

# INFORMATION REPORT

October 17, 2002

SECY-02-0187

For: The Commissioners  
From: John W. Craig, Assistant for Operations, Office of the EDO  
Subject: SECY-02-0187 WEEKLY INFORMATION REPORT - WEEK  
ENDING OCTOBER 11, 2002

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\*No input this week.

**/RA/**

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Office of Nuclear Reactor Regulation  
Items of Interest  
Week Ending October 11, 2002

North Anna Unit 2 to Replace Reactor Vessel Head Early

Virginia Electric and Power Company (VEPCO) has announced its plans to replace the reactor vessel head at North Anna Power Station, Unit 2. VEPCO will procure a spare reactor vessel head manufactured by Framatome ANP that is currently available in France. The spare head was manufactured to French standards for which a reconciliation to U.S. standards will be required. The licensee and staff are working to identify the most efficient method for performing this reconciliation. VEPCO had originally planned to replace the Unit 2 head during the Spring 2004 outage; however, the availability of the head and the costs of repairing the currently installed head lead VEPCO to change its plans.

River Bend Station

On October 8, 2002, NRC staff met at Rockville, Maryland, with the staff of Entergy Operations, Inc. (Entergy, or the licensee) to discuss a license amendment request dated April 24, 2002, for the River Bend Station, Unit 1 (River Bend). The proposed amendment would enable the licensee to replace the traditional source term used in design basis accidents with an alternative source term, as provided in 10 CFR 50.67, "Accident Source Term." During the meeting, Entergy provided an overview of its application as well as the current licensing background, a detailed description of their proposed changes, and a discussion of the analyses they conducted to support their application. Based on issues raised during the meeting, the licensee plans to submit additional information to support the staff's review.

NRC Division of Engineering (DE) Staff Participation in the Development and Approval of American Society of Mechanical Engineers (ASME) Risk-Informed Code Cases

Two years ago, the DE staff, through its participation and interaction with ASME, made a recommendation to ASME Section XI to develop two risk-informed Code Cases. ASME agreed with the staff that a consistent process was needed to risk-rank passive pressure boundary components (i.e., piping and pressure vessels) and that a complementary risk-informed process for repair and replacement of pressure boundary components would reduce unnecessary regulatory burden on licensees. Over the last two years, the DE staff with support from the Division of Systems Safety and Analysis staff familiar with risk-informed Inservice Inspection, have worked effectively with ASME Section XI Committees to develop two risk-informed Section XI Code Cases addressing the above topics. These Code Cases have been recently completed and approved by the ASME consensus process. The staff plans to adopt these Code Cases in future Regulatory Guides. These risk-informed Code Cases, once endorsed through the ongoing Regulatory Guide process, will be available for use (without the regulatory burden of submitting a relief request) by licensees that elect not to implement the "Option 2" proposed 10 CFR 50.69 rule but wish to obtain reductions in unnecessary regulatory burden by risk-informing their processes while retaining the "Option 1" approach.

### Meeting with the Advisory Committee on Reactor Safeguards (ACRS) on Nuclear Fuel Issues

On October 9-10, 2002, staff from the Offices of Nuclear Reactor Regulation (NRR) and Nuclear Regulatory Research (RES) and representatives from the Electric Power Research Institute (EPRI) met with the ACRS to discuss ongoing activities related to nuclear fuel safety and performance. The NRR staff provided the status of its continuing review of the EPRI topical report on acceptance criteria for fuel for reactivity initiated events (RIA) and EPRI provided information on their proposed criteria. This topical report will serve as the basis for future acceptance of fuel burnups beyond the current limit of 62GWd/mt. RES provided the status of their continuing program to gather confirmatory data on fuel performance under RIA and loss of coolant accident conditions. The staff will meet with the ACRS in the future to update them on these efforts as progress is made.

### Duke License Renewal Application for McGuire 1&2 and Catawba 1&2

On October 8, 2002, the staff presented the results of its evaluation of the McGuire and Catawba license renewal application (LRA) to the Advisory Committee for Reactor Safeguards (ACRS), The staff's safety evaluation report (SER) with open items, which was issued August 14, 2002, contained 41 open items. The ACRS reviewed the LRA and the SER before the presentation. Although approximately 70% of the open items have since been resolved or converted to confirmatory items, the staff provided detailed discussions of its review process and license renewal inspection program; explanations of how many of the open items were or will be resolved; and technical bases for the remaining open items. At the conclusion of the staff's presentation, the ACRS acknowledged the applicant for the quality of its LRA and the staff for its rigorous and thoughtful review and the good quality of its SER.

