

# INFORMATION REPORT

June 20, 2008

SECY-08-0086

For: The Commissioners  
From: Vonna L. Ordaz, Assistant for Operations, Office of the EDO  
Subject: WEEKLY INFORMATION REPORT - WEEK ENDING  
JUNE 13, 2008

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\*No input this week.

***/RA Mindy Landau for/***

Vonna L. Ordaz  
Assistant for Operations, OEDO

Contact:  
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Office of Nuclear Reactor Regulation (NRR)  
Items of Interest  
Week Ending June 13, 2008

Generic Safety Issue (GSI) 191

On June 6, 2008, the NRR management team for GSI 191, PWR Sump Performance, met with the ACRS to provide a status on the issue and discuss a path forward. The staff noted that substantial progress has been made by the industry, and modifications have been implemented at all plants and issues with licensee strainer performance tests are nearing resolution. The staff also discussed remaining challenges, including the potential for additional modifications at some plants and the need to resolve in-vessel downstream effects.

Omaha Public Power District (OPPD) Notice of Intent to Adopt National Fire Protection Association (NFPA) 805

By letter dated June 9, 2008, OPPD notified the NRC that it intends to adopt NFPA Standard 805, "Performance-Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants," 2001 Edition, in accordance with 10 CFR 50.48(c) for the Fort Calhoun Station (FCS), Unit 1. OPPD is beginning the transition to the performance-based standard at FCS in June 2008. The licensee requested enforcement discretion for the approximate 36 months needed to develop its license amendment request which OPPD plans to submit in June 2011.

Data Systems & Solutions (DS&S) SPINLINE 3 Digital Instrumentation and Control (I&C) Topical Report Meeting

On June 5, 2008, DS&S presented an overview of their SPINLINE 3 Digital I&C System Topical Report to the staff. DS&S plans to submit their topical report late in 2008. SPINLINE 3 evolved from products that are installed in safety related digital I&C systems in the French nuclear fleet, and includes hardware, system software, and engineering tools for the development of applications.

Duke Energy Pre-Application Meeting

On June 4, 2008, the staff met with representatives of Duke Energy to discuss their structural testing program to assess the strength of brick walls modified by the fiber reinforced polymer (FRP). Duke Energy has proposed to use the FRP system to strengthen existing brick walls located within the Auxiliary buildings in Oconee Nuclear Station Units 1, 2, and 3.

License Renewal Application for Prairie Island Generating Plant, Unit 1 and 2

On June 10, 2008, the NRC staff completed the acceptance review of the license renewal application for the Prairie Island Nuclear Generating Plant, Unit 1 and 2, and determined that the application contains sufficient information for docketing. On April 15, 2008, the staff received from Nuclear Management Company, an application requesting the extension of the operating license for Prairie Island Unit 1 and 2, for an additional 20 years. Prairie Island Unit 1 expires in August 9, 2013, and Unit 2 expires on October 29, 2014. Both Unit 1 and Unit 2 are 2 loop-pressurized water reactors designed by Westinghouse.

June 13, 2008

ENCLOSURE A

Public Meeting with Nuclear Energy Institute (NEI)

On June 12, 2008, the staff met with NEI in a public meeting to discuss the final draft of an NEI Position Statement on complying with the Licensed Power Limit. This guidance reinforces and complements the guidance issued by the NRC in Regulatory Issues Summary (RIS) 2007-21, "Adherence to Licensed Power Limits."

June 13, 2008

ENCLOSURE A

Office of New Reactors (NRO)  
Items of Interest  
Week Ending June 13, 2008

Audit of the MHI US-APWR Safeguards Control Program

On June 2, 2008, NRO and NSIR staff conducted an on-site audit of the Mitsubishi Heavy Industries, Ltd., Kobe, Japan, US-APWR Safeguards Control Program. NRC staff concludes the program is in compliance with protection measures specified in 10 CFR 73.21(b) through (i) and the Order such that there is reasonable assurance that Safeguards Information will be protected against unauthorized disclosure. Thus, Mitsubishi, Kobe, Japan will be authorized, via a formal letter in preparation, for the independent control of Safeguards Information.

