

# INFORMATION

December 8, 2000

SECY-00-0230

For: The Commissioners  
From: John W. Craig, Assistant for Operations, Office of the EDO  
Subject: SECY-00-0230 WEEKLY INFORMATION REPORT - WEEK  
ENDING DECEMBER 1, 2000

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\*No input this week.

**/RA by Debra J. Corley Acting For/**

John W. Craig  
Assistant for Operations, OEDO

Contact:  
S. Rosenberg, OEDO

Office of Nuclear Reactor Regulation  
Items of Interest  
Week Ending December 1, 2000

Virgil C. Summer Nuclear Station

The spool piece containing the cracked weld, from the V. C. Summer reactor coolant system "A" hot leg piping, has been taken to the Westinghouse hot laboratory near Pittsburgh, PA for metallurgic testing and analysis. Members of the Special Inspection Team and NRR's Division of Engineering staff will observe the tests at Westinghouse. A preliminary report from the Westinghouse testing is expected in early December. The Office of Research has requested a sample from the spool piece to send to Argonne National Laboratory for crack growth rate analysis.

The licensee has submitted two relief requests which are needed to support the piping repair. One request would allow the use of 690 Inconel as a welding filler. The second request would allow use of ultrasonic testing in lieu of radiograph for the Class-1 weld joints. Both of the requests are being reviewed by the technical staff.

Millstone Unit Nos. 2 and 3

On November 28, 2000, the staff issued license amendments on Millstone Units 2 and 3, associated with the relocation of selected radiological effluents Technical Specifications and associated Bases to the Millstone Radiological Effluent Monitoring and Offsite Dose Calculation Manual (REMODOCM). The relocation followed the NRC guidance published in Generic Letter (GL) 89-01, "Implementation of Programmatic Controls for Radiological Effluent Technical Specifications in the Administrative Controls Section of the Technical Specifications and the Relocation of Procedural Details of RETS to the Offsite Dose Calculation Manual or the Process Control Program" (January 31, 1989). The GL provides guidance for relocating the details of the radiation monitoring system, including the calibration and surveillance requirements into a licensee controlled document.

The Connecticut Coalition Against Millstone (CCAM) and Standing for Truth About Radiation (STAR) Foundation filed a petition to intervene and request for a hearing with regard to these amendment applications on September 8, 2000. An Atomic Safety and Licensing Board Panel was established on September 19, 2000. A telephone prehearing conference is scheduled for November 30, 2000, to hear oral arguments on the issues of standing and admissibility of the contentions. On November 28, 2000, the staff issued a Board notification with the amendments attached. This information is being brought to the attention of the Licensing Board and all parties, as it may be relevant and material to issues pending before the Licensing Board.

Also, on November 28, 2000, the staff issued a license amendment authorizing the licensee to increase the capacity of the Millstone Unit 3 spent fuel pool (SFP) from 756 spent fuel assemblies (SFAs) to 1860 SFAs. The licensee's application requesting authorization for the increase in SFP capacity became the subject of a hearing that was held on July 19, 2000. The Atomic Safety and Licensing Board (ASLB) issued a Memorandum and Order dated October 26, 2000, that concluded that with respect to two of the three contentions admitted (the third contention was resolved by a technical specification change) there were no significant

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factual disputes that would warrant a further evidentiary hearing and terminated the hearing. On November 13, 2000, CCAM and the Long Island Coalition Against Millstone petitioned the Commission for review (Petition for Review LBP-00-26) of the ASLB's Memorandum and Order for "erroneous rulings...regarding administrative controls and criticality prevention issues". The Commission has yet to rule on LBP-00-26.

### Maintenance Rule Revision Goes Into Effect

On Tuesday, November 28, 2000, the revised maintenance rule went into effect. The key revision to the rule was the new paragraph (a)(4). That paragraph requires licensees to assess the increase in risk that may result from proposed maintenance activity and to manage that risk. Previously, pre-maintenance assessments had only been recommended. Paragraph (a)(4) also gives licensees the option of reducing the scope of structures, systems, and components (SSCs) to be considered in the pre-maintenance assessment to those "that a risk-informed evaluation process has shown to be significant to public health and safety."

