

# INFORMATION REPORT

September 7, 2007

SECY-07-0154

For: The Commissioners  
From: Vonna L. Ordaz, Assistant for Operations, Office of the EDO  
Subject: WEEKLY INFORMATION REPORT - WEEK ENDING  
AUGUST 31, 2007

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\*No input this week.

***/RA Tamara E. Bloomer Acting For/***

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Office of Nuclear Reactor Regulation (NRR)  
Items of Interest  
Week Ending August 31, 2007

Meeting with Industry on Pressurized Water Reactor (PWR) Sump Performance

On August 23 and 24, 2007, the staff met with representatives of the Nuclear Energy Institute (NEI), licensees, and strainer vendors to discuss GSI-191, PWR Sump Performance. Vendors and licensees presented results of integrated head loss testing (including chemical effects) at several plants. The results generally showed success, though some high-fiber plants are considering additional debris reduction measures or revised assumptions for testing. Many plants have not yet completed testing. Finally, participants discussed an NRC content guide recently issued for final licensee responses to Generic Letter 2004-02, "Potential Impact of Debris Blockage on Emergency Recirculation During Design Basis Accidents at Pressurized-Water Reactors." The next meeting is tentatively scheduled for October 24, 2007.

Meeting with Electric Power Research Institute (EPRI) Joint Utility Task Group (JUTG)

On August 28, 2007, staff from NRR and the Office of New Reactors (NRO) attended the EPRI JUTG Procurement Forum. The staff was invited to make a presentation on NRC Perspectives on Vendor/Supplier Challenges. The JUTG provides a forum for utility procurement personnel to candidly exchange information and to work together to address common industry issues related to procurement of materials and services. Members of several suppliers were also in attendance.

Visit from Institute of Nuclear Power Operations (INPO)

On August 20-23, 2007, the Events Analysis Team Leader from INPO visited the Division of Inspection and Regional Support (DIRS). The team leader observed daily operating experience functions, met with NRR senior managers, and received overviews from staff on various NRC operating experience and inspection programs. The team leader also delivered an INPO overview presentation to DIRS staff. In September, NRC will send its INPO operating experience coordinator to Atlanta for a similar 3-day visit with INPO staff.

License Renewal Application for Beaver Valley Power Station (BVPS), Units 1 and 2

On August 28, 2007, the staff received an application from First Energy Nuclear Operating Company, requesting the renewal of the operating license for the BVPS, Units 1 and 2. The application requests an additional 20 years beyond the current 40-year terms, pursuant to 10 CFR Parts 51 and 54. BVPS Unit 1 and 2 are 3-loop pressurized water reactors designed by Westinghouse Electric with licenses that expire at midnight January 29, 2016 and May 27, 2027 respectively. The staff plans to hold a public information session near the plant site in the near future, to describe the license renewal process.

### Regulatory Issue Summary (RIS) 2007-16

On August 23, 2007, the staff issued RIS 2007-16, "Implementation of the Requirements of 10 CFR 54.37(b) for Holders of Renewed Licenses." RIS 2007-16 provides guidance to holders of renewed licenses on implementing the requirements of Title 10 of the *Code of Federal Regulations* (10 CFR) Section 54.37(b), regarding information required to be included in final safety analysis report updates.

### Regulatory Issue Summary 2007-20

On August 23, 2007, the staff issued RIS 2007-20, "Implementation of Primary-to-Secondary Leakage Performance Criteria." RIS 2007-20 describes the staff position regarding implementation of the primary-to-secondary leakage performance criteria described in Technical Specification Task Force, "Steam Generator Tube Integrity."

### Meeting with Industry Regarding Part 26, Fitness-for-Duty Implementation Guidance Document For New Nuclear Power Construction Sites

On August 28, 2007, the staff met with representatives of NEI and industry to discuss 10 CFR Part 26, Subpart K, Fitness-for-Duty Program Guidance for New Nuclear Power Construction Sites (NEI 06-06). NEI presented an overall approach of the guidance document that supports industry's implementation of the final rule. The staff provided general feedback on the proposed guidance document and noted that it addresses most of the requirements in Subpart K provision of the final rule. The staff also emphasized the need to reconsider the proposed low random drug and alcohol testing rate. NEI agreed to reconsider the random test rate and will respond to staff formal comments as they are made available.

