

# INFORMATION REPORT

December 16, 2002

SECY-02-0218

For: The Commissioners

From: John W. Craig, Assistant for Operations, Office of the EDO

Subject: SECY-02-0218 WEEKLY INFORMATION REPORT - WEEK  
ENDING DECEMBER 6, 2002

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\*No input this week.

**/RA/**

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Office of Nuclear Reactor Regulation  
Items of Interest  
Week Ending December 6, 2002

North Anna

Plans are being firmed up for the replacement of the North Anna Unit 2 pressure vessel head. Work on cutting the hole in containment is scheduled to starting December 2002. The new head is expected to arrive on site between December 18 and 20, 2002. The existing head is to be moved out of containment and the new head moved into containment in December 2002.

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Office of Nuclear Material Safety and Safeguards  
Items of Interest  
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Meeting with General Electric on Design for Transport Packages

On December 3-4, 2002, the Spent Fuel Project Office met with the General Electric Company (GE) about development of two new transport packages. One is a new transport package for irradiated fuel rods. The package is a modification of a currently certified package, the FSV-1. The other package is Model No. 3000, which will be used to ship large quantities of radioactive material such as cobalt-60. The discussion centered on the requirements for testing of impact limiters and transporting high burnup fuel. GE is in the initial planning stage in the design of these two packages.

Recommendation for Approval of Japanese Certificate for Transport Cask for Irradiated Research Reactor Fuel

On December 3, 2002, the Spent Fuel Project Office recommended to the Department of Transportation that it revalidate the Japanese certificate for the Model No. JMS-87Y-18.5T package. The Department of Energy plans to use this package for the return of foreign research reactor fuel. The package will be used to ship TRIGA-type fuel from Japan to the United States.

Atomic Safety and Licensing Board Decision on Diablo Canyon Independent Spent Fuel Storage Installation

On December 2, 2002, the Atomic Safety and Licensing Board (ASLB) issued a Memorandum and Order (M&O) granting the Request for Hearing and Petitions to Intervene filed in response to Pacific Gas and Electric (PG&E) Company's application for an Independent Spent Fuel Storage Installation at Diablo Canyon. In its ruling, the ASLB determined that the San Luis Obispo Mothers for Peace (the lead petitioner) and several other petitioners had established standing, and had submitted one admissible contention, relating to PG&E's current financial qualifications, in light of its pending bankruptcy. The ASLB also granted interested government entity status to the California Energy Commission, San Luis Obispo County, the Port San Luis Obispo, and the Avila Beach Community Services District. It rejected, as inadmissible, all the remaining contentions the parties raised. The parties in this case have 10 days from the date of the M&O to appeal the ASLB decision to the Commission, or to request a hybrid hearing process under 10 CFR Part 2, Subpart K.

Tour of Uranium Enrichment Gas Centrifuge Test Facility in Oak Ridge, Tennessee

On November 26, 2002, the staff from the Division of Fuel Cycle Safety and Safeguards (FCSS) visited the U.S. Enrichment Corporation (USEC) and Department of Energy (DOE) uranium enrichment gas centrifuge test facilities in Oak Ridge, Tennessee. During the morning, USEC discussed operational data that DOE collected over a period of approximately 15 years, until 1985, at the uranium enrichment gas centrifuge test, demonstration, and production facilities located at Oak Ridge and at the Portsmouth Gaseous Diffusion Plant (GDP) site. A DOE official indicated that since DOE would be leasing the area for the Lead Cascade to USEC, DOE would like to coordinate with the NRC to develop a regulatory oversight transition plan for this area

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similar to the ones used in the past for the GDPs. In the afternoon, the FCSS staff toured DOE's and USEC's test and demonstration facilities at Oak Ridge.