An additional change to the rule was the addition of an opening sentence to clarify that the maintenance rule is "applicable during all conditions of operation, including normal shutdown operations."

Licensees are cautioned by RG 1.182 that the pre-maintenance assessment, often called the "(a)(4) assessment," does not relieve the licensee from compliance with its license, including technical specifications, and applicable regulations. RG 1.182 and the revised industry standard also provide guidance regarding when an (a)(4) assessment may preclude the requirement to also perform an assessment in accordance with the requirements of 10 CFR 50.59.

### Visiting Foreign Regulators

During the week of November 27, 2000, the Technical Specifications Branch, Probabilistic Safety Assessment Branch, and Inspection Program Branch held a series of meetings with two foreign regulators from Eastern Europe. Ms. Ewa Muzikova from the Nuclear Regulatory Authority of the Slovak Republic and Mr. Murislov Svab from the Czech Republic's State Office for Nuclear Safety were visiting the Nuclear Regulatory Commission (NRC) to exchange information in mutual areas of interest. Most of the discussions centered around areas related to risk-informed regulation, such as risk-informed technical specifications, the maintenance rule, the reactor oversight process, and risk-informing 10 CFR Part 50. The staff also obtained information about an ongoing project at the Bohunice V2 Nuclear Power Plant, one of the Slovak plants, to install a full scope risk monitor. The project was sponsored by DOE. The main goals of the project are real time evaluation of plant risk during all modes of operation, calculation of allowed outage times for the verification of existing technical specifications, evaluation of on-line maintenance schedules to minimize high-risk configurations, and planning of maintenance activities during refueling outages. The monitor project is currently undergoing a verification and validation process at the plant.

Appointment of Additional Panel Members to the Reactor Oversight Process Initial Implementation Evaluation Panel and Plans for Second Meeting

On November 1-2, 2000, the first meeting of the Reactor Oversight Process Initial Implementation Evaluation Panel (IIEP) was held in Rockville, MD. The IIEP was formed in response to Commission direction in the Staff Requirements Memorandum from SECY-00-049, "Results of the Revised Reactor Oversight Process Pilot Program." The IIEP functions as a cross-disciplinary oversight group to independently monitor and evaluate the results of the first year of initial implementation of the Reactor Oversight Process.

After the first meeting, a stakeholder member of the panel resigned. The NRC has subsequently appointed two new members to the Panel - Mr. Raymond Shadis and Ms. Mary Ferdig. Mr. Shadis is a representative of the New England Coalition on Nuclear Pollution. Ms. Ferdig is a Ph. D. candidate in the Organization and Development Program at Benedictine University and has been following the development of the Reactor Oversight Process for the past year. She has a grant from the National Science Foundation to explore the interactions among stakeholders involved in the development and implementation of the Reactor Oversight Process.

The second IIEP meeting will be held on December 11-12, 2000 at the NRC's Region II Office in Atlanta, Georgia. In addition to various other topics, the staff has invited representatives from the States of Illinois, New Jersey, Pennsylvania, and Vermont to present their views on the Reactor Oversight Process.

Office of Nuclear Material Safety and Safeguards  
Items of Interest  
Week Ending December 1, 2000

International Atomic Energy Agency Technical Committee Meeting

On November 13-17, 2000, a staff member of the Risk Task Group participated in the International Atomic Energy Agency (IAEA) Technical Committee Meeting on "Current Practices in Probabilistic Safety Assessment (PSA) for Non-reactor Nuclear Facilities." The meeting was attended by 31 risk assessment experts representing 16 countries. The purpose of the meeting was to: (1) present papers on the experiences of various countries in performing PSA of non-reactor facilities; and (2) produce a final draft of an IAEA technical document (TECDOC) on non-reactor PSA. Papers were presented summarizing methods and results of a wide range of non-reactor PSA's, including waste repositories, spent fuel storage, reprocessing, and one paper on the intended design of the JCO fuel facility at Tokaimura. The NRC paper was a survey of risk assessments that have been done within the Office of Nuclear Material Safety and Safeguards. A final draft of the IAEA TECDOC was produced and will enter the formal publishing process soon. This document provides a technical framework for performing non-reactor PSA's. It emphasizes differences from reactor PSA's, and provides guidance on technical and management issues unique to non-reactor PSA, such as use of PSA methods of graded complexity. The NRC representative served as chairman of the writing group for this TECDOC.