Receipt of Petition to Intervene for Bellefonte Combined License (COL) Application

On June 6, 2008, the NRC received a petition for intervention and request for hearing associated with the Bellefonte COL application for two AP1000 units at the Bellefonte site near Scottsboro, Alabama. The Blue Ridge Environmental Defense League, its chapter, Bellefonte Efficiency and Sustainability Team, and the Southern Alliance for Clean Energy submitted the petition and a request for hearing. The petition consists of 19 contentions and is 108 pages in length. In accordance with Commission direction the staff will provide its response to the petition and request for hearing to the Commission for consideration by the Atomic Safety and Licensing Board by July 1, 2008.

DTE Energy's Response to RIS 2008-01

In a letter dated June 9, 2008, DTE Energy responded to Regulatory Issue Summary (RIS) 2008-01, "Process for scheduling acceptance reviews based on notification of applicant submission dates for early site permits, combined license, and design certifications and process for determining budget needs for fiscal year 2010," communicating their expectation to submit a COL application on or before September 18, 2008, for the proposed Fermi, Unit 3 plant to be located in Monroe County, Michigan. This application date is a change from the previously communicated date of fourth quarter 2008.

Public Scoping Meeting to Discuss Environmental Issues Pertaining to the Combined License for Shearon Harris Nuclear Power Plant Site

The NRC staff participated in two public meetings last week related to the COL application for the Shearon Harris COL site in Wake County, NC. On June 10, 2008, the staff conducted two meetings to solicit comments from the public to help identify significant environmental issues related to the COL, and to provide the opportunity for interested members of the public to submit comments or suggestions on these environmental issues and the proposed scope of the staff's environmental review. Approximately 132 people attended each meeting, including representatives of the NRC staff, Pacific Northwest National Laboratory, Progress Energy Carolinas, Inc., state and local governments, the nuclear industry, and members of the public. About 34 people provided comments. In addition, the NRC staff hosted an informal "open house" for one hour prior to the meetings. The NRC staff used displays and provided brochures to answer questions about the proposed COL application. The public comment period for scoping ends on July 25, 2008. At the conclusion of the comment period, the staff will evaluate

the comments received, develop the scope of the draft environmental impact statement (EIS), and prepare the draft EIS, which is currently scheduled to be published in the summer of 2009.

Public Meeting on Limited Work Authorization (LWA) Rule Interim Staff Guidance (ISG)

On June 12, 2008, NRO staff and OGC attorneys held a Category 3 public meeting on the LWA ISG. The two main topics of discussion at the meeting were: (1) the new requirement in 10 CFR 51.45 that license applicants must separate the environmental impacts of construction and preconstruction activities in their license applications; and (2) the revised definition of construction in 10 CFR 50.10. While the staff and the industry appear to be reaching convergence on the issue of separation of environmental impacts of construction and preconstruction, discussions revealed that there are still many areas related to the definition of construction where there is not a common understanding.

June 13, 2008

ENCLOSURE B

Office of Nuclear Material Safety and Safeguards (NMSS)  
Items of Interest  
Week Ending June 13, 2008

Meeting with Enrichment Technology Company on Technology Guide

NRC staff from the Offices of Nuclear Material Safety and Safeguards (NMSS) and Nuclear Security and Incident Response (NSIR) and the United States Department of Energy (DOE) met with representatives of the Enrichment Technology Company (ETC) in Almelo, Netherlands. ETC is a subsidiary of Urenco and Areva, and is the owner of the classified uranium enrichment technology to be used in the LES plant in Lea County, New Mexico. The purpose of the meeting was to discuss a Technology Guide for the Louisiana Energy Services (LES) uranium enrichment project for designating Restricted Data that can be transferred back to Europe.

