

INFORMATION REPORT

October 24, 2008

SECY-08-0159

For: The Commissioners

From: Vonna L. Ordaz
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Office of the Executive Director for Operations

Subject: WEEKLY INFORMATION REPORT - WEEK ENDING
OCTOBER 17, 2008

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*No input this week.

/RA/

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Office of Nuclear Reactor Regulation (NRR)
Items of Interest
Week Ending October 17, 2008

Energy Solutions Petition for Rulemaking

On October 3, 2008, the Deputy Executive Director for Operations approved the denial of a petition submitted by EnergySolutions, LLC. The petitioner requested that the NRC amend its regulations to provide a regulatory framework that would allow funds from licensees' decommissioning trusts to be used for the cost of disposal of major radioactive components (MRCs) that have been removed from reactors prior to the permanent cessation of operations. The NRC's policy on not using decommissioning trust funds for the early disposal of MRCs during operations is prudent and necessary to help preserve and protect such funds. Furthermore, under 10 CFR 50.12, licensees may request an exemption to permit withdrawal of decommissioning trust funds to dispose of MRCs, which will be reviewed on a case-by-case basis in extraordinary circumstances.

Nuclear Procurement Issues Committee (NUPIC) Meeting

On October 7-9, 2008, the staff attended the NUPIC general membership meeting in Sandestin, Florida. NUPIC is a joint-utility organization that evaluates suppliers furnishing safety-related components and services and commercial-grade items to nuclear utilities. The staff made presentations on the recent NRC vendor inspection activities (ML082980131).

License Renewal Meeting between NRC Staff the Nuclear Energy Institute (NEI)

On October 15, 2008, the staff conducted a Category 2 Meeting to discuss generic license renewal topics and license renewal process improvements. Participants included members from NRR, NEI, and other industry representatives. The public was provided the opportunity to participate prior to the closing of the meeting. The discussions included feedback on recent aging management audits and status updates on guidance document revisions.

Public Meeting on Fire-Induced Multiple Spurious Actuation

On October 16, 2008, the staff held a Category 2 Public Meeting with representatives from NEI and industry stakeholders regarding the technical resolution of the issue of fire-induced circuit failures and actions related to SRM-SECY 2008-0093. The staff will continue to work with NEI to resolve remaining technical issues to bring the fire-induced circuit failure issue to closure.

Management Changes at Pacific Gas and Electric Company (PG&E)

On October 16, 2008, PG&E announced the appointment of Mr. Ken Peters as new Station Director at the Diablo Canyon Power Plant. In this role, Mr. Peters will be responsible for Operations Services, Maintenance Services, Outage Management and Safety. Mr. Peters is currently the Senior Director of Engineering. Mr. Peters will assume responsibility effective October 27, 2008.

PG&E also announced the appointment of Mr. Jim Welsch as the Operations Services Director. Mr. Welsch is currently the Operations Manager. Mr. Welsch will assume responsibility effective October 27, 2008. These organizational changes will complete Mr. Jim Becker's transition to the role of Site Vice President. Mr. Becker has been the Diablo Canyon Station Director since 2000 and has been performing the dual role of Site Vice President and Station Director since earlier this year.

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ENCLOSURE A

Office of New Reactors (NRO)
Items of Interest
Week Ending October 17, 2008

Issuance of SECY on Final Rule on Consideration of Aircraft Impacts for New Nuclear Power Reactors

On October 15, 2008, SECY-08-0152, "Final Rule—Consideration of Aircraft Impacts for New Nuclear Power Reactors (RIN 3150-A119)," was issued. The purpose of the paper is to request Commission approval to publish in the *Federal Register* the subject final rule. The rule amends certain requirements in 10 CFR Part 50, "Domestic Licensing of Production and Utilization Facilities," and Part 52, "Licenses, Certifications, and Approvals for Nuclear Power Plants." Specifically, the rule requires applicants for new nuclear power reactors to perform a rigorous assessment of the design to identify design features and functional capabilities that could provide additional inherent protection to avoid or mitigate the effects of an aircraft impact.

Bell Bend Combined License (COL)

On October 10, 2008, PPL Bell Bend LLC submitted a combined license application for a U.S. Evolutionary Power Reactor (U.S. EPR) reactor adjacent to the existing Susquehanna Steam Electric Station site near Berwick, Pennsylvania. The COL application designates the new unit as Bell Bend Nuclear Power Plant and incorporates by reference the design certification application for the U.S. EPR submitted by AREVA NP which is currently under review. The sixty-day acceptance review period of the Bell Bend COL application began on October 14, 2008, and is scheduled to be completed by December 15, 2008.