Transport of the Big Rock Point Reactor Vessel

On November 21, 2000, Spent Fuel Project Office staff participated in a meeting with the Office of Nuclear Reactor Regulation and the Consumers Energy Company regarding the transport of the Big Rock Point reactor vessel for disposal. British Nuclear Fuels, Limited (BNFL), is the contractor for the reactor vessel shipment. BNFL plans to demonstrate that the reactor vessel, as prepared for shipment, meets all requirements of 10 CFR Part 71 and will not plan to request an exemption. The transport package will consist of an outer package containing the reactor vessel and some reactor vessel internals. The void spaces will be filled with low density concrete. The total package will weigh approximately 125 tons and contain approximately 13,000 curies of radioactivity. BNFL plans to submit the application in the summer 2001.

National Research Council Meeting on Potential Study on Harmonization of Chemical and Radioactive Hazards

On November 28, 2000, staff from the Office of Nuclear Material Safety and Safeguards (NMSS), the Office of Nuclear Regulatory Research, and the Deputy Executive Director for Materials, Research and State Programs (RES) participated in a meeting of the National Research Council on a potential study of harmonization of technical concepts and practices for regulating radioactive and chemical hazards. The purpose of the meeting was to discuss assumptions and issues for such a study, and for staff from the National Research Council to obtain information for developing a draft work scope and work plan. Participants also included representatives from the Environmental Protection Agency, the Department of Energy, the Department of Transportation, the U.S. Army, the state of New York, the Environmental Law Institute, and the Nuclear Energy Institute, along with members of several Boards within the

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National Research Council. Some of the potential issues for such a study included: (1) the need to define "harmonization" (e.g., whether it includes risk assessment, risk management, risk communication, and/or regulation); (2) existing problems that result from a lack of harmony; (3) obstacles to achieving harmony; and (4) the benefits that might result from greater uniformity in regulation. The National Research Council will prepare a draft work scope for consideration by federal agencies and others, and for possible funding.

#### Materials Research Society's Fall Conference

On November 28, 2000, staff from the Division of Waste Management attended the session on Microstructural Process on Irradiated Materials at the Materials Research Society's (MRS) Fall Conference. A paper was presented on The Effect of Bulk Phosphorus Content on Hardening, Intergranular Segregation and Embrittlement in Neutron Irradiated Fe-Based Alloys, by staff from the Japan Atomic Energy Research Institute, Ames Laboratory and the Office of Naval Research International Field Office, and NRC. The session was well attended and most of the presentations were on Reactor Pressure Vessel Materials and the embrittlement effects of nano-sized precipitates. Presenters were from the University of California at Santa Barbara, the Argonne National Laboratories, and the Washington University among others. The presented papers will be published in the MRS proceedings. The spring 2001 MRS conference in San Francisco will have a session on Nuclear Waste.

#### Meeting with Environment Protection Agency on *In Situ* Leach Programs

On November 29, 2000, staff from the Division of Fuel Cycle Safety and Safeguards (FCSS) met with staff from the Environment Protection Agency (EPA) Underground Injection Control (UIC) program to discuss the extent to which the NRC could rely on EPA's UIC program for the regulation of ground-water protection at NRC-licensed *in situ* leach uranium facilities. This meeting was held at EPA's offices and was a follow-up meeting to one that occurred on October 10, 2000. Discussions focused on identifying specific areas that were potentially duplicative between the NRC and EPA programs. The EPA indicated that there appeared to be little duplication between EPA's federal program and NRC's licensing of these facilities. Moreover, the two federal programs appeared to be complementary. The EPA representatives did indicate that some overlap may occur between the state-administered programs and the NRC, since the states often administer programs that are more stringent than the federal program. The EPA supported NRC's efforts for identifying potential programmatic duplications and working to streamline the process and reduce unnecessary regulatory burden on the licensed community. They suggested that the NRC begin contacting the affected states and working directly with them to determine whether there are opportunities for NRC to rely on the individual state programs. The EPA requested that NRC keep the UIC program office informed of future discussions with the states and work through the appropriate EPA regions. These meetings are being conducted to fulfill the Commission's directions to staff contained in the Staff Requirements Memorandum on SECY 99-013.