Portsmouth Gaseous Plant Certificate Renewal

On June 10, 2008, NRC staff from the NMSS conducted a Category 3 public meeting at the Ohio State University Endeavor Center in Piketon, Ohio, to discuss and solicit public comments on the certificate renewal for the Portsmouth Gaseous Diffusion Plant (PORTS). Approximately 40 people attended the meeting, including members of the public, representatives from United States Enrichment Corporation (USEC), DOE, Ohio Environmental Protection Agency, Ohio Department of Health, and local citizen organizations. Public comments and questions were focused on: (1) NRC's procedure and notification on public meetings; (2) USEC's operations, financial standing, record keeping, emergency notification, and plant procedure adherence; and (3) legacy and current issues stemming from DOE's jurisdiction over PORTS.

Ninth Annual Meeting of the OECD/Nuclear Energy Agency (NEA) Forum on Stakeholder Confidence (FSC)

On June 4 - 6, 2008, at NEA headquarters in Paris, France, NRC staff presided at the ninth annual meeting of the FSC, sponsored by the Radioactive Waste Management Committee of the NEA. At the meeting, FSC adopted a new program of work and began its third phase of activity. The meeting included three topical sessions: 1) Use of Analogues for Confidence Building; 2) Tools to Help Society in Decision Making: Legal and Policy Issues; and 3) Case Studies of Outreach and Consultation Campaigns. The Annual FSC Country Workshop, planned for November in northeastern France was deferred to April 2009.

Office of Federal and State Materials and Environmental Management Programs (FSME)  
Items of Interest  
Week Ending June 13, 2008

Meeting on Environmental Quality in Austin, Texas

On June 9-10, staff from FSME met with the Texas Department of State Health Services and the State's Commission on Environmental Quality in Austin, Texas. These individuals are in charge of the Texas' Radiation Control Program and the State's uranium mill program respectively. This was part of a mid-cycle program review under the NRC's Integrated Materials Performance Evaluation Program.

Conference on Global Initiative to Combat Nuclear Terrorism

On June 10-11, management from FSME and the Office of Nuclear Security and Incident Response participated in a conference in Ottawa, Ontario, on the "Global Initiative to Combat Nuclear Terrorism," which included over 120 participants from over 20 countries. Other participants from the United States included the United States Embassy to Canada, the United States Department of Homeland Security, the National Nuclear Security Administration, and a national laboratory. Several countries gave presentations on domestic approaches and lessons learned for radioactive source security, tracking systems, and import/export controls. Participants from the NRC gave a well-received presentation on the United States developments on radioactive source security, including increased controls, fingerprinting, the National Academy of Sciences' alternative technologies report, and Energy Policy Act Task Force activities.

Solicitation of Public Comments Concerning a Licensing Amendment

On June 11, 2008, staff from the Division of Waste Management and Environmental Protection (DWMEP) held a public meeting in Dana Point, California, to solicit public comments concerning a license amendment application requesting partial site release of the offshore portion of the San Onofre Nuclear Generating Station Unit 1 circulating water system for unrestricted use. Members of the general public and employees of various State of California agencies attended the meeting in addition to several employees from Southern California Edison, the licensee. The staff from DWMEP fielded a number of questions from the audience. No comments received opposed the licensee's requested action.

Office of Nuclear Regulatory Research (RES)  
Items of Interest  
Week Ending June 13, 2008

Publication of Regulatory Guide (RG) 4.21, "Minimization of Contamination and Radioactive Waste Generation: Life-Cycle Planning"

On June 12, 2008, the staff published the subject RG that describes methods the NRC staff considers acceptable in implementation of 10 CFR 20.1406, "Minimization of Contamination." This RG provides guidance on minimization of contamination and radioactive waste generation over the total life cycle of a facility. The life cycle includes initial facility layout and design, procedures for operation, and final decontamination and dismantling at the time of decommissioning. RG 4.21 is available on the NRC website at <http://www.nrc.gov/reading-rm/doc-collections/reg-guides/environmental-siting/active/>.

Withdrawal of Regulatory Guide (RG) 1.139, "Guidance for Residual Heat Removal"

On June 10, 2008, the staff withdrew the subject RG. This RG was issued for comment in May 1978 and proposed a method for complying with 10 CFR Part 50, Appendix A, General Design Criterion (GDC) 34, "Residual Heat Removal," with respect to control room actions for removing decay heat and sensible heat after a reactor shutdown. However, the RG describes an overly conservative and prescriptive method for complying with GDC 34, and licensees have since proposed acceptable alternative approaches without the need for NRC guidance. At this time, it also appears unlikely that future applicants would need NRC guidance on this topic.