### Washington State University (WSU) Submitted Application for High-Enriched Uranium to Low-Enriched Uranium Fuel Conversion

On August 15, 2007, WSU submitted an application for conversion of the WSU Nuclear Radiation Center 1 MW TRIGA research reactor from high-enriched to low-enriched uranium fuel. Based on an agreement that had been reached with the U.S. Department of Energy to allow the current round of conversions to be completed within DOE's commitments to Congress, the staff had expected this application to be submitted in March 2007 to support conversion in 2008. If no significant technical issues arise, the staff's is planning to complete the conversion to meet DOE's schedule. Conversion of research and test reactors from high- to low-enriched uranium is in accordance with 10 CFR 50.64 and supports U.S. non-proliferation policies.

Office of New Reactors (NRO)  
Items of Interest  
Week Ending August 31, 2007

Staff Readiness Assessment (C-1) Visit to Proposed Levy County, Florida, Site

On August 20 and 21, 2007, staff from NRO, the Office of Nuclear Safety and Incident Response, and NRO's environmental review contractor, Pacific Northwest National Laboratory visited the proposed Levy County, Florida, site for the upcoming combined license (COL) application that Progress Energy has indicated that it will submit in mid-2008. The purpose of the visit was to familiarize the staff with the proposed site and to begin establishing working relationships with the applicant and local agencies. Topics discussed during the visit included hydrology, meteorology, ecology, radiation protection, socioeconomics, and alternative sites. This visit is part of the pre-application readiness assessment activities planned by the staff for all COL sites.

Design-Centered Working Group discussions on Inservice Inspection (ISI) and Inservice Testing (IST)

On August 29, 2007, staff communicated to the New Plant Working Group (NPWG) the status of recent Design-Centered Working Group discussions on COL application level of detail for ISI and IST programs. The staff explained that the expected level of detail in COL applications for the ISI and IST operational programs (i.e., more for IST and less for ISI) is attributed to differences in the programs as reflected in the American Society of Mechanical Engineers (ASME) Code requirements for those programs. The staff also reminded meeting participants that a single reference to the ASME Code was insufficient because a Design Certification Document reference to an early Code Edition (e.g., 1989 Edition), staff review, and certification may not have addressed important operational events. No issues were raised by the NPWG members.

Issuance of Safety Evaluation Report (SER) for the Vogtle Early Site Permit (ESP) Application

On August 30, 2007, the staff issued its SER, for the Vogtle Electric Generating Plant ESP application. The SER documents the staff's review of nuclear safety aspects of the ESP application, including a description of the staff's remaining unresolved issues in the form of open items. The NRC will allow 14 days for Southern Nuclear Operating Company to review the SER for proprietary information. After the 14-day proprietary review waiting period, the SER will be made publicly available in ADAMS, and will also be posted on the NRC website at <http://www.nrc.gov/reactors/new-licensing/esp/vogtle.html>. The ADAMS accession number for the SER package is ML071581032.

Office of Nuclear Material Safety and Safeguards (NMSS)  
Items of Interest  
Week Ending August 31, 2007

Public Meeting on Post-closure Performance of a Geologic Repository at Yucca Mountain

On August 22-23, 2007, the NRC held an Appendix 7 meeting with the U.S. Department of Energy (DOE), in Las Vegas, Nevada. The meeting was on topics related to post-closure performance of a geologic repository at Yucca Mountain. Discussions focused on unsaturated-zone field tests, thermal seepage, and colloids in the unsaturated and saturated zones. Members of the public attended as observers.

NRC Staff Observe DOE Audit of High-Level Waste Repository Models

On August 13-29, 2007, NRC and Center for Nuclear Waste Regulatory Analyses staff observed a DOE audit of waste package degradation, and near field environment models, for a high-level waste repository. DOE conducted this audit at its facility in Las Vegas, and at the Lawrence Livermore Laboratory in California. The observers assessed the effectiveness of the DOE audit team in achieving the audit objective and DOE's effectiveness in implementing their quality assurance program.

Chemical Safety Site Visit to MOX Services, Aiken, South Carolina

On August 21-23, 2007, Division of Fuel Cycle Safety and Safeguards staff reviewed presentations by MOX Services and DOE staff, concerning the safety of processing the Alternate Feedstock in the Mixed Oxide Fuel Fabrication Facility. Presentations covered an historic overview, stabilization techniques, non-destructive assay, using prompt gamma analysis, and overall strategies for receiving, storing, analyzing, opening, milling, sampling, and recanning Alternate Feedstock, as needed.