Office of Nuclear Material Safety and Safeguards (NMSS)
Items of Interest
Week Ending October 17, 2008

Louisiana Energy Services (LES) Assessment of Licensee Performance Meeting

On October 2, 2008, staff from NMSS and Region II met with representatives of LES in Eunice, New Mexico, to discuss the NRC's evaluation of LES' performance over the period of June 23, 2006, to June 30, 2008. During this period, LES performed construction activities on its gas centrifuge enrichment facility located in Lea County, New Mexico. NRC staff identified no areas for improvement, but did discuss several challenges LES would face over the near-term. These challenges were adequate implementation of the configuration management program, managing the transition from construction to operation, and managing operations concurrent with ongoing construction activities.

Removal of International Atomic Energy Agency (IAEA) Equipment

On October 13, 2008, the IAEA removed all remaining IAEA equipment from the BWX Technologies, Inc. (BWXT) down-blending facility and office in Lynchburg, Virginia. The IAEA inspector removed all remaining IAEA seals from processing equipment and storage cabinets and will hand carry them to Vienna. BWXT prepared the following items for shipment to Vienna: ultrasonic liquid flowmeter recorders, a memograph data recorder, virtual private network boxes, DC converters, flashdisks, a laptop computer, battery chargers, and empty sample shipping containers. At the direction of the IAEA, BWXT staff destroyed all remaining IAEA hard drives and computer memory and will dispose of the remaining IAEA equipment. Down-blending activities at BWXT are complete, and the IAEA has removed the facility from the list of facilities selected for application of IAEA safeguards.

Directors Decision

On October 10, 2008, the Director of NMSS signed a "Directors Decision," stating that he will issue renewed Certificate of Compliance(s) for the U.S. Enrichment Corps Gaseous Diffusion Plants. When issued, the new Certificates will have an expiration date of December 31, 2013. However, before they can be issued the Commission must send a "Report to Congress" on the Health, Safety and Environmental Conditions at the gaseous diffusion plant. That report is in concurrence, and it is anticipated that it will be signed out before the end of the year.

Advanced Fuel Cycle Initiative (AFCI) Annual Meeting

On October 7 and 8, 2008, staff from the Division Fuel Cycle Safety and Safeguards, the Advisory Committee on Reactor Safety, and Office of New Reactors participated in the Department of Energy's AFCI annual meeting in Idaho Falls, Idaho. About 100 individuals involved in the AFCI and other related programs participated in the meeting. Officials from the Department of Energy and its national laboratories, and industry representatives made presentations on the current status of ongoing research and development activities associated with the recycling of spent nuclear fuel. On October 6, 2008, the NRC staff toured several research facilities at the Idaho National Laboratory that are related to the recycling of spent nuclear fuel.

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ENCLOSURE C

Office of Federal and State Materials and Environmental Management Programs (FSME)
Items of Interest
Week Ending October 17, 2008

Nuclear Energy Agency Meeting

During the week of October 13-17, 2008, the Director of FSME participated as the U.S. delegate in the 117th Session of the Steering Committee for Nuclear Energy in Paris, France.

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ENCLOSURE D

Office of Nuclear Regulatory Research (RES)
Items of Interest
Week Ending October 17, 2008

Public Meeting to Discuss Questions about Draft Regulatory Guide (DG)-5026 "Fatigue Management for Nuclear Power Plant Personnel"

On October 16, 2008, NRC staff held a public meeting on draft regulatory guide DG-5026, "Fatigue Management for Nuclear Power Plant Personnel." DG-5026 partially endorses Nuclear Energy Institute (NEI) 06-11, "Managing Personnel Fatigue at Nuclear Power Reactor Sites." NEI, Exelon Corporation, International Brotherhood of Electrical Workers, United Government Security Officers of America, and other stakeholders participated in the meeting. The discussion focused on the exceptions to NEI 06-11 (i.e., applicability of outage work hours, periodic overtime, transitions into or between covered groups, and technical specification surveillances). NRC staff clarified the relevant sections in DG-5026 and addressed questions raised by the participants. All stakeholders were encouraged to submit their comments in writing by October 31, 2008, the public comment period closing date.

RES Withdraws Regulatory Guide (RG) 6.8, "Identification Plaque for Irretrievable Well-Logging Sources"

On October 15, RES staff published a *Federal Register* Notice announcing the withdrawal of RG 6.8 titled, "Identification Plaque for Irretrievable Well-Logging Sources." The RG references 10 CFR 30 and 70, which no longer contain guidance for design or mounting of identification plaques. The current regulation regarding the identification plaques is found in 10 CFR 39.15, "Agreement with Well Owner or Operator," and no additional guidance is needed.

