

# INFORMATION REPORT

October 5, 2007

SECY-07-0174

For: The Commissioners  
From: Vonna L. Ordaz, Assistant for Operations, Office of the EDO  
Subject: WEEKLY INFORMATION REPORT - WEEK ENDING  
SEPTEMBER 28, 2007

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\*No input this week.

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Office of Nuclear Reactor Regulation (NRR)  
Items of Interest  
Week Ending September 28, 2007

Meeting on the Industry Groundwater Protection Initiative

On September 27, 2007, the staff conducted a public meeting with representatives from the Nuclear Energy Institute (NEI) to discuss the implementation of NEI 07-07, "Industry Ground Water Protection Initiative." This initiative is intended to enhance industry monitoring of the potential for radioactive contamination of groundwater, and to improve industry communications with state and local officials in this area.

International Working Group on Inspection Practices

From September 24-28, 2007, the staff participated in the Nuclear Energy Agency Committee on Nuclear Regulatory Activities Working Group on Inspection Practices (WGIP) meeting and attended the 34<sup>th</sup> meeting of the WGIP in Garching, Germany. Topics included digital instrumentation and control and fire protection inspections, and regulatory inspection philosophy.

Oyster Creek License Renewal Application Hearing

On September 24-25, 2007, the staff appeared before the Atomic Safety Licensing Board (ASLB) in response to a contention filed by the Citizens ('Citizens' consists of six organizations: Nuclear Information and Resource Service, Jersey Shore Nuclear Watch, Inc., Grandmothers, Mothers, and More for Energy Safety, New Jersey Public Interest Research Group, New Jersey Sierra Club, and New Jersey Environmental Federation) and admitted for hearing by the ASLB. The contention was limited to the frequency of ultrasonic testing of the sand bed region of the drywell shell for the Oyster Creek plant. Expert testimony was given by members of the NRC staff, applicant, and Citizens. The ASLB is expected to render its decision in November 2007.

Office of Nuclear Material Safety and Safeguards (NMSS)  
Items of Interest  
Week Ending September 28, 2007

Geologic Field Trip to Yucca Mountain

From September 18-20, 2007, NRC and Center for Nuclear Waste Regulatory Analyses staff and managers attended an NRC led geologic field trip to Yucca Mountain and the adjacent area. The trip focused on geologic issues important to repository safety and included a visit to the Exploratory Studies Facility and onsite discussions of volcanism, seismic activity, flooding, landslides, and groundwater.

Quarterly Management Meeting on Yucca Mountain

On September 25, 2007, NRC and U.S. Department of Energy (DOE) management and staff held a "Quarterly Management Meeting," at NRC Headquarters, on the proposed Yucca Mountain repository. Topics included a program update, DOE preparation of a license application, licensing process topics, and the status of the DOE quality assurance and corrective action programs. The public observed the meeting.

GE-Hitachi Nuclear Energy Americas

On September 26, 2007, NMSS Director signed two Orders approving the direct transfer of control of certain General Electric (GE) materials licenses to GE-Hitachi Nuclear Energy Americas, LLC. The transfer of control affects two special nuclear material licenses, held by the Vallecitos Nuclear Center, in Sunol, California, and one independent spent fuel storage installation license, held by General Electric Morris operations, in Morris, IL. The transaction also affects three Certificates of Compliance (COC) and associated quality assurance program approvals. The transaction does not affect GE's Global Nuclear Fuel Americas facility in Wilmington, NC. In the transaction, GE will transfer certain nuclear businesses and operations in the United States, including the Vallecitos and Morris operations, to GE-Hitachi Nuclear Energy Americas, LLC, a newly formed entity. This new entity will be wholly owned by GE-Hitachi Nuclear Energy Holdings. GE will retain a 60 percent ownership interest in GE-Hitachi Nuclear Energy Americas, LLC, and Hitachi will assume an indirect 40 percent ownership interest in GE-Hitachi Nuclear Energy Americas, LLC. NMSS sent copies of the proposed license amendments and COC changes to GE with the Orders, but will not issue them until the day that the merger actually closes. When the deal closes, GE will notify the NRC, and we will issue the amendments and COC changes. GE expects to close the transaction on October 8, 2007.

