

INFORMATION REPORT

December 6, 2002

SECY-02-0213

For: The Commissioners
From: John W. Craig, Assistant for Operations, Office of the EDO
Subject: SECY-02-0213 WEEKLY INFORMATION REPORT - WEEK
ENDING NOVEMBER 29, 2002

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*No input this week.

/RA/

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Office of Nuclear Reactor Regulation
Items of Interest
Week Ending November 29, 2002

Peach Bottom Atomic Power Station, Unit Nos. 2 and 3

On November 22, 2002, the license amendments were issued for Peach Bottom Units 2 and 3 which permit an increase in licensed power based on installation of an improved feedwater flow measurement system. The power increase is 1.62%. Unit 2 has already installed the new feedwater flow instrumentation and increased reactor power. Unit 3 will install the new instrumentation in the next refueling outage, scheduled for fall 2003.

Millstone Power Station, Unit No. 3 (MP3)

On March 19, 1999, the licensee filed an application for a license amendment seeking approval to increase the MP3 spent fuel storage capacity. On September 7, 1999, the NRC published a notice of proposed no significant hazards consideration determination and opportunity for hearing. On October 6, 1999, intervenors filed a request for a hearing and petition to intervene. The petition to intervene was granted by the Atomic Safety and Licensing Board (ASLB). The ASLB admitted 3 of 11 of the intervenors' contentions for litigation.

On October 26, 2000, the ASLB ruled in favor of the licensee by issuing a Memorandum and Order (MO) that denied the request for an evidentiary hearing on the contentions and terminated the proceeding. The intervenors appealed the MO. During the pendency of that appeal, the licensee reported to the NRC staff that they could not account for two fuel rods from MP1. Thereafter, the intervenors filed a motion to reopen the record and to vacate the ASLB's decision on one of the intervenor's contention (Contention 4). By such motion, the intervenors sought to incorporate the issue of the missing fuel rods into the ASLB's decision on Contention 4. Contention 4, as characterized by the ASLB, concerned whether or not the licensee has the ability or willingness to properly carry out a program for the safe placement of fuel bundles in the spent fuel pool.

The ASLB initially denied the motion to reopen on the grounds that the newly discovered information would not likely have changed the result of the ASLB's decision of October 26, 2000. Intervenors thereafter filed a motion for reconsideration, and the ASLB granted the intervenors motion and reopened the record with respect to Contention 4.

On August 8, 2002, the ASLB issued a MO concluding that there are no significant factual disputes that would warrant a further evidentiary hearing concerning the lack of accountability of certain missing spent fuel rods. The ASLB stated that, although disputed issues of fact do exist concerning the reporting of the missing fuel rods to both NRC and the ASLB, these are not the type of factual disputes that would warrant a hearing (but rather, are the subject of an ongoing enforcement proceeding). Furthermore, the ASLB stated that the amended license authorizing the SFP expansion at MP3 should remain in effect; and that this proceeding should be terminated.

The intervenors petitioned the Commission for review of the ASLB decision. The Commission granted a review and after completing their review, the Commission, by MO dated November 21, 2002, affirmed the ASLB's decision.

November 29, 2002

ENCLOSURE A

North Anna Power Station, Unit 2

On November 20, 2002, the staff met with VEPCO personnel in Glen Allen, VA to discuss their recent vendor audit of Framatome ANP in Chalon/Saint Marcel, France. During the period of October 22-31, 2002, VEPCO conducted an audit at the Framatome ANP Chalon facility, using the Nuclear Procurement Issues Committee (NUPIC) performance based audit checklist. This audit reviewed the activities associated with the implementation of the current Framatome ANP Chalon/Saint Marcel Quality Management Manual (QMM), including the supporting implementing procedures that related to all the areas of fabrication. In addition, the QMMs that were applicable during the manufacture of the replacement reactor vessel head were evaluated against the current revision to ensure no major changes to the quality assurance (QA) program had occurred during the time of the manufacture of the replacement head. Since VEPCO did not identify any findings, they have concluded that Framatome ANP Chalon was effectively implementing a QA program that meets the requirements of 10 CFR Part 50, Appendix B.