RES Visits the National Institute of Standards and Technology (NIST) to Discuss Advancements in Thermometry Technology and Potential High-Temperature Applications

On October 16, NIST hosted RES to discuss technological advancements in the area of thermometry with emphasis on high-temperature applications (>700C). Efforts to date have demonstrated the feasibility of the technologies discussed (e.g., noise thermometry), but additional work is necessary to enable commercialization. RES expressed interest in research and development efforts in this area to support licensing reviews of next-generation high-temperature reactors and other long-term research.

Office of Administration (ADM)
Items of Interest
Week Ending October 17, 2008

Categorical Exclusions from Environmental Review (10 CFR Part 51, RIN 3150-AI27)

On October 9, 2008, the NRC published a proposed rule (73 FR 59540) in the *Federal Register* that would amend the regulations that describe the categories of actions that do not require environmental review under the National Environmental Policy Act. The proposed changes would eliminate the preparation of environmental assessments for NRC actions that are minor, administrative, or procedural in nature. The proposed rule does not change any requirements for licensees but would facilitate more timely NRC action. The comment period on this action closes December 23, 2008.

Consideration of Environmental Impacts of Temporary Storage of Spent Fuel After Cessation of Reactor Operation (10 CFR Part 51, RIN 3150-AI47)

On October 9, 2008, the NRC published a proposed rule (73 FR 59547) in the *Federal Register* that would revise its generic determination on the environmental impacts of storage of spent fuel at, or away from, reactor sites after the reactor operating license has expired. The NRC proposes that, if necessary, spent fuel generated in any reactor can be stored safely and without significant environmental impacts beyond the licensed life for the operation of a reactor at its spent fuel storage basin or at an independent spent fuel storage installation. The comment period for this action closes December 8, 2008.

Waste Confidence Decision Update (10 CFR Part 51)

On October 9, 2008, the NRC published a document (73 FR 59551) in the *Federal Register* that announces the decision that reaffirms and revises the Waste Confidence findings reached in its 1974 Waste Confidence Decision and subsequent reviews of that decision. These actions were products of a rulemaking proceeding designed to assess the degree of assurance that radioactive wastes generated by nuclear power plants could be safely disposed of, when disposal or offsite storage would be available, and determine whether radioactive waste could be safely stored onsite past the expiration of existing facility licenses. The Commission finds reasonable assurance that sufficient mined repository capacity can be reasonably expected to be available within 50-60 years beyond licensed life of operation, reasonable assurance that spent fuel may be stored safely without significant environmental impact beyond licensed life of operation, and reaffirms the remaining findings. The comment period for this action closes December 8, 2008.

Policy Statement on the Regulation of Advanced Reactors (10 CFR Part 50)

On October 14, 2008, the NRC published a document (73 FR 60612) in the *Federal Register* that announces a policy statement on the regulation of advanced reactors. The policy statement reinforces the Commission's current policy regarding advanced reactors and includes new items to be considered during the design of these reactors including security, emergency preparedness, threat of theft, and international safeguards. The policy statement becomes effective November 13, 2008.

Office of Information Services (OIS)
 Items of Interest
 Week Ending October 17, 2008

Freedom of Information Act (FOIA) and Privacy Act (PA) Requests Received During the Period of October 10 - 16, 2008:

SECY-81-161	FOIA/PA-2009-0006
Implications of updated probabilistic seismic hazard estimates in central and eastern U.S. for existing plants, memoranda, reports, charts, diagrams, etc.	FOIA/PA-2009-0007
Certificates of insurance issued by Lloyd's of London and other underwriters during the 50's and 60's payable to AEC covering loss or damage from uranium held by and/or owned by the U.S. or other third parties.	FOIA/PA-2009-0008
Office of Investigations Report 4-2007-049	FOIA/PA-2009-0009
ML072950282, ML072950292, and ML072950185 (pkg.)	FOIA/PA-2009-0010
Investigation RIV-2007-049, final report	FOIA/PA-2009-0011
Point Beach, Enclosure 3 to ML042590062 and all documents related to meeting between Division of Engineering and License Renewal Branch and Nuclear Management Co. On October 28, 2004 regarding equivalent Margins Analysis for Upper Shelf Energy and Pressurized Thermal Shock analysis	FOIA/PA-2009-0012
NRC employee salaries, job titles, departments, locations, etc.	FOIA/PA-2009-0013
Public utilities that have made formal applications to build nuclear power plants, proposed site location	FOIA/PA-2009-0014

Office of Human Resources (HR)
Items of Interest
Week Ending October 17, 2008

Arrivals		
CHARBENEAU, RANDALL	ADMINISTRATIVE JUDGE (TECHNICAL)	ASLBP
JEFFRIES, JEFFREY	ADMINISTRATIVE JUDGE (TECHNICAL)	ASLBP
SEAT, DAVID	CONSTRUCTION INSPECTOR (ENTRY LEVEL)	RII
Retirements		
ELTAWILA, FAROUK	DIRECTOR, DIV OF SYSTEMS ANALYSIS	RES
Departures		
O'CONNOR, STEPHEN	SR PROGRAM MANAGER (GROUP LEADER)	RES

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ENCLOSURE J

Office of Small Business and Civil Rights (SBCR)
Items of Interest
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Managing Diversity Refresher

On October 16, 2008, SBCR conducted a Managing Diversity Refresher session for employees in NRR's Division of Inspection and Regional Support. The session is designed to provide employees information regarding the goals and objectives of NRC's Comprehensive Diversity Management Plan and discuss how diversity management impact's the division's safety mission. Managers and staff were invited to participate.

