

INFORMATION REPORT

September 20, 2001

SECY-01-0174

For: The Commissioners
From: John W. Craig, Assistant for Operations, Office of the EDO
Subject: SECY-01-0174 WEEKLY INFORMATION REPORT - WEEK
ENDING SEPTEMBER 14, 2001

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*No input this week.

/RA/

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Office of Nuclear Reactor Regulation
Items of Interest
Week Ending September 14, 2001

Department of Health and Human Services' (HHS) Drug Testing Advisory Board (DTAB) Meeting

On September 5, 2001, a member of the Reactor Safeguards Policy Section (IOLB/DIPM) participated in the quarterly DTAB meeting held in Washington, DC, which was open to the public. The meeting agenda topics included: (1) an update on the Department of Transportation's new Part 40 rule on drug and alcohol testing; (2) draft HHS Mandatory Guidelines (alternative specimens and onsite testing); (3) proposed HHS validity testing guidelines; (4) electronic reporting of negative HHS laboratory results; and (5) the new Federal Custody and Control Form.

Reactor Oversight Process

On September 5, 2001, the Inspection Program Branch (IIPB) staff briefed the Advisory Committee on Reactor Safeguards (ACRS) full Committee on the Reactor Oversight Process (ROP). The purpose of the briefing was to present ROP information to support ACRS in their written evaluation of the process which is due to the Commission shortly.

Construction Inspection Program

On September 7, 2001, IIPB staff participated in a public meeting between the NRC and the Nuclear Energy Institute to discuss Inspections, Tests, Analyses, and Acceptance Criteria (ITAAC) and engineering design verification related to nuclear power plant construction. The purpose of the meeting was to continue the exchange of industry views and proposals begun on June 15, 2001, and to identify the range of issues and sensitivities that should be factored into the envisioned industry white paper on this topic.

Pebble Bed Modular Reactor (PBMR)

On September 5, 2001, NRLPO staff held a meeting with Exelon Generation (Exelon), Department of Energy, and interested stakeholders regarding the PBMR application and licensing review process. The goal of this meeting was to begin a series of interactions between the staff and Exelon to establish the expectations for a complete, high quality combined license application and to establish more predictability in the licensing review process. As part of the meeting, the staff discussed some of the lessons learned from other reviews, such as the license renewal and design certification reviews. Two of Exelon's main goals relating to the licensing process are to have one safety analysis report that is internationally applicable and to have an expedited review schedule.

Office of Nuclear Material Safety and Safeguards
Items of Interest
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Status of Resolving Igneous Activity Issues at Yucca Mountain

The Igneous Activity Key Technical Issue (KTI) is comprised of two subissues: (1) Probability of Future Igneous Activity; and (2) Consequences of Future Igneous Activity. The status of the first subissue is "closed pending," based on agreements that were reached in FY 2000. On September 5, 2001, staff from the NRC conducted a technical exchange in Las Vegas, Nevada, with Department of Energy (DOE) staff, to discuss NRC concerns related to the consequences of future igneous activity subissues. These concerns can be separated into four topics: (1) Ash and Soil Redistribution; (2) Magma-Drift interactions; (3) Magma-Waste Package Interactions; and (4) Magma-Waste Form Interactions. DOE and NRC staffs discussed in detail DOE plans to resolve NRC concerns. Four agreements were reached that fully cover the NRC "Consequence of Future Igneous Activity" subissue. These agreements were made publically available in their formal transmittal to DOE on September 12, 2001 along with the meeting summary. As a result, the status of subissue 2, as well as the overall KTI, is "closed pending."

Meeting of the National Academy of Sciences' Board of Radioactive Waste Management Panel, on Staged Repositories

On September 5-7, 2001, the National Academy of Sciences' (NAS') Board of Radioactive Waste Management's panel met to discuss "Principles and Operational Strategies for Repository Staging Systems." The Office of Nuclear Material Safety and Safeguards management gave a presentation on, "Staging: Policy, Legal, and Regulatory Aspects." Additional presentations were made by representatives from U.S. and European repository programs. The panel is considering issues of flexibility, building public and technical confidence with a staged process, and the Department of Energy's modular design and transportation options. The NAS Board discussed completion of a preliminary report by the end of 2001.

