INFORMATION REPORT

October 16, 2003 SECY-03-0176

For: The Commissioners

From: William M. Dean, Assistant for Operations, Office of the EDO

Subject: SECY-03-0176 WEEKLY INFORMATION REPORT - WEEK

ENDING OCTOBER 10, 2003

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^{*}No input this week.

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Office of Nuclear Reactor Regulation Items of Interest Week Ending October 10, 2003

Exelon Corporation to Purchase Clinton Power Station, Unit 1, Oyster Creek Nuclear Generating Station, and Three Mile Island Nuclear Station, Unit 1 (TMI)

On October 3, 2003, Exelon Corporation announced that it will buy British Energy's 50 percent interest in AmerGen Energy Company, LLC, for \$276.5 million, giving Exelon sole ownership of AmerGen and its three nuclear plants (i.e., Clinton, Oyster Creek, and TMI). The amount matches the offer by FPL Energy, which announced September 11 that it intended to buy British Energy's share of AmerGen. Under the AmerGen agreement between Exelon and British Energy, either can exercise a "right of first refusal" by matching any bone-fide third-party offer agreed to by the other partner.

The AmerGen sale is expected to be completed in the first half of 2004. When the transaction is complete, Exelon will fully own eight of the ten nuclear stations it operates. The company will continue to operate and share ownership of Peach Bottom (50% ownership) and Quad Cities (75% ownership). Exelon also owns 50% of Salem which is operated by PSE&G.

Issuance of St. Lucie Renewed Licenses

On October 2, 2003, the Director of NRR renewed the operating licenses for St. Lucie Nuclear Power Plant, Units 1 and 2, for an additional 20 years. The staff completed the environmental and safety reviews in accordance with the requirements of 10 CFR Parts 51 and 54. The renewed licenses were issued within 22 months of receipt of the application submitted by the Florida Power & Light Company.

NRC Information Notice 2003-19: Unanalyzed Condition of Reactor Coolant Pump Seal Leakoff Line During Postulated Fire Scenarios or Station Blackout, Dated October 6, 2003

The NRC is issuing this information notice to alert addressees to the recent identification of an unanalyzed condition involving the design of the reactor coolant pump seal leakoff line. The NRC anticipates that recipients will review the information for applicability to their facilities and consider taking appropriate actions.

NASA Quality Leadership Forum

On September 30 and October 1, 2003, staff from the Division of Inspection Program Management (DIPM) attended the National Aeronautics and Space Administration (NASA) Quality Leadership Forum at the Johnson Space Center, Houston, Texas, to provide information on how the U.S. Nuclear Regulatory Commission (NRC) assesses licensee corrective action programs and to understand NASA's process. There were about 100 attendees from throughout the NASA community, including both NASA employees, and NASA suppliers.

Office of Nuclear Material Safety and Safeguards Items of Interest Week Ending October 10, 2003

Blended Low-Enriched Uranium Project Overview Meeting

On September 26, 2003, staff from the Division of Fuel Cycle Safety and Safeguards met with Nuclear Fuel Services (NFS), Framatome, and Tennessee Valley Authority (TVA) staff and managers at NRC Headquarters to discuss the Blended Low-Enriched Uranium (BLEU) project. NFS requested this meeting to provide an overview of the BLEU project for new NRC managers. The first part of this meeting was open to the public, and one member of the public was present. At this public meeting, NFS presented a history of the project, beginning with President Clinton's 1995 declaration that 200 metric tons of defense-programs weapons-capable fissile material were excess to national security needs. NFS also discussed the origins of the materials and the events that led to TVA Nuclear signing a contract with Framatome to prepare and process BLEU into fuel assemblies and Framatome's contracting with NFS to downblend and convert the uranium. NFS discussed the Urynal Nitrate Building licensing action, which was completed in July 2003, and the BLEU preparation facility licensing action, which is still under NRC review. This concluded the public part of the meeting.

In the closed part of the meeting, NFS discussed its plans and schedule for submittal of the third of three BLEU licensing actions, the Oxide Conversion Facility, and requested that NRC complete the review by July 2004. The TVA representative emphasized the importance of this schedule to TVA's Browns Ferry reactor reload schedule.