### E-Simplified Boiling Water Reactor (ESBWR)

On October 3 and 4, 2002, the New Reactor Licensing Project Office (NRLPO) conducted a public meeting with General Electric (GE) to discuss the ESBWR pre-application review. During the open portion of the meeting, GE presented a brief description of the ESBWR design and provided an overview of the ESBWR test and analyses program. During the remainder of the meeting, which was closed to the public, GE presented the details of the proprietary ESBWR pre-application reports, which were submitted to the NRC on August 30, 2002. These submittals relate to the qualification of the TRACG analysis method and the supporting test programs. Later this month, GE will submit two additional reports in support of the ESBWR pre-application, the scaling report and the TRACG application. The pre-application review is scheduled to be completed by the end of calendar year 2003.

### Public Meeting with Westinghouse Electric Company on IRIS Design

On October 3, 2002, NRLPO conducted a public meeting with Westinghouse to discuss the International Reactor Innovative and Secure (IRIS) design and proposed scope of the pre-application review. Westinghouse provided an IRIS design overview that emphasized changes that have been made to the design since the public meeting held on May 7, 2001. Westinghouse presented the safety approach, engineering safety features, and pre-application review objectives. Westinghouse noted that the pre-application process will rely on AP600/AP1000 precedents. Westinghouse stated that early NRC feedback would be beneficial in

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addressing long lead-time items and new licensing issues to support the plan for certification of the IRIS design by 2008 and deployment by 2012. Westinghouse intends to submit technical reports on the details of the IRIS design in early January 2003.

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Office of Nuclear Material Safety and Safeguards  
Items of Interest  
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Meeting with Nuclear Assurance Corporation (NAC) and Yankee Atomic Electric Company on Storage of Spent Nuclear Fuel in the NAC-MPC at the Yankee Rowe Nuclear Power Station

On October 3, 2002, NRC staff met with NAC and Yankee Atomic Electric Company to discuss the September 13, 2002, NRC request for additional information (RAI) on an amendment to the NAC-MPC storage application to support the continuation of spent fuel storage activities at the Yankee Rowe Nuclear Power Station in Rowe, Massachusetts. The applicant went over its proposed response to the RAI, and NRC staff provided additional clarifications. Subsequent to the meeting, NAC submitted its response to the RAI. Yankee Atomic staff requested an acceleration of the schedule to support ongoing storage activities.

Staff Participates in Health Physics Society Regional Symposium on Terrorism

On October 8, 2002, a member of the Division of Industrial and Medical Nuclear Safety (IMNS) participated in a 1-day Health Physics Society (HPS) regional symposium, "Management of Terrorist Events Involving Nuclear Reactors or Radioactive Materials," in Albany, New York. There were about 250 attendees, and 12 speakers, covering topics on nuclear security and emergency preparedness. The IMNS attendee gave a presentation on NRC activities to improve security of radioactive materials. Other presentations were made by speakers from the private sector, universities, the Department of Justice, and the State of New York. There was limited interest from the media. A key point made during the conference is that the HPS will continue with its initiative to assist Emergency Response Personnel with training and advice on the use of instrumentation, and general questions about radiation safety.

Environmental Protection Agency (EPA) /Nuclear Regulatory Commission (NRC) Memorandum of Understanding on Decommissioning

On October 9, 2002, the NRC signed an agreement with the EPA on the radiological decommissioning and decontamination of NRC-licensed sites under 10 CFR Part 20, Subpart E. The Memorandum of Understanding (MOU) provides that EPA will defer exercise of authority under the Comprehensive Environmental Response, Compensation, and Liability Act (Superfund), for the majority of facilities decommissioned under NRC authority. The MOU includes provisions for NRC and EPA consultation for certain sites when, at the time of license termination: (1) groundwater contamination exceeds EPA-permitted levels; (2) NRC contemplates restricted release or alternate criteria for release of the site; and/or (3) residual radioactive soil concentrations exceed levels defined in the MOU. The MOU does not impose any new requirements on NRC licensees and will reduce EPA's involvement with NRC licensees that are decommissioning.