Meeting with Stepan Company to Discuss Site Decommissioning

On September 5, 2001, the Division of Waste Management, Office of Nuclear Material Safety and Safeguards, held a publicly-noticed meeting with representatives from the Stepan Company, a Nuclear Regulatory Commission (NRC) storage-only licensee; the Environmental Protection Agency (EPA); the U.S. Army Corps of Engineers (USACE); and other NRC Offices. Stepan's legal and technical consultants also attended. Stepan's Maywood, New Jersey, site is listed on EPA's National Priority List, and is designated by the Department of Energy and USACE as a Formerly Utilized Sites Remedial Action Program (FUSRAP) site. The meeting was held to discuss the licensee's and USACE's schedule for site decommissioning, and to review with the licensee the recently executed Memorandum of Understanding (MOU) between NRC and USACE on decommissioning of NRC-licensed FUSRAP sites. Stepan's Maywood site is listed in the MOU. A constructive exchange of information took place among the participants. Preparation and timing of the Record of Decision for remediation of the radiologically contaminated areas were discussed. Staff responded to EPA's and the licensee's questions regarding the MOU, and attendees agreed to continue coordination on site-related issues.

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ENCLOSURE B

Participation in Enhanced Safestor Information Forum

On September 11-12, 2001, staff from the Division of Waste Management (DWM) participated in the Enhanced Safestor Information Forum held in Idaho Falls, Idaho. The Forum, which was sponsored by the Nuclear Energy Institute, featured perspectives from the International Atomic Energy Agency, the Department of Energy, the Nuclear Regulatory Commission, and the nuclear power industry, on the Safestor mode of nuclear power plant decommissioning (onsite storage for approximately 60 years, followed by dismantlement). DWM staff presented papers on the subject, and also participated in panel discussions on related technical issues.

Nuclear Fuel Services, Framatome ANP, and Tennessee Valley Authority Meetings

On August 28, 2001, Division of Fuel Cycle Safety and Safeguards (FCSS) staff met with representatives from Nuclear Fuel Services (NFS) and Framatome ANP (FANP) to discuss NFS' and FANP's licensing plan of action for the blended low-enriched uranium project. Under this project, the Department of Energy (DOE) will provide NFS with off-specification highly enriched uranium material for dissolution and downblending to low-enriched uranyl nitrate, and with low-enriched uranyl nitrate that has been downblended by DOE at the Savannah River Site. NFS will convert the uranyl nitrates to oxide powder at a new facility to be constructed at the NFS site in Erwin, Tennessee, then ship the powder to FANP's Richland, Washington, facility, to be pressed into pellets and fabricated into fuel assemblies. These assemblies will be sent to the Tennessee Valley Authority (TVA) Brown's Ferry Nuclear Plant in Alabama, for use in the reactor. At the August 28, meeting, NFS and FANP presented their plans and schedules for submitting license amendment applications. The first of the amendment applications will be submitted in January 2002. NFS also presented its hazards analysis approach for the first of the license amendments, which will be for the new uranyl nitrate storage building. FCSS staff emphasized that NFS cannot begin construction of the new building until the Nuclear Regulatory Commission (NRC) has completed assessment of the environmental impacts of the proposed project. NFS proposes to submit the Environmental Report for the amendments in November 2001, 3 months ahead of the amendment application, to allow NRC additional time to prepare the Environmental Assessment. NFS also will need to increase the possession limit in its Special Nuclear Materials license. NFS will do some dissolution and downblending at the Erwin plant and also will prepare the low-enriched (~1.25 percent) blendstock. FANP expects to submit its license amendment application for its new pelletizing and fuel assembly equipment in March 2003.

On August 29, 2001, FCSS, the Spent Fuel Project Office, and the Office of Nuclear Reactor Regulation (NRR) staff met with DOE, TVA, NFS, and FANP to discuss the entire project, including DOE dissolution, downblending, and transportation of materials; dissolution, downblending, and conversion at NFS; fabrication at FANP; oxide and assembly shipping container certificate amendments; and Brown's Ferry licensing.