Meeting of Global Nuclear Energy Partnership (GNEP) Fast Reactor Working Group (WG)

On August 21-22, 2007, NRC staff participated in the first meeting of the DOE GNEP Fast Reactor WG, at the Argonne National Laboratory. DOE and National Laboratory presentations and discussions included sodium technology gap analysis, oxide and metal startup fuel fabrication studies, fast reactor options, nuclear data needs, reactor modeling and simulation status, advanced materials research and development, safety, and DOE/NRC interactions on GNEP. The Fast Reactor WG is one of six DOE/National Laboratory management "campaigns" designated to provide program management, priorities, goals, and objectives for the GNEP activities. Other GNEP campaigns are Fuels Development, Separations, Waste Forms, Safeguards, and Systems Analysis. These are supported by two cross-cutting coordination efforts, Modeling/Simulation and Safety and Regulation.

Office of Nuclear Security and Incident Response (NSIR)  
Items of Interest  
Week Ending August 31, 2007

Preliminary Notifications (PNO)

- PNO-II-07-008A, ST. LUCIE NUCLEAR PLANT, UPDATE - ST. LUCIE UNIT 2 SHUTDOWN TO REPAIR REACTOR COOLANT PUMP SEAL INJECTION LINE LEAK

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ENCLOSURE F

Office of Administration (ADM)  
Items of Interest  
Week Ending August 31, 2007

Use of Electronic Submissions in Agency Hearings (AH74 - Parts 1, 2, 13, and 110)

On August 28, 2007, the NRC published a final rule in the Federal Register (72 FR 49139) that requires the use of electronic submissions in all agency hearings, consistent with the existing practice for the high-level waste repository application. The final rule requires the electronic transmission of documents in submissions made to the NRC's adjudicatory boards. The final rule becomes effective October 15, 2007.

Licenses, Certifications, and Approvals for Nuclear Power Plants (AG24 - Part 52, et al)

On August 28, 2007, the NRC published a final rule in the Federal Register (72 FR 49352) that revises the regulations applicable to the licensing and approval processes for nuclear power plants. The revised provisions govern early site permits, standard design approvals, standard design certifications, combined licenses, and manufacturing licenses. These amendments clarify the applicability of various regulatory requirements to each of the licensing processes throughout NRC's regulations. The final rule enhances NRC's regulatory effectiveness in implementing its licensing and approval processes. The final rule becomes effective September 27, 2007.

State of Nevada; Receipt of Petition for Rulemaking (PRM-2-14)

On August 29, 2007, the NRC published a document in the Federal Register (72 FR 49668) that requests comment on a petition for rulemaking submitted by the State of Nevada (PRM-2 -14). The petitioner asserts that the NRC will conduct a "mandatory" formal hearing if the NRC docket a Department of Energy application for a construction permit for the proposed Yucca Mountain repository. The petitioner requests that the NRC amend its regulations governing rule of practice in hearings by specifying the issues to be heard in this "mandatory" hearing. The comment period for this action closes November 13, 2007.

Grant Award

In response to an application received through the Human Resources Nuclear Education Grant Program, the Office of Nuclear Regulatory Research funded grant No. NRC-04-07-102 to the University of Maryland, awarded on August 21, 2007. The grantee will provide nuclear engineering graduate education enhancement at the University of Maryland with emphasis of nuclear safety. The total funding agreement of this grant is \$600,000.00. The period of performance of this grant is October 1, 2007, through September 30, 2010.

Contract Award

A delivery order DR-09-07-133 has been competitively awarded to Intelligent Decisions, Inc. on August 23, 2007. The contractor will provide the hardware and software for the Human Resources Management System technology refresh. The total estimated cost is \$128,268.00. The period of performance for this order is August 23, 2007, through September 22, 2007.

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ENCLOSURE G

Office of Information Services (OIS)  
 Items of Interest  
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Freedom of Information Act (FOIA) and Privacy Act (PA) Requests Received During the Period of August 24 through August 30, 2007:

Development of 10 CFR 20.2003(a)(4), all records	FOIA/PA-2007-0308
NRC's conflict of interest policy governing employment & post-employment practices of political appointees; Jeffrey S. Merrifield's, communications, opinions, calendar from 1-1-07 to 6-30-07, etc.	FOIA/PA-2007-0309
EPA proposed rulemaking, 40 CFR Part 197, OAR-2005-0083, all records including communications between NRC & U.S. Department of Energy, U.S. Environmental Protection Agency, U.S. Department of Justice and Office of Management and Budget	FOIA/PA-2007-0310
Office of Investigations investigative procedures manual, all revisions except the 3 <sup>rd</sup> version	FOIA/PA-2007-0311
Contract 33-03-341, Information Manufacturing Corporation	FOIA/PA-2007-0312
Vermont Yankee, re: Entergy strike contingency plan including all communications between NRC & Entergy	FOIA/PA-2007-0313
Edgemont Mill Site, Fall River County, SD, re: ore processed, geological data, core sample chemistry & other environmental data	FOIA/PA-2007-0314
Unidentified flying objects around nuclear power plants from 1960 to present, all documents, reports, etc. (Referral by DOE)	FOIA/PA-2007-0315
Argentine government acceptance of U.S. safeguards to control enriched uranium from the U.S., document dated 5-23-60, documents on further recommendations	FOIA/PA-2007-0316



Office of Human Resources (HR)  
 Items of Interest  
 Week Ending August 31, 2007

<b>Arrivals</b>		
BAFUNDO, NINA	LEGAL CLERK	OGC
BIEGANOUSKY, WAYNE	GEOTECHNICAL ENGINEER	NRO
BIELECKI, JESSICA	LEGAL INTERN	OGC
BOWMAN, CASSANDRA	SECRETARY (OA)	NRO
BREGMAN, LAUREN	LAW CLERK	ASLBP
BROCKINGTON, TAMYRA	SECRETARY (OA)	NSIR
CAO, TIANQING	SENIOR SEISMOLOGIST	NMSS
CROSTON, SEAN	LEGAL INTERN	OGC
DAVIS-GHAVAMI, PAMELA	IT SPECIALIST	IS
EVANS, JOHANNA	LAW CLERK	ASLBP
GONAZALEZ-PIZARRO, RAFAEL	STUDENT ENGINEER (CO-OP)	RES
HAWKINS, JUSTIN	PROJECT ENGINEER	RI
HSU, CAROLINE	TECHNICAL WRITER / EDITOR	ADM
KRAUSE, EMILY	LAW CLERK	ASLBP
LAPLANTE, ERICA	LAW CLERK	ASLBP
LAZAR, CAROL	LEGAL INTERN	OGC
LEWIS, ROBIN	CHIEF, ADMINISTRATIVE SERVICES CENTER	ADM
MCCRAY, TENNILLE	STUDENT CLERK	RII
ROBLES-ALCARAZ, JESSE	GENERAL ENGINEER (NSPDP)	NRR
ROLFES, JAMES	IT SPECIALIST	IS
SAAH, DONALD	SECRETARY (OA)	NRR

<b>Retirements</b>		
BAGCHI, GOUTAM	SR LEVEL ADVISOR FOR STRUCTURAL MECHANIC	NRO
POTEAT, M E	SENIOR LICENSE FEE ANALYST	CFO
<b>Departures</b>		
FOLEY, WILLIAM	STUDENT ENGINEER	NRR
LEARN, MATTHEW	STUDENT ENGINEER (CO-OP)	RIII
THOME, KATHREEN	STUDENT ENGINEER	NRO
VENEZIANO, GABRIEL	SECRETARY (OA)	OGC

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ENCLOSURE J

Office of Public Affairs (OPA)  
Items of Interest  
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OPA Received Significant Media Inquiries on the Following

New reactors and the status of anticipated applications for new reactor licensing through 2008.

NRC's Official Use Only policy, upcoming Commission's vote on policy revisions, Nuclear Fuel Services planned licensee performance review in September.

Diablo Canyon's spent fuel storage facility final environmental assessment.

Vermont Yankee current plant license renewal review, safety concerns raised by plant workers' union, cooling tower partial collapse issues and recent unplanned plant scram.

NRC's issuance of a \$65,000 civil penalty against Progress Energy's Harris plant for deliberate misconduct by a contractor firm and three contractor employees.

Indian Point new siren system status and the sleeping guard incident.

Other Public Affairs Items

Chairman Klein provided an interview with the Economist on new reactors.

Government Executive took pictures of the NRC Chief Financial Officer, Bill McCabe, for a special issue on CFOs of different federal agencies.

OPA distributed more than 700 introduction letters to ethnic/multicultural media outlets as part of a proactive approach to communicate to and reach minority populations.