Department of Energy and Nuclear Regulatory Commission (NRC) Appendix 7 Meeting on Interpretation of Aeromagnetic Data at Yucca Mountain

On September 30, 2002, staff from the NRC and the Center for Nuclear Waste Regulatory Analyses (hereafter, the Center) met with representatives of the Department of Energy and the U.S. Geologic Survey (USGS) to discuss the results and interpretation of a recent aeromagnetic survey of the Yucca Mountain Region. The discussions focused on the USGS Open File Report 02-020, "Aeromagnetic Expression of Buried Basaltic Volcanoes Near Yucca Mountain, Nevada," and the Center report, "Evaluation of Geophysical Information Used to Detect and Characterize Buried Volcanic Features in the Yucca Mountain Region." A follow-up meeting is planned to discuss the overall effect that this information has on the probability of igneous activity at the potential Yucca Mountain site.

Staff Presentation to the State of Nevada's Legislative Committee on High-Level Radioactive Waste

On October 8, 2002, Division of Waste Management staff made a presentation to the State of Nevada's Legislative Committee on High-Level Radioactive Waste, in Las Vegas, Nevada. At the Committee's request, staff presented material on the NRC's role and responsibilities in accepting and reviewing a license application for construction authorization for the proposed high-level waste (HLW) repository at Yucca Mountain, Nevada. The Department of Energy, State of Nevada, and affected units of State and local governments also presented information on aspects of the HLW programs in which they are involved.

Louisiana Energy Services' Pre-Application Meeting on Site Characterization

On October 3, 2002, NRC staff met with Louisiana Energy Services (LES) staff to discuss LES' approach to characterizing its proposed gas centrifuge enrichment plant site in Hartsville, Tennessee. Because there are existing data from previous site studies, LES will be able to minimize the need for further detailed site investigations in several areas. LES staff also discussed permits it would need from the State of Tennessee.

Closed Meeting with the U.S. Enrichment Corporation

On October 8, 2002, staff from the Division of Fuel Cycle Safety and Safeguards and the Office of Nuclear Security and Incident Response met with staff from the U.S. Enrichment Corporation (USEC) in the fourth pre-application meeting, to discuss USEC's Integrated Safety Analysis (ISA) for its Portsmouth and Paducah uranium-enrichment gas-centrifuge test facility, or "lead-cascade" license applications. Because the meeting included classified information, it was closed to members of the public. In the meeting, USEC described its ISA methodology being used in developing the lead-cascade facility applications and provided some initial ISA results. USEC also informed the NRC that its target date for submitting a license application is now early 2003.

Meeting with the U.S. Enrichment Corporation

On October 9, 2002, staff from the Division of Fuel Cycle Safety and Safeguards, the Division of Waste Management, the Office of the General Counsel, the Office of Nuclear Regulatory Research, and the Office of Nuclear Security and Incident Response met with staff from the U.S.

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Enrichment Corporation (USEC), in the fifth pre-application meeting, to discuss USEC's approach for preparing the Environmental Reports for its Portsmouth and Paducah uranium-enrichment, gas-centrifuge, test-facility (lead-cascade) license applications. During the meeting, USEC indicated that it would be selecting the site for the lead cascade in December 2002. The two potential sites are the Portsmouth and Paducah gaseous-diffusion plant sites. The meeting was open to the public. A representative from the Ohio Governor's office and a reporter from McGraw-Hill also attended the meeting.

#### Office of Nuclear Material Safety and Safeguards Support to Russian Federation Gosatomnadzor

The Office of Nuclear Material Safety and Safeguards (NMSS) and the Division of Fuel Cycle Safety and Safeguards (FCSS) continue to provide support to the Department of Energy (DOE) and Russian Federation Gosatomnadzor (GAN) in the area of Russian Federation plutonium disposition, via a reimbursable agreement with DOE. The support includes performing reviews of draft Russian Federal-level regulations being developed by GAN; reviewing regulatory plans and licensing roadmaps being developed by GAN and DOE; participating in meetings with DOE and GAN and answering questions posed by GAN; and other support, as requested, by DOE, regarding activities of the Licensing/Regulatory Infrastructure project for the Russian Federation Plutonium Disposition program. NMSS keeps GAN informed about the status and issues related to NRC review of the U.S. Mixed-Oxide (MOX) fuel fabrication facility and has made a presentation to GAN about NRC quality assurance requirements applicable to the U.S. MOX fuel fabrication facility. As a separate but related activity, NMSS/FCSS participates as a member on the Special Joint Working Group on Regulatory Matters in Plutonium Management and Disposition which is co-chaired by DOE and GAN.