Office of Nuclear Regulatory Research
Items of Interest
Week Ending September 14, 2001

Draft Regulatory Guide on Laboratory Investigations of Soils and Rocks

RES has issued for comment a proposed Revision 1 of Regulatory Guide 1.138. The proposed revision is published as draft Regulatory Guide DG-1109, "Laboratory Investigations of Soils and Rocks for Engineering Analysis and Design of Nuclear Power Plants." The draft guide is being developed to describe laboratory investigations and testing practices that are acceptable to the NRC staff for determining soil and rock properties and characteristics needed for engineering analyses and designs for foundations and earthworks for nuclear power plants. The state of the art of laboratory testing practices for soils and rocks is reflected in existing national standards, and this guide recommends and references such standards where appropriate.

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ENCLOSURE C

Incident Response Operations
Items of Interest
Week Ending September 14, 2001

Preliminary Notifications

1. PNO-II-01-031, Pharmologic W.V., Ltd., AUTOMOBILE ACCIDENT INVOLVING RADIOPHARMACEUTICAL SHIPMENT.
2. PNO-IV-01-040, Western Technologies Inc., LOST OR STOLEN PORTABLE GAUGE.
3. PNO-IV-040A, Western Technologies Inc., UPDATE CONCERNING A MISSING PORTABLE GAUGE.
4. PNO-IV-041, Energy Northwest, CONTROL ROOM LICENSED OPERATOR REMOVED FROM OPERATIONAL DUTIES.

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ENCLOSURE D

Office of Administration
Items of Interest
Week Ending September 14, 2001

ADM Response to Terrorist Attacks

As a result of the events of September 11, 2001, a heightened level of security has been implemented for NRC Headquarters, including facilitating classified information traffic to the Safeguards Team and the Executive Team.

List of Approved Spent Fuel Storage Casks: Standardized NUHOMS-24P and -52B Revision; Confirmation of Effective Date (Part 72)

A direct final rule that revised the Standardized NUHOMS-24P and -52B cask system listing within the list of approved spent fuel storage casks, was published in the Federal Register on June 29, 2001 (66 FR 34523) with an effective date of September 12, 2001, if no significant adverse comments were received. A separate notice was published in the Federal Register on September 12, 2001 (66 FR 47380) confirming that the direct final rule would be effective on the previously indicated date of September 12, 2001, since no significant adverse comments were received.

In-House Training on Performance-Based Work Statements

On September 10-12, 2001, the Division of Contracts and Property Management (DCPM) presented an in-house course on Performance-Based Work Statements. The instructor provided a practical, hands-on approach to writing performance-based work statements including guidance on establishing measurable, realistic standards of performance and how to assign monetary or non-monetary incentives to NRC task order or administrative service requirements. The instructor used samples of NRC Statements of Work to demonstrate practical applications of his guidance. The course was attended by 25 representatives from DCPM and the program offices. Another session is scheduled for October 23 through 25, 2001. DCPM is making arrangements for two additional sessions to be presented in the first quarter of FY 2002.

Acquisition Training and Certification Program

On September 11, 2001, the Division of Contracts and Property Management conducted a mandatory Acquisition for Certification and Training Program module entitled "Organizational Conflicts of Interest" with 53 attendees. This half-day 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. Class participants work in groups to analyze situations to determine if COI exists and, if so, how to resolve the COI.

On September 12, 2001, the Division of Contracts and Property Management sponsored a mandatory Acquisition for Certification and Training Program module entitled "Preparing Statements of Work" (SOW) with 31 attendees. This module provides project managers with practical exercises in developing succinct and complete SOWs that ensure contractors and

DOE laboratories fully understand project scope, achieve work objectives, and deliver useful products in a timely manner and at a reasonable cost. This module was also presented on September 13, 2001, with 32 attendees.

On September 13, 2001, the Division of Contracts and Property Management featured a mandatory Acquisition for Certification and Training Program module entitled "Developing the Independent Government Cost Estimate" with 31 attendees. This half-day module focuses on the importance of establishing an independent Government cost estimate, the mechanics of the process and components which can be used in its development.