Meetings with Local Elected Officials on Proposed Louisiana Energy Services Enrichment Plant

On October 1-3, 2003, staff from the Divisions of Fuel Cycle Safety and Safeguards and Waste Management held meetings with the County Manager of Lea County, New Mexico, and the Mayors of Eunice, Tatum, Jal, Hobbs, and Lovington, New Mexico, and Andrews, Texas. In these meetings, staff discussed the licensing and environmental impact statement process applicable to the Louisiana Energy Services' proposed gas centrifuge enrichment plant planned to be located in Eunice, New Mexico. It was decided to hold a public meeting to discuss the plant licensing on November 4, 2003, at the Eunice Community Center.

10 CFR Parts 30, 40, and 70 Financial Assurance for Materials Licensees Final Rule

On October 3, 2003, the Federal Register (68 FR 25093) published this final rule amending the regulations for financial assurance for materials licensees, including all waste brokers, bringing the amount of required financial assurance more in line with current decommissioning costs. The purpose of the rule is to ensure that licensees maintain adequate financial assurance to carry out timely decommissioning after shutdown of their licensed facilities. Licensees provide financial assurance based on either facility-specific decommissioning cost estimates or dollar amounts prescribed by regulation (certification amounts). The changes to the regulations focus on areas where the likelihood of inadequate funding is high by expanding the requirements to use facility-specific decommissioning cost estimates and raising certification amounts. The rule updates the level of financial assurance that licensees must provide for facility decommissioning by making changes in four areas: (1) large sealed source licensees such

as large irradiators may no longer use certification amounts and must base their financial assurance on facility-specific decommissioning cost estimates; (2) all waste processor and waste collector licensees also must provide financial assurance based only on site-specific decommissioning cost estimates and not certification amounts; (3) decommissioning cost estimates must now be updated at least every 3 years; and (4) the certification amounts for licensees are increased by 50 percent. This becomes effective on December 2, 2003.

NRC and Center for Nuclear Waste Regulatory Analyses Staff Visit Catholic University's Corrosion Facility

On October 1, 2003, staff from the Division of Waste Management and the Center for Nuclear Waste and Regulatory Analyses visited Catholic University's Corrosion Facility. In addition to NRC, representatives from the State of Nevada, Egan Fitzpatrick and Malsch, Dominion Engineering Incorporated, and Geosciences Management Institute were present. In recent public forums, Catholic University has presented experimental results on issues that address potential corrosion processes that may affect any potential waste packages stored under conditions similar to those under investigation at Yucca Mountain. Staff toured the facility and discussed some of Catholic University's findings.

Meeting with Holtec International on Amendment 2 to the HI-STORM 100 Certificate of Compliance

On October 1, 2003, Spent Fuel Project Office staff met again with Holtec International to discuss the response to the staff's request for additional information at a previous meeting and the new changes to the HI-STORM 100 Certificate of Compliance Amendment 2. In particular, the discussion focused on the thermal and shielding disciplines. The implications of the new information and impacts on the future review schedule were also discussed. This was a public meeting. Representatives from Private Fuel Storage and PSEG Nuclear also attended.

<u>Technical Information Exchange on Risk-Informing the Non-Reactor Regulatory Activities with the Canadian Nuclear Safety Commission</u>

On September 30 - October 2, 2003, Office of Nuclear Material Safety and Safeguards staff participated in a technical information exchange with the Canadian Nuclear Safety Commission (CNSC) on risk-informing the non-reactor regulatory activities. The objectives of the information exchange were to provide an overview of the U.S. framework on risk-informing our regulatory activities in the non-reactor areas and to learn the specific CNSC risk-informing approach implemented in the nuclear materials regulatory program. This information exchange was a follow-on activity from the May 2003 Trilateral Meeting between NRC, CNSC, and Comisión Nacional de Seguridad Nuclear y Salvaguardias (Mexico). In addition to the description of the CNSC risk-informing approach, CNSC also provided detailed information on the tools that it has developed to implement a risk-informed nuclear materials inspection program and shared lessons learned. CNSC is in the process of implementing the risk-informing approach in other program areas. The information received during this exchange will be a resource for risk-informing the U.S. non-reactor regulatory activities.