#### Meeting with the U.S. Enrichment Corporation, to Discuss the Interim Compensatory Measures

On October 3, 2002, staff of the Office of Nuclear Material Safety and Safeguards and the Office of Nuclear Security and Incident Response met with U.S. Enrichment Corporation (USEC) representatives, to discuss USEC implementation of the Interim Compensatory Measures (ICMs). USEC responded to the order, in writing, with two separate letters, the latest dated September 25, 2002. USEC still has concerns about the prescriptive nature of several of the ICMs and has proposed alternatives in meeting them. USEC indicated that it will be submitting a revised response by October 9, 2002. Staff anticipates that this revised response will either clarify how USEC will meet the intent of the orders, or provide both an argument, and a basis, for relief. USEC also described the construction schedule for permanent installations around the Critical Target Areas. It was cautioned that the ICMs are Interim, required only temporary measures to be taken, and all permanent construction is at USEC's own risk.

#### Senior Management Meeting with Nuclear Fuel Services, Inc.

On October 3, 2002, at NRC Regulatory Commission (NRC) Headquarters, NRC senior managers, including the Region II Deputy Administrator, the Deputy Director of the Office of Nuclear Material Safety and Safeguards, and the Director of the Office of Nuclear Security and

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Incident Response, met with senior managers of Nuclear Fuel Services (NFS), Inc., including the President and Chief Executive Officer; Vice President, Safety and Regulatory; Vice President and Principal Scientist; and Vice President and General Counsel. This was an announced closed meeting because of the sensitive nature of the information discussed pursuant to NRC regulations (10 CFR 2.790). One purpose of the meeting was to express NRC's concerns about the licensee's implementation of their program for control and accounting of strategic special nuclear material in light of a loss of control event reported in an NRC inspection report. The other purpose of the meeting was to allow NFS to describe their immediate response to the event, the results of their investigation into the causes of the event, and their immediate and long-term corrective actions. Based on their presentation and subsequent discussion, NRC will prepare a confirmatory action letter to document the licensee's commitments to corrective actions in this safeguards area.

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Office of Nuclear Regulatory Research  
Items of Interest  
Week Ending October 11, 2002

Drop-In Visit by Pebble Bed Modular Reactor and Westinghouse

On October 10, 2002, the Chief Executive Officer of the Pebble Bed Modular Reactor (PBMR) Company, Republic of South Africa (RSA) and executive from Westinghouse Electric and Exelon Generating Company conducted a drop-in visit with management and staff from the Offices of Nuclear Regulatory Research (RES) and Nuclear Reactor Regulation (NRR). The purpose of the this visit was for PBMR Co. to discuss (1) their thinking on future NRC interactions related to PBMR design certification and the possible resumption of PBMR pre-application activities and, (2) the status of the PBMR project in the RSA, including pending decisions on the construction of a demonstration PBMR plant South Africa. The PBMR Co. indicated that Westinghouse will be an advisor to PBMR Co. on future licensing-related interactions with the NRC. The PBMR Co. indicated that it had also recently met with DOE and NEI as part of series of meetings in the US to familiarize key US organizations with current progress and future plans for the PBMR project.

The technical feasibility study and the "final design" for the PBMR has been completed and that the next phase would be to move forward with procurement of the equipment and services needed to build a PBMR demonstration plant in South Africa. The PBMR partner's decision on the construction of a demonstration plant is expected within the first quarter of CY 2003. Assuming a favorable decision, pre-application interactions would resume in the first quarter of 2004 and design certification application would be submitted in CY 2006.

The PBMR Co. suggested three areas for possible PBMR interaction and cooperation with NRC. The first was to follow through on the previously proposed DOE/NRC cooperative fuel testing program. The second was to interact with NRC on the staff's review and endorsement of Code cases N-201 and N-499 for the qualification of metals at high temperatures. The third area was (as part of a PBMR pre-application review) to interact with the NRC on the development of the testing program for the PBMR prototype plant in South Africa.

Nuclear Security and Incident Response  
Items of Interest  
Week Ending October 11, 2002

Nuclear Regulatory Commission/Transportation Security Administration Meeting

The NRC and the Department of Energy met with the Transportation Security Administration (TSA) on Wednesday, October 9, 2002, to hear about security initiatives that TSA has taken since 9/11 for general aviation, charter and cargo aircraft. Representatives from the Office of Nuclear Security and Incident Response were provided tours of Transportation Security Intelligence Watch Center, Transportation Security Operations Command Center and the Federal Aviation Administration's Aviation Command Center.