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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
September 7, 2001 through September 13, 2001:

Certification of non-issuance of license to operate nuclear medicine facility to use Positron
Emmission Tomography technology within jurisdiction of Puerto Rico. (FOIA/PA-2001-0360)

Site assessment, Helbros Watches, Inc., 460 West 34th Street, New York, NY.
(FOIA/PA-2001-0361)

Zion power plant, Final Safety Analysis Report (FSAR), various Chapters and Tables as
identified. (FOIA/PA-2001-0362)

Carolina Power and Light, alleged discrimination in the identified DOL case.
(FOIA/PA-2001-0363)

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ENCLOSURE G

Office of Human Resources
Items of Interest
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Arrivals		
BILIK, Thomas	FINANCIAL ANALYST	NRR
JENSEN-OTSU, Tomoko	RISK & RELIABILITY ANALYST	RES
MOYER, Carol	MATERIALS ENGINEER	RES
Departures		
SMIRALDO, Elizabeth	PROGRAM ANALYST	OCFO

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ENCLOSURE I

Office of the Secretary
Items of Interest
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Document Released to Public	Date	Subject
Decision Documents		
1. COMJSM-01-0002	08/03/01	Transportation of Spent Fuel
SRM on 01-0002	09/13/01	(same)
Commission Voting Record on 01-0002	9/13/01	(same)
Negative Consent Documents		
1. SECY-01-0160	8/23/01	Advisory Committee on the Medical Uses of Isotopes -- Evaluations and Results of the April 18, 2001, Meeting
SRM on 01-0160	9/7/01	(same)
Information Papers		
1. SECY-01-0163	8/24/01	Research Effectiveness Review Board
2. SECY-01-0170	9/6/01	Weekly Information Report Week Ending August 31, 2001
3. SECY-01-0172	9/14/01	Weekly Information Report Week Ending September 7, 2001

Commission Correspondence

1. Letter to Congress dated September 7, 2001 concerns final amendments to the Commission's rules in the *Federal Register*.
2. Letter to Professor Yaffa Eliach, President and Founder, the Shtetl Foundation, dated September 6, 2001, concerns NRC's diversity Day Celebration.
3. Letter to Congress dated September 5, 2001 concerns improper payments made by Federal agencies.
4. Letter to Congressman Joseph Crowley dated September 5, 2001 concerns request for an extension of a Congressional Fellowship assignment.
5. Letter to Congress dated August 29, 2001 concerns implementation of a one-year pilot of an industry-initiated Safeguards Performance Assessment program at commercial nuclear power plants

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ENCLOSURE O

6. Letter to Senator John Edwards dated August 15, 2001 concerns the potential vulnerability of nuclear power plants of terrorist threats.

Federal Register Notices Issued

1. Advisory Committee on Reactor Safeguards; Meeting of the Subcommittee on Planning and Procedures; Notice of Meeting.
2. Advisory Committee on Reactor Safeguards; Meeting of the Subcommittee on Thermal-Hydraulic Phenomena; Notice of Meeting.
3. Advisory Committee on the Medical Uses of Isotopes; Notice of Meeting.
4. Advisory Committee on Reactor Safeguards; Meeting Notice.

Region II
Items of Interest
Week Ending September 14, 2001

NRC's Response to the National Emergency

On September 11, 2001, Region II activated its Incident Response Center and maintained the center in Standby Mode throughout the week in support of NRC's response to the National Emergency and to monitor potential consequences of Tropical Storm Gabriel on facilities in Florida.

Regional Emergency Preparedness Workshop

On September 11, 2001, the Regional State Liaison Officer participated in a Regional Emergency Preparedness Workshop, sponsored by FEMA IV, in Atlanta, GA. The workshop included discussions of how FEMA will implement revisions to its exercise evaluation methodology. Representatives from all Region II states in FEMA, Region IV, participated in the workshop.

Office of Congressional Affairs
 Items of Interest
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CONGRESSIONAL HEARING SCHEDULE, NO. 30

OCA Contact	DATE & PLACE	TIME	WITNESS	SUBJECT	COMMITTEE
Gerke	09/20/01 2123 RHOB	2:00	TBA	Natl Electricity Policy: Federal Government Perspectives	Reps. Barton/Boucher Energy and Air Quality Energy and Commerce
Gerke	09/21/01 SD-406	9:30	Nils J. Diaz	Confirmation Hearing	Senators Jeffords/Smith Environment and Public Works
Gerke	Week of 9/24 SD-366	TBA	Markup	S. 597, National Energy Policy	Senators Bingaman/Murkowski Energy and Natural Resources
Gerke	09/25/01 SD-406	TBA	Vote	Confirmation of Nils Diaz to be NRC Commissioner	Senators Jeffords/Smith Environment and Public Works

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ENCLOSURE R