The staff was notified that NUPIC had conducted a performance based joint utility audit of the Framatome ANP Paris and the Chalon Saint Marcel facilities on June 10 - 14, 2002. This audit, included a team of 6 auditors and 3 technical specialists led by Exelon Nuclear, reviewed the Framatome ASME NQA-1/ NCA 4000/ ANS N45.2 quality program as it applies to the supply of replacement reactor vessel heads and steam generators under their ASME nuclear certificates of authorization for United States utilities. During the review of the NUPIC audit, the staff determined that the NUPIC audit team had concluded that the Framatome ANP facilities located in Paris and Saint Marcel had established and implemented a satisfactory 10 CFR Part 50 Appendix B, QA program for the supply of replacement reactor pressure vessel heads, steam generators, and pressurizers. Although one programmatic audit finding in the area of corrective actions was identified, it did not affect the quality of supplied products.

Finally, VEPCO stated that Chalon/Saint Marcel had also recently been through an ASME survey for their N certificates with successful results.

Transfer of Decommissioning Plants to NMSS

On November 18 and November 22, 2002, the NRC staff project management for the following decommissioning facilities, Three Mile Island Nuclear Station, Unit 2, LaCrosse Boiling Water Reactor and Trojan Nuclear Station Plant were transferred from NRR/DLPM/PDIV-1 to NMSS/Division of Waste Management (DWM). The transfer of project management responsibilities was completed using the guidance of NRR Office Instruction COM-101. Conference telephone calls were held with the new project manager, licensee and regional management to enhance the transfer.

Indian Point Nuclear Generating Unit No. 3

On November 26, 2002, a license amendment was issued for Indian Point 3 which allows a 1.4 percent increase in licensed thermal power. The uprate was achieved by reducing the power measurement uncertainty through the use of more precise measurement of feedwater flow. The feedwater flow instrumentation and supporting electronics have been installed. The licensee plans to implement the uprate in December 2002. The licensee expects to apply for a similar uprate at Indian Point 2 around the first of 2003.

November 29, 2002

ENCLOSURE A

NRC Regulatory Issue Summary 2002-22, Use of EPRI/NEI Joint Task Force Report, "Guideline on Licensing Digital Upgrades: EPRI TR-102348, Revision 1, NEI 01-01: A Revision of EPRI TR-102348 to Reflect Changes to the 10 CFR 50.59 Rule" dated November 25, 2002

The NRC is issuing this regulatory issue summary to notify addressees that the NRC has reviewed the Electric Power Research Institute (EPRI)/Nuclear Energy Institute (NEI) Joint Task Force report entitled, "Guideline on Licensing Digital Upgrades: EPRI TR-102348, Revision 1, NEI 01-01: A Revision of EPRI TR-102348 to Reflect Changes to the 10 CFR 50.59 Rule," and is endorsing the report for use as guidance in designing and implementing digital upgrades to instrumentation and control systems.

NRC Information Notice 2002-34, Failure of Safety-related Circuit Breaker External Auxiliary Switches at Columbia Generating Station, dated November 25, 2002

The NRC is issuing this information notice to inform addressees of failures of circuit breaker external auxiliary switches because of inadequate maintenance of the associated switchgear. It is expected that recipients will review the information for applicability to their facilities and consider actions, as appropriate, to avoid similar problems.

Work Planning Center Pilot Program

NRR began implementing its Work Planning Pilot program last week. The objective of the pilot program is to test a process for development of labor rate standards for incoming work requests, and to test the effectiveness of dedicated planning representatives for improving the quality, timeliness and consistency of planning and status data. Planning representatives for each of the technical and projects divisions have been assigned and trained. A planning meeting is held each day with the division representatives to process new work requests, address coordination issues and to update data status. The pilot scope currently covers all new license amendment requests and is expected to include all new licensing actions by the end of the fiscal year.

Office of Nuclear Material Safety and Safeguards
Items of Interest
Week Ending November 29, 2002

NRC Staff Participation at the International Atomic Energy Agency Meeting on Long-Term Storage and Disposal of Radioactive Waste

During the week of November 18, 2002, a staff member of the Spent Fuel Project Office participated in a technical meeting entitled, "Assess the Safety Implications of Extended Storage of Radioactive Waste," at the International Atomic Energy Agency (IAEA) in Vienna, Austria. The purpose of the meeting was to assist the IAEA in the development of a paper entitled, "Sustainability and Safety Implications of Long-Term Storage of Radioactive Waste." The purpose of this paper is to serve as a public outreach tool to explain the importance of having a definitive goal and approach to meeting the goal of disposal of radioactive waste.