Preliminary Notifications

1. PNO-III-02-040, St. Joseph Mercy Health System - POSSIBLE OVEREXPOSURES TO MEMBERS OF THE PUBLIC.
2. PNO-III-02-041, Harry W. Kuhn, Inc. - LOST MOISTURE-DENSITY GAUGE.
3. PNO-IV-02-052A, Entergy Operations, Inc. - UPDATE OF RESPONSE TO HURRICANE/SEVERE WEATHER ON GULF COAST.
4. PNO-II-02-036, Tennessee Valley Authority - UNUSUAL EVENT DECLARED.
5. PNO-II-02-036A, Tennessee Valley Authority - UNUSUAL EVENT DECLARED.
6. PNO-IV-02-054A, Anvil Corporation - RADIOGRAPHY SOURCE RETRACTION FAILURE DUE TO A DAMAGED GUIDE TUBE - UPDATE.

Office of Administration  
Items of Interest  
Week Ending October 11, 2002

Financial Assurance Amendments for Materials Licensees (Parts 30, 40, and 70)

A proposed rule that would amend the regulations to bring the amount of financial assurance required for certain materials licensees more in line with current decommissioning costs was published in the Federal Register on October 7, 2002 (67 FR 62403). The action is intended to maintain adequate financial assurance so that timely decommissioning can be accomplished following shutdown of a licensed facility. The comment period for this action closes December 23, 2002.

Specification of a Probability for Unlikely Features, Events and Processes (Part 63)

A final rule that amends the regulations governing the disposal of high-level radioactive waste in a potential geologic repository at Yucca Mountain, Nevada, was published in the Federal Register on October 8, 2002 (67 FR 62628). The final rule defines the term "unlikely" in quantitative terms to provide a range of numerical values for determining whether a feature, event, or process or a sequence of events or processes should be excluded from certain required assessments. The final rule becomes effective November 7, 2002.

Medical Use of Byproduct Material; Correction

A document that corrects a number of typographical and editorial errors in the final rule revising the regulations governing the medical use of byproduct material was published in the Federal Register on October 9, 2002 (67 FR 62872). The final rule, as corrected, becomes effective October 24, 2002.

Chief Information Officer  
Items of Interest  
Week Ending October 11, 2002

Public Meeting On The Electronic Maintenance and Submission of Information Direct Final Rule/Proposed Rule and The Guidance for Electronic Submissions to The Commission

On October 3, 2002, NRC hosted a public meeting to clarify the intent of the rulemaking that would allow submitters the option to make electronic submissions to the agency and the appended guidance document that provides standards for making electronic submissions. Another purpose of the meeting was to seek clarity of any concerns the public might have with the rule and/or guidance to assist the NRC staff in its resolution of public comments.

Freedom of Information and Privacy Act Requests received during the period of October 4, 2002 through October 10, 2002:

Riley Pass Site, Harding Co., SD, all records relating to licenses, permits, environmental reports, agreements or contract (FOIA/PA-2003-0003)

Contract, Solicitation #102070270, copy of winning bid (FOIA/PA-2003-0004)

OI Report No. 3-2001-005 and all supporting documentation (FOIA/PA-2003-0005)

OI Report No. 3-2001-051 and copy of transcripts of interview on named individuals (FOIA/PA-2003-0006)

Materials License Tracking System, facilities that possess or use radioactive materials (FOIA/PA-2003-0007)

Allegation RIV-95-A-0096, all correspondence (FOIA/PA-2003-0008)

OI Report No. 3-2001-048 and transcript of interview with named individual (FOIA/PA-2003-0009)

Office of Human Resources  
Items of Interest  
Week Ending October 11, 2002

<b>Arrivals</b>		
BJORKMAN, Gordon	SENIOR STRUCTURAL ENGINEER	NMSS
DUBE, Donald	SR. RELIABILITY & RISK ENGINEER	RES
GUZMAN, Richard	PROJECT MANAGER	NRR
KARDARAS, Thomas	INFORMATION TECHNOLOGY SPECIALIST	NSIR
<b>Departures</b>		
BUCHAN, Tammy*	SITE SECRETARY	RIV

\*Effective 10/15/02

Office of Public Affairs  
Items of Interest  
Week Ending October 11, 2002

Media Interest

There was continued media interest in and interviews with Inside NRC and Dow Jones News Wire on Davis Besse reactor vessel head damage and NRC's Lessons Learned Task Force Report.