<b>Press Releases</b>	
<b>Headquarters:</b>	
07-108	NRC Meeting September 11 in Rainsville, Ala., to Discuss Review Process for Expected New Reactor Application (8/28)
07-109	NRC Issues Notice of Violation to Entergy for Missing Another Deadline to Have New Indian Point Alert and Notification System in Operation (8/30)
07-110	NRC Issues Final Supplemental Environmental Assessment for Diablo Canyon Spent Fuel Storage Facility (8/31)
07-111	NRC Advisory Committee on Nuclear Waste and Materials to Meet in Rockville, Maryland, September 18-20 (8/31)

<b>Regions:</b>	
II-07-040	NRC to Meet with Southern Nuclear about Inspection Finding at Farley Nuclear Power Plant (8/29)
II-07-041	NRC Staff Proposes \$65,000 Civil Penalty at Harris Nuclear Plant; Issues Violation Notices to Security Contractor and Supervisors (8/30)
IV-07-031	NRC to Hold Public Meeting on Palo Verde Nuclear Generating Station (8/31)
IV-07-032	NRC Names New Resident Inspector at Fort Calhoun Nuclear Plant (8/27)

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ENCLOSURE M

Office of the Secretary (SECY)  
 Items of Interest  
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Document Released to Public	Date	Subject
<b>Decision Documents</b>		
1. SECY-07-0134	8/10/07	Evaluation of the Overall Effectiveness of the Rulemaking Process Improvement Implementation Plan
2. SECY-07-0135	8/10/07	Status of Staff Information Technology/Information Management and Business Process Activities in Preparation for the High-Level Waste (HLW) Repository Proceedings
3. SRM-SECY-07-0135	8/29/07	Status of Staff Information Technology/Information Management and Business Process Activities in Preparation for the HLW Repository Proceedings
Voting Record on SECY-07-0135	8/29/07	(same)
4. COMGBJ-07-0003	8/27/07	Violation of the Indian Point Order
SRM-COMGBJ-07-0003	8/30/07	(same)
Commission Voting Record on 07-0003	8/30/07	(same)
<b>Information Papers</b>		
1. SECY-07-0138	8/14/07	NRC Knowledge Management Program Status Update
2. SECY-07-0143	8/24/07	Weekly Information Report - Week Ending August 17, 2007
3. SECY-07-0147	8/25/07	Response to U.S. Government Accountability Office Recommendations and Other Recommendations to Address Security Issues in the NRC Materials Program

<b>Memoranda</b>		
1. M070830	8/30/07	Affirmation Session: (1) SECY-07-0113 - Final Rule: 10 CFR Parts 30, 31, 32, and 150 - Exemptions from Licensing, General Licenses, and Distribution of Byproduct Material: Licensing and Reporting Requirements; (2) SECY-07-0137 - Southern Nuclear Operating Co. (Early Site Permit for Vogtle ESP Site) - Certified Question Regarding Conduct of Mandatory Hearing
2. M070802B	8/31/07	Staff Requirements - Briefing on Risk-Informed Performance-Based Regulation
3. M070821B	8/31/07	Staff Requirements - Meeting with Organization of Agreement States (OAS) and Conference of Radiation Control Program Directors (CRCPD)

#### Commission Correspondence

1. Letter to Senator James Inhofe, dated August 22, 2007, responds to concerns about the agency's policy of withholding information from the public, specifically in regarding to a significant event at Nuclear Fuel Services.
2. Letter to Congressman Joe Barton and Congressman Ed Whitfield, dated August 22, 2007, responds to concerns about the NRC's August 2004 policy concerning withholding information Nuclear Fuel Services.
3. Letter to Congressman John Dingell and Bart Stupak, dated August 22, 2007, responds to concerns about the agency's policy of withholding information from the public, specifically in regarding to a significant event at Nuclear Fuel Services.
4. Letter to J. Barnie Beasley, Southern Nuclear Operating Company, Inc., dated August 22, 2007, responds to letter requesting that NRC staff work with the Nuclear Energy Institute and other stakeholders to provide an accuracy of emergency classifications and ensure that the NRC's Significance Determination Process and enforcement policies are in alignment with that basis.

#### Federal Register Notices Issued

1. Advisory Committee on Nuclear Waste and Materials (ACNW&M), Meeting on Planning and Procedures, notice of meeting (9/18/2007).
2. ACNW&M, notice of 182<sup>nd</sup> meeting (9/18-20/2007).
3. Establishment of Atomic Safety and Licensing Board for Nuclear Fuels Services, Inc., (Confirmatory Order).