Publication of Regulatory Guide (RG) 1.210, "Qualification of Safety-Related Battery Chargers and Inverters"

On June 6, 2008, the staff published the subject RG that describes a method the NRC staff considers acceptable for complying with regulations regarding the qualification of safety-related battery chargers and inverters for nuclear power plants. RG 1.210 is available on the NRC website at <http://www.nrc.gov/reading-rm/doc-collections/reg-guides/power-reactors/active/>.



Office of Administration (ADM)  
Items of Interest  
Week Ending June 13, 2008

Revision of Fee Schedules; Fee Recovery for Fiscal Year (FY) 2008; Final Rule 315-AI28

On June 6, 2008, the NRC published a document (73 FR 32385) in the *Federal Register* amending the licensing, inspection, and annual fees charged to its applicants and licensees. The amendments implement the Omnibus Budget Reconciliation Act of 1990 (OBRA-90), as amended, which require that the NRC recover approximately 90 percent of its budget authority in FY 2008, less the amounts appropriated from the Nuclear Waste Fund, amounts appropriated for Waste Incidental to Reprocessing activities, and amounts appropriated for generic homeland security activities. The required fee recovery amount for the FY 2008 budget is approximately \$779.1 million. After accounting for carryover and billing adjustments, the total amount to be billed as fees is approximately \$760.7 million. The rule becomes effective August 5, 2008.

Regulatory Improvements to the Nuclear Materials Management and Safeguards System (NMMSS); Final Rule (RIN 3150-AH85)

On June 9, 2008, the NRC published a document (73 FR 32453) in the *Federal Register* amending its regulations related to licensee reporting requirements for source material and special nuclear material (SNM) to the NMMSS. The amendments lower the threshold of the quantities of SNM and certain source materials that require the submission of material status reports to the NMMSS. The NRC has also modified the types and timing of submittals of some transaction reports to the NMMSS, and licensees are now required to reconcile any material inventory discrepancies that NRC identifies in the NMMSS database. The rule becomes effective on January 1, 2009.

Contract Award for Radiological Evaluation Assistance to the Office of Nuclear Reactor Regulation

On June 6, 2008, a noncompetitive contract (NRC-03-08-072) was awarded to American Radiation Services, Inc., under SBA's 8(a) program. The contractor will provide expert technical assistance to the NRC Headquarters and Regional offices by performing environmental sample radiological analysis related to non-power and power reactor inspection activities. The period of performance is 24-months. The total price of the contract including base period and four option periods is \$215,311.

Contract Award for Non-Destructive Examination Training for the Office of Human Resources

On June 6, 2008, a competitive contract (NRC-38-08-697) was awarded to Hellier, under a full and open competition. The contractor will provide personnel, facilities, instructional materials, and services necessary to prepare and teach the "NDE Technology and Codes" and "Welding and NDE Overview," courses to the NRC. The courses will improve the NRC inspector's ability to conduct in-depth inspections and design reviews of NRC-licensed facilities to determine whether applicable codes and standards are met. The period of performance is a 12-month base period with four one-year option periods. The total price of the contract including base period and four option periods is \$311,135.

Blanket Purchase Agreement for Employee Relocations Services

On June 9, 2008, a competitive Blanket Purchase Agreement (NRC-DR-09-08-329) for Employee Relocation Services was awarded to Re/Max Allegiance Relocation Services. The estimated value of this blanket purchase agreement is \$7,283,550 for a 3-year period of performance that begins on June 15, 2008.