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ENCLOSURE K

Office of Public Affairs (OPA)
Items of Interest
Week Ending October 17, 2008

OPA Received Significant Media Inquiries on the Following:

The Commission's affirmation of an Order on notice of opportunity to request a hearing on the Yucca Mountain application

AP1000 Design Certification Amendment's ongoing review and process

A confirmatory action letter issued to the Department of Veterans in response to multiple prostate cancer treatment errors reported at several Virginia hospitals

Release of the NRC's special inspection report on cooling towers at Vermont Yankee nuclear power plant near Burlington, Vermont

Other Public Affairs Items:

OPA participated with Regional II Administrator, Luis Reyes, in two roundtables for environmental reporters on how to find and report on energy information, including nuclear issues, at the Annual Society of Environmental Journalist conference in Roanoke, Virginia. Both spent time with journalists afterwards during a fuel facility tour in Lynchburg, Virginia.

OPA held a press briefing to discuss the NRC special inspection results about the cooling towers at Vermont Yankee nuclear power plant near Burlington, Vermont.

Press Releases	
Headquarters:	
08-189	NRC Issues Advanced Reactor Design Policy (10/14)
08-190	NRC Seeks Public Input on Environmental Impact Statement for Kewaunee Nuclear Plant License Renewal Application (10/16)
08-191	NRC Announces Opportunity to Request Hearing on Yucca Mountain Nuclear Waste Repository Application (10/17)
Regions:	
I-08-056	NRC Seeks Public Input on Draft Environmental Report for Beaver Valley License Renewal; Meetings October 30 (10/14)
III-08-040	NRC Issues Confirmatory Action Letter to the Department of Veterans Affairs (10/15)

Office of the Secretary (SECY)
 Items of Interest
 Week Ending October 17, 2008

Document Released to Public	Date	Subject
Information Papers		
1. SECY-08-0142	09/25/08	Change in Staff Position Concerning Information in Plant-Specific Technical Specifications that Combined License Applicants Must Provide to Support Issuance of Combined Licensed
2. SECY-08-0150	10/14/08	Weekly Information Report – Week Ending October 3, 2008
Memoranda		
1. M081017	10/17/08	Staff Requirements – Affirmation Session: I. SECY-08-0138--U.S. Department of Energy Notice of Hearing on Construction

Federal Register Notices Issued

1. Final rule, Protection of Safeguards Information, 10 CFR Parts 2, 30, 40, 50, 52, 60, 63, 70, 71, 72, 73, 76, and 150, RIN 3150-AH57, NRC-2005-0001.
2. Atomic Safety and Licensing Board Panel (ASLBP), Notice of Hearing (Application for Combined Operating License), Tennessee Valley Authority (Bellefonte).
3. ASLBP, Notice and Order (Scheduling Oral Argument), Northern States Power Co. (Prairie Island Nuclear Generating Plant, Units 1 and 2).
4. Advisory Committee on Reactor Safeguards (ACRS), Corrected Notice of Meeting (10/21-22/2008), Meeting of the ACRS Subcommittee on Economic Simplified Boiling Water Reactor.
5. ACRS, Meeting of the Subcommittee on Plant License Renewal, notice of meeting (11/05/2008).
6. ACRS, Subcommittee Meeting on Planning and Procedures, notice of meeting (11/05/2008).
7. ACRS, Meeting of the ACRS Subcommittee on U.S. Advanced Pressurized Water Reactor, notice of meeting (11/4-5/2008).

Region II (RII)
Items of Interest
Week Ending October 17, 2008

BWX Technologies, Inc. Site Visit and Environmentalist Journalist Conference

On October 15-16, 2008, the Regional Administrator conducted a site tour of the BWX Technologies, Inc. in Lynchburg, Virginia, and attended an Environmentalist Journalist Conference in Roanoke, Virginia.

Completion of Special Inspection at Nuclear Fuel Services, Erwin, Tennessee

On October 10, 2008, Region II completed a Special Inspection at Nuclear Fuel Services in Irwin, Tennessee, to evaluate the licensee's actions associated with a failure to conduct an adequate search of a package delivered inside the Protected Area.