Office of Nuclear Regulatory Research Items of Interest Week Ending October 10, 2003

Advisory Committee on Reactor Safeguards (ACRS) Briefing

On October 2, 2003, staff from the Division of Systems Analysis and Regulatory Effectiveness briefed the Advisory Committee on Reactor Safeguards (ACRS) on grid reliability issues. The briefing stemmed from a study that investigated the impact of deregulation on grid performance, and associated impact on nuclear power plant performance. Changes include higher transmission system loading, lower reactive capabilities, changes in operating voltage limits, increase in times to recover, and increase in transmission line relief requests, especially during the summer months. The presentation concluded with a summary of best practices including understanding the seasonal effects of grid performance on switchyard and diesel maintenance activities, and the need to establish contractual arrangements between grid and nuclear power plant operators to maintain secure electrical power.

Cooperative Project on Primary Water Stress Corrosion Cracking (PWSCC) and Nondestructive Examination (NDE) in Nickel-base Alloys

During the recent Conference on Vessel Penetration Inspection, Cracking and Repairs sponsored by RES and Argonne National Laboratories (see a separate highlight), the RES staff also held a separate workshop to discuss the proposed international cooperative project on Primary Water Stress Corrosion Cracking (PWSCC) and Non-Destructive Examination (NDE) in Nickel-Base Alloys and dissimilar metal welds (DMW). The objective of the cooperative program would be to: (1) document the range of locations and crack morphologies associated with PWSCC; (2) identify, develop and assess NDE methods for accurately detecting, sizing and characterizing tight cracks such as PWSCC; (3) develop representative NDE mock-ups with flaws to simulate tight PWSCC cracks, and (4) incorporate findings from other ongoing PWSCC research programs as appropriate.

Approximately 45 conference attendees from 10 countries and the US attended the workshop. It was determined through discussions that the generic implications of PWSCC are not fully understood, although numerous events worldwide have occurred over the past three years associated with stress corrosion cracking of nickel based alloys and DMWs at operating nuclear power plants. Many of the workshop participants agreed that an international cooperative program such as this is timely. Prior to the conference, two organizations, SKi (Swedish regulatory authority) and Joint Research Center of European Commission, JRC-Petten, had already agreed to participate in an international program. These organizations and the NRC are developing a framework for the program. Several other organizations, including EPRI, have declared their intent to participate in the program.

RES staff, with the assistance from Pacific Northwest National Laboratory, will develop a questionnaire for distribution to all workshop attendees. Responses to the questionnaire will identify organizations with common interests and resources, provide an update on current work that is related to the objectives of the international cooperative program, and define specific tasks to be included in the program.

Vessel Penetration Inspection, Crack Growth and Repair Conference

The four-day Vessel Penetration Inspection, Crack Growth and Repair Conference was concluded on October 10, hosting 220 registrants, and featuring 46 presentations by regulatory agency staff, industry representatives, and researchers worldwide. The conference convened at the Gaithersburg-Marriott-Washingtonian Center, and attendees arrived from 14 foreign countries and the USA. The conference was divided into five sessions: (1) Continued Operating Experience, (2) Stress Analysis and Structural Integrity, (3) Crack Growth of Nickel-Base Alloys, (4) Mitigation of Cracking, and 5) Foreign Experience. The conference participation of the US industry was particularly encouraging, encompassing nearly half (22) of the presentations. Many of the papers focused on recent developments in the areas of inspection, understanding of the mechanisms of crack growth, and the mitigation of crack growth. The timeliness of the presentations was exemplified by three contributions by the staff at South Texas Projects, describing elements of the discovery and repair of their bottom-mounted instrumentation nozzles, and an up-to-the-minute presentation by a Japanese participant describing the findings about the pressurizer nozzle leaks (three of them) discovered three weeks ago at the Tsuruga plant.

The conference presentations and discussions provided a comprehensive basis upon which the NRC may be able to build regulatory and research actions in the near term, and to develop a plan for proactive materials degradation research, in order to identify issues in the future, such as those that may pertain to replacement components. The presentations on foreign experience contained information useful to the NRC on how other countries are regulating these issues.

The proceedings of this conference will be distributed in early January, 2004, and will contain the handouts, full, written contributions from each author, and transcriptions of the session summaries. The next conference in this same topical area will be hosted by EPRI, and has a tentative schedule of late summer 2004.