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ENCLOSURE G

Office of Information Services (OIS)  
Items of Interest  
Week Ending June 13, 2008

Freedom of Information Act (FOIA) and Privacy Act (PA) Requests Received During the Period of June 6, 2008 through June 12, 2008:

Reactor Safety Evaluation, Section 7, pages 194-224, Volume II, APED-5000-A, Class I, July 1965, Facility Description & Safety Analysis Report for the GE Test Reactor (GETR)	FOIA/PA-2008-0249
Contracts GS02F0185N/GSV0006DP1001, GS02F0010J/GSV0006PD1002, and GS02F0058P/GSV0006PD1004, releasable portions of Blanket Purchase Agreement (PBA)	FOIA/PA-2008-0250
Allegation NRR-1999-A-0040 including all correspondence between NRC and named individual	FOIA/PA-2008-0251
Nuclear plant inspectors; job description, minimum qualifications and salary range; compensation paid to inspectors at San Onofre including benefits and overtime; on-site inspector salaries 08-09; salary range of public information officers	FOIA/PA-2008-0252

Office of Human Resources (HR)  
 Items of Interest  
 Week Ending June 13, 2008

<b>Arrivals</b>		
ALEXANDER, GEORGE	STUDENT ENGINEER	FSME
ALEXANDER, SARAH	STUDENT ENGINEER	R-II
BALLAM, NICHOLAS	STUDENT IT SPECIALIST (CO-OP)	OIS
COLLINS, DAVID	CONSULTANT	R-II
FIGUEROA, GLADYS	STUDENT ENGINEER	RES
MEDLEY, MONTIA	STUDENT CLERK	NSIR
OTERO-GONZALEZ, LAURA	STUDENT CIVIL RIGHTS SPECIALIST	SBCR
TRAYHAM, BROOKE	STUDENT ENGINEER	FSME
WARD, STEVEN	STUDENT ENGINEER	NMSS
<b>Retirements</b>		
None		
<b>Departures</b>		
MOONEY, BARRETT	REACTOR INSPECTOR (NSPDP)	
SCHRUM, DARRELL	REACTOR ENGINEER	

Office of Public Affairs (OPA)  
Items of Interest  
Week Ending June 13, 2008

OPA Received Significant Media Inquiries on the Following:

NRC receipt of letter from Nevada Delegation on Yucca Mountain application;

Expiration of the public comment period on EnergySolutions' import license application for Italian low-level waste;

NRC actions to flooding at the Duane Arnold nuclear plant, Palo, Iowa;

Radio that caused an unplanned shutdown of Indian Point nuclear plant, north of New York City; license renewal inspections of the plant;

Tornado damages to the research reactor building at Kansas State University, Manhattan, Kansas; and

New reactor licensing process; expected application for Comanche Peak site, Glen Rose, Texas

Other Public Affairs Items:

OPA facilitated an interview with Federal Computer Week and Jim McDermott, Director of Human Resources, on CO-OP planning.

<b>Press Releases</b>	
<b>Headquarters:</b>	
08-115	NRC Sends Inspector to Kansas State University After Tornado Damages Research Reactor Building (6/12)
08-114	NRC to Hold Public Meeting June 18 to Discuss Proposed License Transfer and Decommissioning of Zion Plant (6/9)
08-113	NRC Accepts Application for New Reactors at Vogtle (6/9)
<b>Regions:</b>	
I-08-040	NRC to Discuss Preliminary Results of Inspection for Indian Point License Renewal Application on June 18 (6/11)
I-08-041	New NRC Resident Inspector Assigned to Pilgrim Nuclear Plant (6/11)
III-08-024	NRC Monitoring Unusual Event at Duane Arnold Nuclear Plant (6/12)
IV-08-026	NRC to Hold Public Meeting on Palo Verde Nuclear Generating Station (6/11)
IV-08-027	NRC Dispatches Inspector to National Institute of Standards & Technology Lab in Colorado Following Contamination Event (6/11)

Office of the Secretary (SECY)  
 Items of Interest  
 Week Ending June 13, 2008

<b>Document Released to Public</b>	<b>Date</b>	<b>Subject</b>
<b>Decision Documents</b>		
1. COMSECY-08-0009	3/5/08	Report of the Senior Executive Review Panel – Peach Bottom Lessons Learned
SRM-COMSECY-08-0009	6/9/08	(same)
Commission Voting Record on COMSECY-08-0009	6/9/08	(same)
<b>Information Papers</b>		
SECY-08-0079	6/6/08	Weekly Information Report – Week Ending May 30, 2008
<b>Memoranda</b>		
1. M080527	6/9/08	SRM-NRC All Hands Meeting
2. M080528B	6/13/08	SRM-Briefing on Equal Employment Opportunity (EEO) and Workforce Planning

