July 21, 2003, the Regional Administrator and other regional managers were in Headquarters to attend a closed Predecisional Enforcement Conference with Nuclear Fuel Services, Inc. The purpose of the conference was to discuss apparent violations involving material control and accounting.

Duke Energy Corporation - McGuire Nuclear Station

On July 22, 2003, the Regional Administrator was at the McGuire Nuclear Station in Huntersville, North Carolina. He toured the site and met with the resident inspectors and licensee management.

South Carolina Electric and Gas Company - V. C. Summer Nuclear Exercise

On July 23-25, 2003, the State Liaison Officer participated as a member of the Regional Assistance Committee in the full V. C. Summer nuclear exercise, involving officials of the State of South Carolina and applicable local governments.

Special Task Force for Operations Events

On July 21, 2003, a representative from the Office of Nuclear Regulatory Research, along with a representative from the Office of Nuclear Reactor Regulation, were in the Region II Office to obtain feedback from managers and staff. The feedback will be used as input into a special task force that is assessing how the NRC should enhance the evaluation of operations events, how the event evaluations can best be utilized by managers and staff, and how lessons learned can best be shared.

Region IV
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Management Change at Cooper Nuclear Station

Nebraska Public Power District announced on July 23, 2003, that Tom Palmisano, Site Vice President at Cooper Nuclear Station, will depart the station effective July 25, 2003, to become the Site Vice President at Monticello. Clay Warren, Vice President of Nuclear Energy, will assume the duties of Site Vice President until a replacement is named.

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Office of Congressional Affairs
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CONGRESSIONAL HEARING SCHEDULE, <u>NO. 24</u>					
OCA Contact	DATE & PLACE	TIME	WITNESS	SUBJECT	COMMITTEE
Combs	TBA	TBA	Chairman Diaz, DOE Bechtel, NEI	Yucca Mountain	Reps. Barton/Boucher Energy and Air Quality Energy and Commerce
Keeling	07/29/03 SD-342	9:30	Joe D. Whitley, Penrose Albright	General Counsel & Ass't Secretary for Budget at DHS Nominations	Senators Collins/Lieberman Governmental Affairs
Keeling	09/10/03 LHOB	10:00	TBA	Findings of 9/11 Intelligence Report	Reps. Cox/Turner Select Committee on Homeland Security

Note: The House of Representatives is out of session until September.