Office of Nuclear Regulatory Research (RES)  
Items of Interest  
Week Ending September 28, 2007

Cooperative Severe Accident Research Program (CSARP) 2007 Annual Technical Review Meeting and MELCOR Code Assessment Program (MCAP) Meeting

On September 18-19, and 20, 2007, respectively, RES sponsored the subject CSARP and MCAP international meetings. The purpose of these meetings was to exchange technical information on severe accident research with a view to addressing regulatory and safety issues. A total of 51 participants from various organizations in 13 countries attended the meetings. The scope of the severe accident research discussed in the future meetings will be expanded to include non-Light Water Reactor applications and containment fragility.

Implementing Agreement Between NRC and Japan Nuclear Energy Safety Organization in the Area of Materials-Related Research

On September 21, 2007, the Chairman signed the international agreement between NRC and the Japan Nuclear Energy Safety Organization (JNES). This Implementing Agreement defines the terms and conditions by which the NRC and JNES will cooperate in the area of materials-related research and contribute to expanding the NRC's data and knowledge base in this area. The Implementing Agreement will become effective upon signature and will remain in effect for 5 years.

Office of Administration (ADM)  
Items of Interest  
Week Ending September 28, 2007

Medical Use of Byproduct Material - Minor Clarifications and Corrections, Confirmation of Effective Date (A114 - Parts 32 and 35)

On September 24, 2007, the NRC published a document in the Federal Register (72 FR 54207) confirming the effective date of a direct final rule that makes correcting and clarifying amendments to the regulations governing the medical use of byproduct material. The direct final rule becomes effective October 29, 2007.

Contract Awards

On September 12, 2007, under a General Services Administration (GSA) Federal Supply Schedule competition, a fixed price delivery order no. DR-33-07-371 was awarded to Force 3 Inc. The contractor will provide NRC with a laptop program development project. The total estimated cost of this contract is \$238,140. The period of performance is October 1, 2007, through July 31, 2008.

On September 14, 2007, under a GSA Federal Supply Schedule competition, a fixed price delivery order no. DR-10-07-602 was awarded to Techniarts Engineering LLC. The contractor will upgrade the audio/video equipment for the control room in the NRC Commission Hearing Room and Auditorium. The total estimated cost of this contract is \$271,168. The period of performance is September 14, 2007, through December 31, 2007.

On September 19, 2007, under a GSA Federal Supply Schedule competition, a delivery order no. DR-04-07-107 was awarded to Engineering Mechanics Corporation of Columbus. The contractor will provide information that the NRC staff will use to enhance the evaluation of industry generic assessments and plant-specific activities and to support long term regulatory actions that provide reasonable assurance of public health and safety in the area of component integrity analysis. The total estimated cost of this contract is \$966,400. The period of performance is September 19, 2007, through January 18, 2010.

On September 19, 2007, a cooperative agreement was funded by the Office of Nuclear Regulatory Research (RES), NRC-04-07-120, and awarded to The University of Wisconsin, Madison. The University will conduct research on very high temperature gas-cooled reactors that supports the Commission's interest in this area. The total FY07 funds are \$290,000 and the total estimated funds are \$890,580. The period of performance is September 19, 2007, to September 18, 2010.

On September 19, 2007, a non-competitive grant was funded by RES, NRC-04-07-099, and awarded to Texas A&M. The grantee will develop a safety curriculum to facilitate nuclear energy in the 21st century. The total funds are \$200,000. The period of performance is October 1, 2007, to September 31, 2008.

On September 21, 2007, a competitive 8a set aside fixed price task order contract no. NRC-10-07-414 was awarded to Phacil, Inc. The contractor will provide the NRC with onsite administrative support services for NRC headquarters. The total value of the contract is \$12,758,901. The period of performance is September 21, 2007, to September 20, 2008, with four one-year options.

On September 21, 2007, under a Government-wide Area Contract, a fixed price delivery order no. DR-33-07-409 was awarded to PC Mall Gov Inc. The contractor will provide servers and equipment for the public Agencywide Documents Access and Management System tape backup and recovery library. The total estimated cost of this contract is \$126,072. The period of performance is September 21, 2007, through October 3, 2007.