#### Paducah High Assay Upgrade Project

During the week of November 27, 2000, four members of the FCSS staff began a week long site review of the final 20 nuclear criticality safety evaluations (NCSEs) needed to support the Paducah amendment to increase its allowable enrichment levels. This is the third of four

planned site licensing visits. The fourth visit, if needed, is tentatively planned for the week of January 2, 2001. The staff's review continues on schedule and all outstanding technical issues are currently on path for resolution. However, the staff has provided the U.S. Enrichment Corporation (USEC) with a letter as follow-up to its November 20, 2000, meeting requesting confirmation of the outstanding NCSEs that will require plant changes and reiterating that USEC must provide revised NCSEs for staff review prior to January 31, 2001, to maintain the NRC's current schedule for the review.

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Incident Response Operations  
Items of Interest  
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Preliminary Notifications

1. PNO-I-00-36, National Institutes of Health (NIH), RADIOACTIVE MATERIAL CONTAMINATION INCIDENT
2. PNO-II-00-050, Law Engineering and Environment Services REPORTED OVEREXPOSURE TO EXTREMITIES (HANDS/FINGERS)
3. PNO-II-00-051, Siemens Medical Systems, STOLEN CALIBRATION SOURCES
4. PNO-III-00-041, Johns Manville International, LOST GENERALLY-LICENSED GAUGE

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Office of Administration  
Items of Interest  
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Acquisition Training

On November 30, 2000, the Division of Contracts and Property Management presented Acquisition for Certification and Training Program module, "Organizational Conflicts of Interest." The training presentation includes a discussion of what constitutes a conflict of interest (COI) and how the Agency regulations treat COI. Lectures also include the process for identifying and resolving COI situations for both contract awards to the private sector and DOE Laboratory agreements.

Contract Award

On November 8, 2000, the Division of Contracts and Property Management awarded cost-plus-fixed-fee contract (NRC-02-01-005) with Southwest Research Institute (SwRI). The total estimated cost of this contract is \$1,245,525. The work entitled, "Technical Assistance in the Preparation and Review of Environmental Documents and Preparation of Environmental Review Guidance," is a "work for others" award to SwRI to maintain essential capabilities at the Center for Nuclear Waste Regulatory Analyses. The period of performance is November 8, 2000, through September 27, 2002. The following streamlining methods were used: SOW electronically transmitted; proposal preparation time reduced; waiver of audit requirements; and simplified evaluation report.

Chief Information Officer  
Items of Interest  
Week Ending December 1, 2000

Freedom of Information and Privacy Act Requests received during the Period of  
November 24, 2000 through November 30, 2000:

Self, civil case 00-369-HHK vs. U.S. General Accounting Office. (FOIA/PA-2001-0053)

OI report 4-2000-031A. (FOIA/PA-2001-0054)

San Onofre power plant, steam generators and eddy current testing, supporting and opposing position statement documents re 11/8/00 NRC response to allegation NRR-2000-A-0043. (FOIA/PA-2001-0055)

Rollout Task Assignments Survey Visits for identified power plants. (FOIA/PA-2001-0056)

Indian Point Unit 2, Con Edison Co. of New York, Assessments Panel for the year 1998. (FOIA/PA-2001-0057)

Lambda Research, Inc., Cincinnati, OH, 1/1/98 to present. (FOIA/PA-2001-0058)

Self, work performance and conduct for the period 7/99 through 11/00. (FOIA/PA-2001-0059)

Chief Financial Officer  
Items of Interest  
Week Ending December 1, 2000

Visit from Defense Commissary Agency

On November 28, 2000, six representatives from the Defense Commissary Agency (DeCA) visited NRC Headquarters to discuss the agency's implementation of cost accounting. DeCA has is embarking on an effort to improve DeCA cost accounting and is considering the acquisition of the COTS cost accounting package acquired by NRC in May 2000. OCFO and OCIO representatives met with the DeCA representatives to discuss such issues as: scope and timeline for deploying cost accounting, leadership for cost accounting improvement and level of support within the Agency, criteria for selection of software, integration of cost accounting system with agency legacy systems and Agency IT infrastructure, and initial software investment cost and anticipated maintenance costs. A demonstration of both the software and of the report generator software was provided.