DOE Induction Annealing Demonstration at AJAX Tocco Magnethermic, Inc.

On November 19, 2002, staff from the Division of Waste Management attended a demonstration of one of the Department of Energy's (DOE's) proposed residual stress mitigation techniques for the waste package (WP) closure weld. This demonstration took place at the AJAX Tocco Magnethermic, Inc. (AJAX) Headquarters in Warren, Ohio, with 10 representatives from NRC, DOE, and AJAX in attendance. The induction annealing method is proposed as a way to reduce the susceptibility of the WP closure weld to stress corrosion cracking. The objectives of this test were to perform the anneal on a WP mockup and to measure the resulting time-dependent thermal profiles as a function of distance from the heating source. Evaluation of the stress distribution results and metallographic analyses will be presented in future DOE reports.

Observation of Bechtel SAIC Company, LLC, Quality Assurance Audit of Lawrence Berkeley National Laboratory

On November 12-20, 2002, Division of Waste Management staff observed the Bechtel SAIC Company (BSC), LLC, quality assurance (QA) audit of Unsaturated Zone (UZ) Flow and Transport Analysis/Model Reports (AMRs). The audit was performed at the Lawrence Berkeley National Laboratory (LBNL) in Berkeley, California, and continued at the Yucca Mountain Project Office in Las Vegas, Nevada. The limited-scope performance-based audit evaluated BSC's and LBNL's implementation of the Office of Civilian Radioactive Waste Management QA program regarding activities pertaining to the development of UZ Flow and Transport AMRs for license application. The audit team evaluated the effectiveness of the analysis and activities for the UZ Flow and Transport AMRs and the quality of resultant end products. Seven potential deficiencies were identified and two Audit Observer Inquiries (AOIs) were generated. The AOIs requested clarification regarding assurance that only qualified data will be needed for licensing application and the review and approval of data.

Nuclear Security and Incident Response
Items of Interest
Week Ending November 29, 2002

National Response Team Meeting

On November 26, 2002, the Director of the Division of Incident Response Operations represented the NRC at the monthly meeting of the National Response Team (NRT) (16 Federal agencies, including NRC). Subjects of interest included:

1. Proposed memorandum of understanding (MOU) for the 16 agencies to Coordinate Criminal Investigation, Enforcement, and Environmental Response.
2. Update of the NRT activities related to reconciliation of gaps and overlaps in the Federal Plans addressing terrorist activities. A product for the Office of Homeland Security is expected in early 2003.
3. Development of the NRT Continuity of Operations Plan.

Preliminary Notifications

1. PNO-11-02-040, Georgia Department of Transportation - TROXLER MOISTURE DENSITY GAUGE DAMAGED IN TRANSPORTATION INCIDENT.
2. PNO-IV-02-067A, Harrington Geotechnical Engineering - UPDATE - STOLEN PORTABLE GAUGE FOUND.
3. PNO-IV-02-070, Brian LGH Medical Center - LOST STRONTIUM-90 SOURCE.
4. PNO-IV-02-069, Southern California Soil and Testing, Inc. - STOLEN PORTABLE GAUGE.
5. PNO-IV-02-071, Soils and Material Consultants, Inc. - STOLEN PORTABLE GAUGE.
6. PNO-IV-02-072, Goodson and Associates - STOLEN GAUGE.

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ENCLOSURE D

Chief Information Officer
Items of Interest
Week Ending November 29, 2002

Freedom of Information and Privacy Act Requests received during the period of
November 22 through November 28, 2002:

IMPAC listing (FOIA/PA-2003-0071)

FOIA presentation, how to apply, what a FOIA can do for you (FOIA/PA-2003-0072)

Records on self (FOIA/PA-2003-0073)

Stauffer Metals Co. (aka Stauffer-Tenescal, Stauffer-Temescal Co., Tenescal or Temescal Co)
Richmond, CA, all documents regarding electron beam melting tests on uranium, 1960's (FOIA/PA-
2003-0074)

Geologic repository, waste isolation, all documents, referral by Department of Energy (FOIA/PA-
2003-0075)