On September 25, 2007, a non-competitive 8a set aside labor hour contract no. NRC-09-07-664 was awarded to GMG Management Consulting Inc. The contractor will provide the NRC with support to create agency-wide internal control guidance and training. The total value of the contract is \$302,883. The period of performance is September 25, 2007, to September 24, 2008, with four one-year options.

On September 25, 2007, under a competitive negotiated acquisition, a cost plus fixed fee type contract no. NRC-04-07-108 was awarded to Southwest Research Institute of San Antonio, TX. The contract requires that the contractor conduct an experimental program to investigate the susceptibility of austenitic stainless steel to stress corrosion cracking in marine environments. The total estimated cost of this contract is \$321,851. The period of performance for the contract is two (2) years.

Office of Information Services (OIS)  
 Items of Interest  
 Week Ending September 28, 2007

Freedom of Information Act (FOIA) and Privacy Act (PA) Requests Received During the Period of September 21- September 27, 2007:

Transcript of Pre-Decisional Enforcement Conference on NRC Inspection Report no. 70-143/2002-011 & Office of Investigations (OI) Report no. 2-2003-024	FOIA/PA-2007-0337
Contracts between Black and Veatch and Atomic Energy Commission from 1965 to 1978, re: liability insurance coverage	FOIA/PA-2007-0338
Records pertaining to any investigations, allegations, or observations on named individual since 1956	FOIA/PA-2007-0339
Seismic reference probability value for Central & Eastern United States (CEUS) nuclear power plants, 2004 letter report to NRC from U.S. Geological Survey	FOIA/PA-2007-0340
Silicon carbide containing insulation materials approved for installation, use or installed or removed from Vogtle Electric Generating Plant and Hatch Nuclear Plant, 2001 and 2002	FOIA/PA-2007-0341
List of every exemption/relief granted for Indian Point 1, 2 and 3	FOIA/PA-2007-0342
Indian Point, Unit 2, Final Safety Analysis Report, dated Oct. 15, 1968	FOIA/PA-2007-0343
License numbers 37-02006-09, SMB-1005, SNM-1199, SNM-814, and SNM-1202, all records	FOIA/PA-2007-0344
FOIA requests for August 2007	FOIA/PA-2007-0345
Implementation of the President's Executive Order 13392 on Improving Agency Disclosure of Information, Improvement Plan & meeting of any milestones/goals of agency FOIA activity	FOIA/PA-2007-0346
Vacancy announcement ASLBP-2006-0003, how application was rated, score of named individual & others	FOIA/PA-2007-0347
NRC FOIA reports for 2004, 2005, & 2006	FOIA/PA-2007-0348

Office of Public Affairs (OPA)  
Items of Interest  
Week Ending September 28, 2007

OPA Received Significant Media Inquiries on the Following

NRC's receipt of NRG Energy combined (construction and operating) license application for two nuclear plants planned for its South Texas Project plant in Matagorda County, Texas.

Inattentive guards at Peach Bottom nuclear plant in Pennsylvania.

Project on Government Oversight's resent press release and report reviewing updates on the NRC's preparations for new reactor applications.

Recent Government Accountability Office report on differences of security requirements for NRC and DOE.

New reactors and the status of anticipated applications through 2008.

Indian Point issuance of NRC finding on the Materials Control & Accountability inspections conducted at the plant.

Other Public Affairs Items

OPA arranged an interview between the Director of Office of New Reactors, Bill Borchardt and the CBS Evening News regarding NRG application.

OPA Region 1 coordinated an interview with NRC decommissioning officials and the Hartford Courant regarding decommissioning of a site owned by ABB, Inc., in Windsor, Connecticut.

OPA arranged interviews for Scientific American on issues related to the "Nuclear Renaissance."

<b>Press Releases</b>	
<b>Headquarters:</b>	
07-121	NRC Seeks Public Comment on Draft Environmental Review of Sequoyah Fuels Corp. Remediation Plan (9/24)
07-122	NRC Advisory Committee on Reactor Safeguards to Meet October 4-6 in Rockville, Maryland(9/26)
07-123	NRC Publishes Regulatory Issue Summary on Feedwater Flow Meter Issues (9/27)
I-07-050	Oral Comments to Be Accepted in Brattleboro, Vt., on Oct. 11 Regarding Proceeding on Vermont Yankee Renewal Application (9/26)