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Office of Human Resources  
Items of Interest  
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<b>Arrivals</b>		
BLIVEN, Laramie	SECRETARY (OA)	RII
SPEIGEL, Richard	BUDGET ANALYST	OCFO
WHITAKER, Barbara	SECRETARY (OA)	ACRS/ACNW
<b>Retirements</b>		
JOYCE, Joseph	SR OPERATIONS ENGINEER	NRR
TITUS, Audrey	SECRETARY (OA)	RII
<b>Departures</b>		
BEALL, Nancy	BUDGET ASSISTANT	OCFO
BROOKS, Joan	OFFICE AUTOMATION ASSISTANT	NRR
DYKE, Jimmy	RESIDENT INSPECTOR	RIV
LEARY, Nancy	SECRETARY (OA)	RIV
MEYER, David	BRANCH CHIEF	ADM
SWAMI, Nathan	PROJECT MANAGER	NRR

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Office of Public Affairs  
Items of Interest  
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Media Interest

The Las Vegas Review-Journal and the Las Vegas Sun wrote articles on the Geological Society of America meeting in Reno, Nevada, which several NRC staff and contractors attended.

<b>Press Releases</b>	
<b>Headquarters:</b>	
00-181	NRC Atomic Safety and Licensing Board to Consider Requests for Renewal of Turkey Point Licensees
<b>Regions:</b>	
II-00-68	NRC Staff to Meet With Global Nuclear Fuel to Discuss Apparent Violation of NRC Requirements
II-00-69	NRC Sends Special Inspection Team to Puerto Rico
III-00-64	NRC Staff to Meet Dec. 7 With American Electric Power Officials to Discuss Unit 1 Restart Activities at D.C. Cook Nuclear Plant

Office of the Secretary  
Items of Interest  
Week Ending December 1, 2000

Document Released to Public	Date	Subject
<b>Decision Documents</b>		
1. COMSECY-00-0038	11/13/00	Final Guidelines for Applying Risk-Informed Decision-making in License Amendment Reviews
SRM on COMSECY-00-0038	11/22/00	(same)
Commission Voting Record on 00-0038	11/22/00	(same)
<b>Information Papers</b>		
1. SECY-00-0221	11/22/00	SECY-00-0221 Weekly Information Report - Week Ending November 17, 2000
<b>Memoranda</b>		
1. M001127A	11/27/00	Staff Requirements - Affirmation Session: I. SECY-00-0208-Power Authority of the State of New York Entergy Companies Transfer of Licenses for Indian Point 3 and FitzPatrick Nuclear Plants Petitions to Intervene; II. COMSECY-00-0039-Florida Power & Light Co. License Renewal Application for Turkey Point Units 3 and 4; Licensing Board Referral and Scheduling Order
2. M001127A (REVISED)	11/30/00	(same)

Commission Correspondence

1. Letter to Congressman Tim Roemer dated November 21, 2000 concerns NUREG-1714, "Draft Environmental Impact Statement for the Construction and Operation of an Independent Spent Fuel Storage Installation on the Reservation of the Skull Valley Band of Goshute Indians and the Related Transportation Facility in Tooele County, Utah."

Federal Register Notices Issued

1. Power Authority of the State of New York and Entergy Nuclear FitzPatrick LLC, Entergy Nuclear Indian Point 3 LLC, and Entergy Nuclear Operations, Inc. (James A. FitzPatrick

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Nuclear Power Plant and Indian Point Nuclear Generating Unit No. 3); Docket Nos. 50-333-LT and 50-286-LT; Designation of Presiding Officer.