Temelin Power Plant, Czech Republic, record referral by Export-Import Bank of the United States
(FOIA/PA-2003-0076)

Temelin Power Plant, Czech Republic, record referral by Export-Import Bank of the United States
(FOIA/PA-2003-0077)

November 29, 2002

ENCLOSURE G

Office of Human Resources
Items of Interest
Week Ending November 29, 2002

| Arrivals | | |
|-------------------------|------------------------------------|------|
| BARKER, Allan | REACTOR OPERATIONS ENGINEER | NRR |
| DEAVERS, Ronald | SR. INFORMATION MANAGEMENT ANALYST | OCIO |
| MELENDEZ COLON, Daneira | NUCLEAR SAFETY INTERN | RIII |
| SMITH, Cathy | MANAGEMENT ANALYST | OCIO |
| SZABO, Autumn | HUMAN FACTORS ENGINEER | RES |

November 29, 2002

ENCLOSURE I

Office of Public Affairs
Items of Interest
Week Ending November 29, 2002

Media Interest

OPA, with staff assistance, provided NBC News with responses to questions about the control of radioactive sources for a future History Channel program on the security of the nation's infrastructure.

The Las Vegas press ran separate stories on claims by former and current Yucca Mountain Project workers who found shortcomings in the Yucca Mountain scientific process and the safety of nuclear waste transportation.

There was continued media interest in the status of the Davis Besse nuclear power plant.

| Press Releases | |
|-----------------------|---|
| Headquarters: | |
| 02-137 | NRC Approves Power Uprate for Indian Point 3 Nuclear Plant |
| 02-122-A | ACNW Application Deadline Extended to January 17 |
| 02-136 | NRC Issues Final Rule on Decommissioning Trust Provisions and Regulatory Guide |
| Regions: | |
| I-02-067 | NRC Issues Final Significance Determination for Two Emergency Preparedness Findings at Peach Bottom |
| II-02-051 | NRC to Hold Public Meeting On Summer Nuclear Station License Renewal |
| III-02-063 | NRC to Meet with Exelon to Discuss Regulatory Safety Issues at Braidwood |
| IV-02-047 | NRC Staff to Hold Public Meeting to Discuss Special Inspection of Comanche Peak Nuclear Plant Unit 1 Shutdown |

Office of the Secretary
Items of Interest
Week Ending November 29, 2002

| Document Released to Public | Date | Subject |
|-----------------------------------|----------|--|
| Decision Documents | | |
| 1. SECY-02-0089 | 5/22/02 | Revised Draft NUREG-1633 and Public Information Brochure on Potassium Iodide (KI) for the General Public |
| SRM on SECY-02-0089 | 11/26/02 | (same) |
| Voting Record on SECY-02-0089 | 11/26/02 | (same) |
| Negative Consent Documents | | |
| 1. SECY-02-0191 | 10/25/02 | Status of the Entombment Option for Power Reactors |
| SRM on SECY-02-0191 | 11/16/02 | (same) |
| Information Papers | | |
| 1. SECY-02-0198 | 11/08/02 | Changes in Staff Regulatory Oversight of Decommissioning Commercial Nuclear Power Reactor Plants |

Commission Correspondence

1. Letter to Dr. Mario V. Bonaco dated November 18, 2002 offers a reappointment to a four-year term on the Advisory Committee on Reactor Safeguards.

Federal Register Notices Issued

1. Exelon Generation Co./Amergen Energy Co. Establishment of Atomic Safety and Licensing Board.
2. Advisory Committee on Nuclear Waste Request for Candidates - Notice.
3. Advisory Committee on Reactor Safeguards 498th Meeting December 5-7, 2002 -Revised Notice of Meeting.

Region II
Items of Interest
Week Ending November 29, 2002

Florida Power Corporation - Crystal River Nuclear Plant

On November 27, 2002, the International Brotherhood of Electrical Workers (IBEW) Union officials notified Progress Energy that the company's latest contract offer had been rejected by a union vote and a strike was authorized. A strike would involve about 300 workers at the site, including licensed reactor operators. The union has stated that there will not be a strike until after a meeting between company and union officials scheduled for December 3.

The NRC resident inspectors have completed pre-strike inspections and the region is prepared to implement 24-hour coverage at the site for the first few days of the strike.

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ENCLOSURE P