Research Review Article on Hydrogeologic Parameter Estimation

One of NRC's researchers, from the University of Arizona, was recently commissioned by the American Geophysical Union (AGU), to prepare a research review paper, entitled "Multifacted Nature of Hydrogeologic Scaling and Its Interpretation." The work was published by AGU on September 30, 2003, in the journal, Reviews of Geophysics. The paper shows how hydrogeologic parameters (which cannot be measured directly) vary with the spatial resolution of models. The paper identifies and summarizes significant contributions to the scientific literature in the field of hydrogeology covering the period of 1983-2003. Many of these cited references were authored by RES-sponsored investigators at MIT and the University of Arizona, based on field data analyses and modeling studies of the Las Cruces Trench and Apache Leap Research sites. NMSS staff and Agreement State regulators will be able to utilize the concepts and framework presented in the paper to develop more realistic and technically-based estimates of hydrogeologic parameters used in ground-water flow and transport models.

ACRS Subcommittee Meetings

On October 9, 2003, staff from the Division of Engineering Technology (DET) briefed the Advisory Committee on Reactor Safeguards (ACRS) subcommittee on Reliability, Probability Risk Assessment, and Human Factors on digital instrumentation and control research and digital systems risk. DET staff also briefed the subcommittee on earth sciences and seismic related research activities.

Office of Administration Items of Interest Week Ending October 10, 2003

<u>List of Approved Spent Fuel Storage Casks: Standardized NUHOMS® -24P, -52B, 61BT, 32PT, and -24PT, Amendment 6, Revision (AH26 - Part 72)</u>

On October 7, 2003, a direct final rule was published in the Federal Register (68 FR 57785), that revises the Standardized NUHOMS® -24P, -52B, 61BT, 32PT, and -24PT (Amendment 6) cask system listing in the list of approved spent fuel storage casks. This action adds cask design to the Standardized NUHOMS® cask system. The direct final rule becomes effective December 22, 2003.

The companion proposed rule to this direct final rule was published in the Federal Register on October 7, 2003 (68 FR 57839). The comment period closes November 6, 2003.

Electronic Maintenance and Submission of Information (AH33 - 10 CFR Chapter I)

On October 10, 2003, a final rule was published in the Federal Register (68 FR 58792), that amends NRC's regulations to clarify when and how licensees and other members of the public may use electronic means to communicate with the agency. The amendments are necessary to implement the Government Paperwork Elimination Act. The NRC is also updating its guidance on how to submit documents to the agency electronically. The final rule becomes effective January 1, 2004.

Chief Information Officer Items of Interest Week Ending October 10, 2003

IT Infrastructure Upgrades Scheduled for Regions III & IV

Plans are now being finalized for the network infrastructure upgrades for Regions III and IV. These upgrades which have already been completed for Regions I and II will provide a Gigabit Ethernet backbone and 100MB desktop and server connectivity. Region IV's upgrade is scheduled to take place October 16-22, 2003 and Region III is scheduled for November 6-13, 2003.

Visitors from Japan Visit the Public Document Room

On October 7, 2003, a tour of the Public Document Room (PDR) was given to two visitors from Japan (Ms. Kazuko Hamamoto, a Senior Chief Engineer of the Nuclear Power Engineering Corporation (NUPEC) and Mr. Tomoaki Ohta, a Senior Consultant of Japan NUS) who were escorted to the PDR by Ms. Deann Raleigh, a Client Manager for ScienTech. The purpose of the visit was to gain a better understanding of the role the PDR plays in disseminating information to the public. The visitors were given an overview of the PDR's mission and services to the public, the PDR's home page, and a detailed demonstration of Web-based ADAMS. They will use insights from this visit as they work with the Nuclear and Industrial Safety Agency (NISA), Japan's NRC counterpart, to provide communities located near nuclear facilities with easy-to-understand information about nuclear safety and regulatory policies. They will also prepare and distribute brochures, for both the public and nuclear safety regulators.