Commission Correspondence

1. Letter to Congress (Senators Carl Levin and Norm Coleman), dated June 6, 2008, responds to letter regarding the Subcommittee’s report entitled “Dirty Bomb Vulnerabilities.”
2. Letter to Senator David Vitter, dated June 6, 2008, responds to letter regarding the application from EnergySolutions to import radioactive waste from Italy.

Federal Register Notices Issued

1. NRC Application to Amend a License to Export Major Components for Nuclear Reactors (Curtiss-Wright Electro-Mechanical Corporation), XR170/01.
2. Notice of License Application Request of Uranerz Energy Corporation Nichols Ranch In Situ Uranium Recovery Project, Casper, Wyoming, Opportunity to Request a Hearing and Order Imposing Procedures for Access to Sensitive Unclassified Non-Safeguards Information (SUNSI) for Contention Preparation, Docket No. 040-09067.

3. Correction. Duke Energy Carolinas, LLC; Correction to Notice of Hearing and Opportunity to Petition for Leave to Intervene and Order Imposing Procedures for Access to SUNSI and Safeguards Information for Contention Preparation on a Combined License for the William States Lee III Units 1 and 2, Docket Nos. 52-018 and 52-019.

June 13, 2008

ENCLOSURE O

Region IV (RIV)  
Items of Interest  
Week Ending June 13, 2008

Cooper Fire Protection Enforcement Action Issued

On June 13, Region IV issued the final significance determination letter and Notice of Violation concerning a white finding at the Cooper Nuclear Station. This is a violation of 10 CFR Part 50, Appendix B, Criterion V, "Instructions, Procedures, and Drawings," for failure to assure that steps in procedures used for post-fire safe shutdown could be performed as written. A press release will be issued on June 16. Cooper Nuclear Station is in transition to a NFPA 805 fire protection program. The NRC Interim Enforcement Discretion Policy provides enforcement discretion for violations of fire protection related requirements identified during the transition to a new risk-informed, performance-based fire protection program. The NRC staff determined that the finding did not qualify for enforcement discretion because the licensee did not identify the problem through routine licensee efforts.



Office of Congressional Affairs (OCA)  
 Items of Interest  
 Week Ending June 13, 2008

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CONGRESSIONAL HEARINGS SCHEDULE, NO. 20

OCA Contact	Date and Place	Time	Committee	Subject	Witnesses
Decker	06/12/08 2172 RHOB	9:30	House Foreign Affairs Committee (Representatives Berman / Ros-Lehtinen)	Russia, Iran, and Nuclear Weapons: Implications of the Proposed U.S.-Russia Agreement	<ul style="list-style-type: none"> <li>• John Rood, Acting Undersecretary of State for Arms Control and International Security</li> <li>• Robert Einhorn, Former Assistant Secretary in the State Department's Bureau of Nonproliferation, and Senior Advisor in the Center for Strategic and International Studies' International Security Program</li> <li>• Henry Sokolski, Executive Director of the Nonproliferation Policy Education Center</li> </ul>
Powell	TBD	TBA	House Energy and Commerce Subcommittee on Oversight and Investigations (Representatives Stupak / Whitfield)	Inattentive Guards at Peach Bottom and other Security Related Topics	<ul style="list-style-type: none"> <li>• TBD</li> </ul>
Shane/Dacus	07/16/08 406 DSOB	10:00	Senate Environment and Public Works Committee Subcommittee on Clean Air and Nuclear Safety (Senators Carper / Voinovich)	New Reactors and License Renewal	<ul style="list-style-type: none"> <li>• NRC Commission</li> <li>• Others TBD</li> </ul>

June 13, 2008

ENCLOSURE R