#### U.S. Enrichment Corporation Selects the Portsmouth Site for its Lead Cascade

On December 5, 2002, the U.S. Enrichment Corporation (USEC) announced that it will site its Lead Cascade centrifuge uranium enrichment test facility at its Portsmouth Gaseous Diffusion Plant (GDP) in Piketon, Ohio. A June 2002 agreement between USEC and the Department of Energy (DOE) gave USEC the option of selecting its Lead Cascade site at either of its two existing GDP sites in Piketon and Paducah, Kentucky. According to USEC, cost and schedule were the key factors in its decision to site the Lead Cascade at the Portsmouth GDP site. The June 2002 DOE/USEC agreement requires USEC to submit its license application for the Lead Cascade to NRC by April 2004.

#### American Association of Physicists in Medicine

On December 1, 2002, a staff member from the Division of Industrial and Medical Nuclear Safety represented NRC, as Liaison, at the meetings of three committees of the American Association of Physicists in Medicine (AAPM). These were held in conjunction with the annual joint scientific assembly of the Radiological Society of North America and the AAPM, in Chicago. The principal topic discussed with the committees (Legislation and Regulation, Nuclear Medicine, and Radiation Protection) was interpretation and implementation of the revised 10 CFR Part 35 ("Medical Use"), including possible revision of the training and experience requirements. Other topics included the status of the National Materials Program, and the regulation of radioisotopes that are accelerator-produced and used in medicine.

#### Meeting at the International Atomic Energy Agency in Vienna, Austria

From November 18-22, 2002, a meeting of technical experts to review a proposed revised Categorization of Radioactive Sources was held at the International Atomic Energy Agency (IAEA) in Vienna, Austria. The Committee reviewed the concept of the categorization, and the technical approach used to develop the relative ranking of sources. In that process, the Committee agreed that the technical approach was valid, and provides an appropriate starting point for decision-making for safety, security, emergency preparedness, import/export, provision of IAEA assistance to Member States, and other activities. The categorization appears to present a flexible and logical approach to selecting sources. The objective of the meeting, to elaborate and agree on a categorization, was met.

Nuclear Security and Incident Response  
Items of Interest  
Week Ending December 6, 2002

Office of Homeland Security Meeting - National Response Plan

On December 4, 2002, the Division of Incident Response Operations (DIRO) staff participated in an Office of Homeland Security (OHS) Federal interagency meeting regarding a "National Response Plan." OHS is considering an overall national-level, all-hazards emergency response plan - National Response Plan - as a means to reconcile and consolidate the U.S. Government Interagency Domestic Terrorism Concept of Operations Plan, Federal Response Plan, and Federal Radiological Emergency Response Plan. The meeting purpose was to provide OHS with an interagency overview of gaps/overlaps in the existing plans. During the meeting, OHS presented several terrorism-related scenarios as the forum for participants to discuss key issues and recommendations. The meeting results will be one of multiple inputs to OHS for consideration of a National Response Plan.

TOPOFF 2 Large Scale Game

On December 2-5, 2002, the Director of the Division of Incident Response Operations represented the NRC at the TOPOFF 2 (T2) Large Scale Game, held in Lansdowne, VA. This activity, attended by about 75 senior decision-makers, was a major part of the T2 exercise series that will lead to the national T2 Exercise to be held in May 2003. The Large Scale Game brought together consequence management, remediation, and restoration leaders and planners from Federal, State and local departments and agencies, and the Canadian Government, for an interactive gaming simulation employing primarily seminar techniques. The Game was designed to explore the range of long-term and delayed effects of a major terrorist attack on the United States.

Preliminary Notifications

1. PNO-II-02-041, Progress Energy - Florida Power Corporation - POTENTIAL EMPLOYEE STRIKE AT CRYSTAL RIVER UNIT 3 NUCLEAR PLANT.
2. PNO-IV-02-073, Earth Consultants, Inc. - STOLEN PORTABLE GAUGE.
3. PNO-IV-02-075, CARTI-UAMS - MEDICAL MISADMINISTRATION.
4. PNO-IV-02-074, Geosoils - STOLEN PORTABLE GAUGE.
5. PNO-IV-02-071A, Soils and Material Consultants, Inc. - STOLEN PORTABLE GAUGE FOUND.