2. Florida Power and Light Company (Turkey Point Nuclear Plant, Units 3 and 4); Docket Nos. 50-250/251-LR; Establishment of Atomic Safety and Licensing Board.
3. PRM-50-62; 10 CFR Part 50; Changes to Quality Assurance Programs; Withdrawal of Remaining Issues concerning a Petition for Rulemaking.

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Region I  
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Week Ending December 1, 2000

Management Meeting with Connecticut Yankee and Yankee Atomic Power Companies

NRC staff from Region I, NRR and NMSS met with management representatives from Connecticut Yankee and Yankee Atomic Power Companies on November 30, 2000, in the Region I office. The meeting was to provide the NRC with an update on the status of decommissioning of the Haddam Neck and Rowe sites, and was open to public observation. The Representatives from the Haddam Neck and Yankee Rowe sites, as well as from the Commonwealth of Massachusetts, were linked to the meeting by telephone. Recent decommissioning activities discussed for Haddam Neck included completion of reactor segmentation, plans to construct a natural gas power plant onsite, and status of the License Termination Plan. The status of dry cask storage was discussed for Yankee Rowe, including progress in construction of the Independent Spent Fuel Storage Installation, and the awarding of a contract to NAC International for preparation and movement of the fuel from the spent fuel pool to the onsite dry cask storage location.

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Region II  
Items of Interest  
Week Ending December 1, 2000

Region II Management Retreat

On November 28-29, 2000, the Region II Regional Administrator, Deputy Regional Administrator, managers and supervisors attended a Region II Management Retreat in Athens, GA.

Duke Energy Corporation - McGuire Operator Licenses Certification Presentation

On November 29-30, 2000, the Deputy Regional Administrator was at the McGuire facility for a site visit and attended the Senior/Reactor Operators Licenses Certification Presentation.

Division Directors Counterpart Meeting in Region II

On November 30 - December 1, 2000, the Directors, Division of Reactor Safety and Division of Reactor Projects held a periodic Counterpart Meeting in the Region II office on the reactor oversight process.

Law Engineering and Environmental Services

On November 29-30, 2000, the Division of Nuclear Materials Safety and Headquarters, NMSS staff conducted an inspection of Law Engineering and Environmental Services to determine the circumstances and causes of an industrial radiography event that occurred on November 24, 2000 at the licensee's facilities in Dorado, Puerto Rico, resulting in two reported extremity overexposures. The inspectors' evaluation, which included reenactments of the event, verified that one overexposure did occur, but to a lesser degree than initially reported and will likely not result in any medical consequences.

Region III  
Items of Interest  
Week Ending December 1, 2000

D.C. Cook Restart Readiness Assessment Team Inspection

The Restart Readiness Assessment Team Inspection at the D.C. Cook plant in Michigan began November 27. A news release was distributed announcing a December 7 meeting at D.C. Cook to discuss the status of resuming operation of Unit 1 at the plant.

Survey Team and Mobile Lab Visit Southeast Missouri State University

Members of the Region III Decommissioning Branch, the Materials Inspection Branch, and the Region III Mobile Laboratory visited Southeast Missouri State University in Cape Girardeau, Missouri, on November 28-30, 2000. The team performed confirmatory surveys following decontamination work in a science building. Americium-241 contamination had been found in several areas of the building earlier this year (Reference: PNO-III-00-25 and 25a). Team members identified isolated areas that remained contaminated. A contractor hired by the university subsequently cleaned up the areas. The NRC team then verified that the decontamination had been completed. The mobile lab also was open to the public for two hours on November 29. There was extensive local coverage of the survey and laboratory measurements.

FirstEnergy Predecisional Enforcement Conference

On November 29, 2000, the staff conducted a Predecisional Enforcement Conference with representatives of FirstEnergy to discuss an alleged employment discrimination case at the company's Perry, Ohio, site. Consistent with NRC policy for employment discrimination cases, the conference was closed to the public.

Regional Administrator Presents Reactor Operator Certificates

On November 30, 2000, Regional Administrator of Region III presented license certificates to five reactor operators and four senior reactor operators who were administered the NRC licensing examination at the Byron Nuclear Power Plant in Byron, Illinois. The certificate presentation took place in Rockford, Illinois.