<u>Freedom of Information and Privacy Act Requests received during the period of October 3 through October 9, 2003</u>:

Site assessment for property located at 2101 Dixon Street, Des Moines, Iowa	FOIA/PA-2004-0002
Employment records, medical disability, request for reasonable accommodations, all records on named individual; policies, regulations re: destruction of electronic data	FOIA/PA-2004-0003
AEC Contract No. AT(30-1)-3062	FOIA/PA-2004-0004
OIG investigation on named individual	FOIA/PA-2004-0005
Correspondence between NRC and Wesley K. Clark, 1983-present; Howard B. Dean, 1982-present; Richard A. Gephardt, 1971-present; John F. Kerry, 1984-present	FOIA/PA-2004-0006
Collection of information regarding employees with law enforcement duties, referral by Office of Personnel Management	FOIA/PA-2004-0007

Office of Human Resources Items of Interest Week Ending October 10, 2003

Arrivals				
ANDERSON, Joseph	EMERGENCY PREPAREDNESS SPECIALIST	NRR		
MELNICOFF, Mark	RELIABILITY & RISK ANALYST	NRR		
WITT, Kevin	GENERAL ENGINEER	NRR		

On-line Purchase Card System Presentation Conducted

On October 7, 2003, Office of Human Resources (OHR) staff conducted a presentation on the on-line purchase card system for use in the OHR. Approximately 15 OHR staff members attended this presentation. The new system will speed up the approval process for bankcard purchases and will not require any paper transactions.

Office of Public Affairs Items of Interest Week Ending October 10, 2003

Media Interest

Problems in a recent pressure test at Davis-Besse, as the troubled Ohio nuclear plant attempts to resume operations.

The development of an effective program by FirstEnergy Corp. for reviewing Davis-Besse's safety-related design issues, some dating back to when the nuclear plant went online in 1977.

Senator Reid of Nevada's deal with the White House to have his science aide nominated to the NRC in exchange for Reid lifting his hold on Bush administration nominations.

Press Releases				
Headquarters:				
03-129	NRC Denies Petition To Reference Prior Licensing Information In New Nuclear Power Plant Applications (10/6)			
03-130	NRC Advisory Committee On Nuclear Waste To Hold October Meeting In Rockville, Maryland (10/8)			
03-131	NRC Announces Availability Of Application For Early Site Permit At North Anna Nuclear Power Plant Location (10/9)			
03-132	NRC Requests Licensees To Update National Database On Nuclear Material Holdings (10/10)			
Regions:				
I-03-061	NRC Sends Special Inspection Team To Ginna Nuclear Plant To Review Containment Sump issue (10/7)			
III-03-065	NRC Seeks Additional Information On Safety Significance Of Davis-Besse Pump Problem (10/9)			

Office of the Secretary Items of Interest Week Ending October 10, 2003

Document Released to Public	Date	Subject	
Decision Documents			
1. SRM on SECY-03-0068	10/9/03	Interagency Jurisdictional Working Group Evaluating the Regulation of Low-Level Source Material or Materials Containing Less Than 0.05 Percent by Weight Concentration Uranium and/or Thorium	
Commission Voting Record on 03-0068	10/9/03	(same)	
2. SECY-03-0145	8/21/03	Proposed Rule: Medical Use of Byproduct Material - Recognition of Specialty Boards	
SRM on SECY-03-0145	10/9/03	(same)	
Commission Voting Record on 03-0145	10/9/03	(same)	
Negative Consent Documen	legative Consent Documents		
1. SECY-03-0106	6/24/03	Update on Proposed Rule Changes to 10 CFR 40.51	
SRM on 03-0106	10/8/03	(same)	
Information Papers			
1. SECY-03-0171	10/03/03	Weekly Information Report - Week Ending September 26, 2003	

Commission Correspondence

- 1. Letter to Congressman Edward J. Markey dated October 2, 2003 concerns the Microsoft SQL Server computer worm known as "Slammer."
- 2. Letter to Congress dated October 1, 2003 concerns emergency preparedness at the Indian Point Energy Center.
- 3. Letter to Governor M. Michael Rounds dated October 1, 2003 concerns proposal for developing a deep underground laboratory in South Dakota and also the decision to establish a Scientific and Technological Facilities Authority.

Federal Register Notices Issued

- 1. NEI Denial of Petition for Rulemaking (PRM 52-1).
- 2. Financial Assurance for Materials Licensees -Final Rule.
- 3. Electronic Maintenance and Submission of Information Final Rule.
- 4. Application to Amend License to Import Nuclear Facilities or Materials Philotechnics, Ltd.
- 5. ASLBP Designation of Presiding Officer Fansteel, Inc.

Region I Items of Interest Week Ending October 10, 2003

CFC Logistics, Inc.