Office of Administration  
Items of Interest  
Week Ending December 6, 2002

Electronic Maintenance and Submission of Information: Withdrawal of Direct Final Rule (10 CFR Chapter I)

On December 4, 2002, NRC published (67 FR 72091) a document withdrawing a direct final rule that would have amended 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 NRC will consider comments on the companion proposed rule that was published concurrently with the direct final rule.

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Chief Information Officer  
Items of Interest  
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Freedom of Information and Privacy Act Requests received during the period of  
November 29 through December 5, 2002:

NEN Biosciences, Albany Street, Boston MA, inspection reports (FOIA/PA-2003-0078)

Material License Tracking System (FOIA/PA-2003-0079)

License 29-16145-01, Elizabeth General Medical Center, NJ, violations or testing/reporting  
(FOIA/PA-2003-0080)

License 12-17667-01, Elizabeth General Medical Center, NJ, violations or testing/reporting  
(FOIA/PA-2003-0081)

Radioactive material, missing, unaccounted for, stolen over 10 years; history of regulatory  
penalties, fines, actions, revocations for mishandling radioactive material (FOIA/PA-2003-0082)

Status of Regulatory Exemptions for Decommissioning Plants, NRC Staff memorandum dated  
8/12/02 (FOIA/PA-2003-0083)

Requests Completed

2003-0027	(No PDR)
2003-0030	
2003-0034	(No PDR)
2003-0054	(No PDR)
2003-0055	(No PDR)
2003-0058	(No PDR)
2003-0065	
2003-0069	
2003-0072	(No PDR)

Office of Human Resources  
Items of Interest  
Week Ending December 6, 2002

<b>Arrivals</b>		
JARRIEL, Lisamarie	AGENCY ALLEGATIONS ADVISOR	NRR
<b>Retirements</b>		
WHITTEMORE, John*	SENIOR REACTOR INSPECTOR	RIV
<b>Departures</b>		
PRUE, Meredith	SECRETARY (OA)	RI

\*Effective 11/30/02



Office of Public Affairs  
Items of Interest  
Week Ending December 6, 2002

Media Interest

The Cleveland Plain-Dealer newspaper reported that First Energy Corp., the operator of the Davis-Besse nuclear power plant, failed to provide NRC with a photo taken in April 2000 that shows corrosion stains on its reactor lid, triggering interest from other media.

There was media interest in a scheduled meeting between NRC and TXU Energy to discuss the results of a recent inspection of corroded and leaking tubing at the Comanche Peak nuclear power plant in Texas.

The Office of Public Affairs supported public meetings at St. Lucie for license renewal; Braidwood for plant performance issues; and at headquarters on a variety of subjects.

<b>Press Releases</b>	
<b>Headquarters:</b>	
02-138	NRC Withdraws Direct Final Rule Clarifying Use of Electronic Communications with Agency
02-139	NRC Issues Final Rule on Material Control And Accounting Regulations
02-140	NRC Approves Power Uprate for Crystal River 3
<b>Regions:</b>	
I-02-068	David L. Pelton Assigned as New NRC Senior Resident Inspector
III-02-064	NRC Oversight Panel to Hold Two Meetings on Davis-Besse Reactor Vessel Head Damage in Port Clinton, OH

Office of the Secretary  
Items of Interest  
Week Ending December 6, 2002

Document Released to Public	Date	Subject
<b>Decision Documents</b>		
1. Commission Voting Record - SECY-02-0179	12/03/02	Final Rule: Material Control and Accounting Amendments
2. SECY-02-0204	11/15/02	Update of Uranium Recovery Guidance Documents
<b>Information Papers</b>		
1. SECY-02-0210	11/27/02	SECY-02-0210 Weekly Information Report - Week Ending November 22, 2002
<b>Memoranda</b>		
1. M021121A (Supplemental)	12/03/02	SRM (Supplemental) - Affirmation Session: I. SECY-02-0179 - Final Rule: Material Control and Accounting Amendments