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ENCLOSURE M

Office of the Secretary (SECY)  
Items of Interest  
Week Ending September 28, 2007

Document Released to Public	Date	Subject
<b>Decision Documents</b>		
1. SECY-07-0158	09/11/07	Final Rule – Clarification of NRC Civil Penalty Authority Over Contractors and Subcontractors who Discriminate Against Employees for Engaging in Protected Activities
2. SECY-07-0162	09/13/07	Final Rule to Amend 10 CFR Parts 19, 20, and 50: Occupational Dose Records, Labeling Containers, and the Total Effective Dose Equivalent (RIN 3150-AH40)
<b>Information Papers</b>		
1. SECY-07-0157	09/10/07	Periodic Assessment of the Activities of the Committee to Review Generic Requirements from 06/01/06 - 05/31/07
2. SECY-07-0165	09/21/07	Weekly Information Report – Week Ending September 14, 2007

Commission Correspondence

1. Letter to Congress, dated September 18, 2007, responds to request to extend the time for filing petitions to intervene in the license renewal proceeding for Indian Point Nuclear Generating Units 2 and 3.
2. Letter to Congress, dated September 21, 2007, provides a quarterly report on the status of NRC's licensing and other regulatory activities (April through June).

Federal Register Notices Issued

1. License renewal. Entergy Nuclear Operations, Inc., Indian Point Nuclear Generating Unit Nos. 2 and 3; Notice of Opportunity for Hearing Regarding Renewal of Facility Operating License Nos. DPR-26 and DPR-64 for an Additional 20-Year Period: Extension of Time for Filing of Requests for Hearing or Petitions for Leave to Intervene in the License Renewal Proceeding.

2. Final rule. 10 CFR Parts 2, 50, 51, 52, and 100, RIN 3150-AI05, Limited Work Authorizations for Nuclear Power Plants.
3. Advisory Committee on Reactor Safeguards (ACRS), Meeting of the Subcommittee on Early Site Permits, notice of meeting (10/24/2007).
4. Request to Amend a License to Export High-Enriched Uranium (Transnuclear, Inc.).
5. Proposed rule, 10 CFR Part 50, RIN 3150-AI01, Alternate Fracture Toughness Requirements for Protection Against Pressurized Thermal Shock Events.
6. Proposed rule, 10 CFR Part 52, RIN 3150-AI19, Consideration of Aircraft Impacts for New Nuclear Power Reactor Designs.
7. Advisory Committee on Nuclear Waste and Materials, Meeting on Planning and Procedures, notice of meeting (10/17/2007).
8. ACRS, Meeting of the Economic Simplified Boiling Water Reactor Subcommittee, notice of meeting (10/25/2007)

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ENCLOSURE O

Office of the Executive Director for Operations (EDO)  
Items of Interest  
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On September 25, 2007, the NRC rendered a decision on an appeal to an August 2, 2007, decision issued by the Director, Office of Nuclear Reactor Regulation, on a Differing Professional Opinion (DPO). The DPO involved the staff's preparation of a draft safety evaluation suspending approval of topical report CENPD-397-P, "Improved Flow Measurement Accuracy Using Crossflow Ultrasonic Flow Measurement Technology." On July 18, 2007, an NRC employee submitted this appeal addressing the fact that they did not believe the staff had a sufficient basis for suspending approval of topical report CENPD-397-P. The employee had initially submitted a DPO on the subject on December 18, 2006. Based on a review of the relevant information and meetings with the involved individuals, the Executive Director for Operations (EDO) concluded that the actions taken by the staff in response to the DPO were adequate; therefore, the appeal was denied.

Office of Congressional Affairs (OCA)  
 Items of Interest  
 Week Ending September 28, 2007

CONGRESSIONAL HEARINGS SCHEDULE, NO. 30

OCA Contact	Date & Place	Time	Committee	Subject	Witnesses
Shane	10/03/07 TBD	TBD	Senate Environment and Public Works, Subcommittee on Clean Air and Nuclear Safety (Senators Carper / Voinovich)	NRC Oversight: Reactor Oversight Process and Government Accountability Office report on NRC's preparedness to process new license applications	TBD
Powell	10/TBD/07 TBD	TBD	Senate Environment and Public Works (Senators Boxer / Inhofe)	Licensing of a Repository at Yucca Mountain	TBD