On October 2, 2003, the CFC Logistics, Inc., a newly-licensed underwater irradiator, received its first shipment of cobalt-60 sealed sources. The licensee loaded the sources into the irradiator on October 3 and expects to begin production irradiation soon. Region I inspectors were onsite during receipt and loading of the sources.

On October 3, 2003, management from the Division of Nuclear Materials Safety, met with Congressman James Greenwood and his staff at his Doylestown, PA office to discuss the licensing of the CFC Logistics irradiator and the concerns expressed by local residents.

Region I and II Consolidation

Consolidation of the Regions I and II materials programs became effective October 1, 2003. As a result of this reorganization, Region I Division of Nuclear Materials Safety (DNMS) is now responsible for licensing, inspection, enforcement, allegations, and event response for approximately 2500 materials licensees in the eastern United States, Puerto Rico and the Virgin Islands. In addition, Region I DNMS will be responsible for oversight of 14 Agreement States through Regional State Agreement Officers.

Region II Items of Interest Week Ending October 10, 2003

Nuclear Fuel Services, Inc., Management Meeting in Headquarters

On October 9, 2003, the Regional Administrator, was in Headquarters to attend a management meeting with Nuclear Fuel Services. The purpose of this meeting was to discuss security issues.

Carolina Power and Light Company - H. B. Robinson Emergency Exercise

On October 6-10, 2003, the State Liaison Officer participated as a member of the Regional Assistance Committee in the full scale H. B. Robinson exercise, involving officials of the State of South Carolina and the applicable local governments.

Honeywell International, Inc. - Special Inspection

During the week of October 6-10, 2003, a team conducted a special inspection into the causes and circumstances surrounding recent leaks of chemicals impacting on or in the uranium conversion portion of the plant. The team identified the causes for the incidents and reviewed the licensees corrective actions to date and planned future actions.

Continuity of Operations Plan Training

On October 6, 2003, the Region II managers attended training on the Continuity of Operations Plan (COOP) conducted by the Office of Nuclear Security and Incident Response.

Region III Items of Interest Week Ending October 10, 2003

NRC Davis-Besse Oversight Panel Public Meetings

On October 7, 2003, the NRC Davis-Besse Oversight Panel held two meetings at the Camp Perry National Guard facility near Oak Harbor, Ohio. The first meeting was between the panel and FirstEnergy Nuclear Operating Co. officials to discuss the status of activities at the Davis-Besse plant in response to the reactor vessel head degradation. The second meeting was an evening public session to review NRC activities involving Davis-Besse and to respond to questions and concerns from the public.

Meeting on Davis-Besse Inspection Findings

On October 8, 2003, the NRC Davis-Besse Oversight Panel met with FirstEnergy Nuclear Operating Co. officials at the Davis-Besse Administration Building near Oak Harbor, Ohio, to discuss the preliminary findings of the recently completed NRC systems health inspection which looked at the effectiveness of design reviews performed by FirstEnergy on plant safety systems.

Region IV Items of Interest Week Ending October 10, 2003

Management Changes at Cooper Nuclear Station

Effective October 9, 2003, Stewart Minahan began his duties as the new Acting Site Vice President/General Manager for the Cooper Nuclear Station. Mr. Minahan was most recently the Manager of Operations at the Nine Mile Point Nuclear Generating Facility.

Missouri Senator visits the Callaway Plant

On October 9, 2003, Senator Jim Talent of Missouri visited Callaway Plant. The licensee briefed the senator on facility security and conducted a plant tour.

Office of Congressional Affairs Items of Interest Week Ending October 10, 2003

	CONGRESSIONAL HEARING SCHEDULE, NO. 34					
OCA Contact	DATE & PLACE	TIME	WITNESS	SUBJECT	COMMITTEE	
Combs	TBA 2123 RHOB	ТВА	NRC, DOE, Bechtel, NEI, NARUC	Review of the Progress of DOE's Yucca Mountain Project	Reps. Barton/Boucher Energy and Air Quality Energy and Commerce	
Combs	10/15/03 SD-406	9:30	Committee Vote	Confirmation of Michael Leavitt to be EPA Administrator	Senators Inhofe/Jeffords Environment and Public Works	
Gerke	10/15/03 2247 RHOB	2:00	TBA	Achieving Diversity in the SES	Reps. Davis/Davis Civil Service and Agency Organization Government Reform	