Commission Correspondence

1. Letter to Congress (Senator Lieberman and Congressman Burton) dated November 25, 2002 provides response to the General Accounting Offices's August 2002, report *Coordinated Approach Needed to Address the Government's Improper Payments Problem* (GAO-02-0749).

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 498<sup>th</sup> Meeting December 5-7, 2002 -Revised Notice of Meeting.

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Region I  
Items of Interest  
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Region I Inspector Seminar

On December 3-5, 2002, Region I held an inspector seminar in the regional office. Resident inspectors and office assistants from all sites participated in the seminar, as did members of the region-based staff. Opening day sessions included presentations by the Associate Director for Project Licensing & Technical Analysis, Office of Nuclear Reactor Regulation; and the Deputy Director, Davis Besse Lessons Learned Task Force (along with two of the team members). The day culminated with inspector breakout sessions that offered the opportunity for smaller group discussions of techniques being employed to ensure that licensees are maintaining a proper approach to safety issues at their facilities. A round table management discussion followed these sessions.

Other key presentations during the seminar included an update of activities in the Office of Nuclear Security and Incident Response, given by the Deputy Director of that office, and a talk by a speaker who had been a prisoner of war in Vietnam for more than seven years, entitled "Call to Serve - Commitment to Public Service." Additional inspector breakout sessions were held on the significance determination process, reactor oversight process changes, medical and industrial facility inspection updates, and inspection report guidance.

Region II  
Items of Interest  
Week Ending December 6, 2002

Region II Management Retreat

On December 3-4, 2002, the Regional Administrator held a planning, budgeting and program management retreat with the other senior Managers and Branch Chief level managers from the Regional Office. Topics discussed included the results of Division level self-assessments, challenges and areas to focus on during the next six months, planning for organizational changes and strategic workforce planning (e.g., targeted recruiting and actions to retain employees, etc.).

FEMA IV Regional Emergency Preparedness Conference

On December 5, 2002, the Deputy Regional Administrator, Region II State Liaison Officer, Region II Emergency Preparedness Coordinator, and the senior Emergency Response Coordinator from the Office of Nuclear Security and Incident Response held an outreach meeting with representatives from the State and local County organization. The meeting was held in conjunction with the annual Regional Emergency Preparedness Conference held by the Federal Emergency Management Agency (FEMA). Key topics discussed included changes in the NRC's emergency response, lessons learned from a history of emergency response events, and challenges facing the NRC, FEMA, State and local emergency response organizations.

Florida Power Corporation - Crystal River Nuclear Plant

Negotiations continue between the International Brotherhood of Electrical Workers (IBEW) Union officials and the licensee regarding a contract for certain workers at the Crystal River Nuclear Plant. On November 27, 2002, the IBEW notified the licensee that the 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. As of December 6, 2002, the licensee and union indicated that they have reached a tentative contract agreement. The union must still vote on the proposal.

The NRC resident inspectors have completed pre-strike inspections and the region is prepared to implement 24-hour coverage at the site, if a vote is unsuccessful and a strike takes place.

Region III  
Items of Interest  
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Meeting with Exelon on Degraded Mitigating Systems Cornerstone at Braidwood

On December 4, 2002, the regional staff met with representatives of Exelon Generation Co. in Braidwood, Illinois, to discuss the utility's corrective actions on two issues associated with the Mitigating Systems cornerstone at the Braidwood Nuclear Power Station. The issues involved two Unit 1 systems - the auxiliary feedwater system and the pressurizer power operated relief valves. The meeting was attended by several local officials and about 15 members of the public.

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