There were a number of calls about and requests for a copy of the NRC EPA Memorandum of Understanding on Decommissioning and Decontamination of Contaminated Sites

<b>Press Releases</b>	
<b>Headquarters:</b>	
02-119	NRC Issues "Lessons Learned" Task Force Report on Agency's Handling of Davis-Besse Reactor Vessel Head Damage
02-120	NRC Signs Memorandum of Understanding With EPA on Cleanup of Radioactively Contaminated Sites
<b>Regions:</b>	
I-02-061	NRC Issues Finding of Low to Moderate Safety Significance to Ginna Nuclear Plant
III-02-056	NRC Oversight Panel to Hold Two Meetings on Davis-Besse Reactor Vessel Head Damage in Oak Harbor, OH
III-02-057	NRC Cites D.C. Cook Nuclear Power Station for Violation of Low to Moderate Safety Significance
III-02-058	NRC to Meet With FirstEnergy to Discuss Preliminary Findings of Special Inspection on Worker Exposures

Office of International Programs  
Items of Interest  
Week Ending October 11, 2002

Visit of Spanish Program Managers

On October 8-9, the Office of International Programs hosted two Project Managers from Spain's Nuclear Safety Commission (CSN). The Spanish staff met with Project Managers of the Office of Nuclear Reactor Regulation and discussed NRC's best practices and standard operating procedures for project management. Other topics discussed included the handling of design modification, agency organizational structure, work tools, and time keeping practices. In addition, the two visitors attended the ACRMS License Renewal meeting held on October 8 and participated in a presentation and tour of the Operations Center.

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Office of the Secretary  
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Document Released to Public	Date	Subject
<b>Information Papers</b>		
1. SECY-02-0171	9/24/02	Licensing Support Network Program Administration - Semiannual Report
2. SECY-02-0173	9/24/02	Advisory Committee on the Medical Uses of Isotopes - Update on Committee Activities

Commission Correspondence

1. Letter to Douglas Duncan, County Executive, dated October 7, 2002, responds to request for employees of the NRC be identified to serve as Election Judges in Montgomery County for the November 5 general election.
2. Letter to Secretary Rod Paige, Department of Education, dated October 2, 2002, submits NRC's Fiscal Year 2003 Annual Federal Plan of Executive Agency Actions to Assist Historically Black Colleges and Universities.
3. Letter to Edwin Lyman, President, and Alan Kuperman, Nuclear Control Institute, dated September 30, 2002, concerns the Federal Register notice of July 31, 2002.

Federal Register Notices Issued

1. Financial Assurance Amendments for Materials Licensees - Proposed Rule.
2. Specification of a Probability for Unlikely Features, Events, and Processes.



Region I  
Items of Interest  
Week Ending October 11, 2002

Confirmatory Action Letter

On October 4, 2002, Region I issued a Confirmatory Action Letter to Hercules, Incorporated of Parlin, NJ. The CAL documented the licensee's agreement to inventory all radioactive material in its possession and carefully review the possession and storage of three particular gauges containing radioactive material. The specific gauges had been found by a Region I inspector in a storage area with their shutters open and reading as much as 400 millirem per hour at contact. The licensee secured the gauges and closed the shutters. The licensee will determine what radioactive material is contained in the gauges, how they came to be stored that way and what personnel exposures, if any, the storage caused. The licensee agreed to provide a comprehensive response by November 29, 2002.

Maine Yankee Site Visit by Region I Administrator

On October 7, 2002, the Region I Regional Administrator (RA) visited the Maine Yankee Atomic Power Station (Maine Yankee) in Wiscasset, Maine. Maine Yankee is undergoing decommissioning. The RA met with Maine Yankee senior management and separately with an official from the Governor's office and senior representatives of the Maine State Police. In addition, the RA, a Region I inspector, and Maine Yankee staff conducted a site tour that included spent fuel loading activities, major remediation actions in the Spray Building, preparation of the reactor pressure vessel for shipment, site security, the Independent Spent Fuel Storage Installation and the Security Operations Building. Decommissioning activities at Maine Yankee are approximately 60 percent complete.

Susquehanna Steam Electric Station Unit 1

On October 5, 2002, Region I issued a Notice of Enforcement Discretion (NOED) affecting the Susquehanna Steam Electric Station Unit-1, to permit one startup source to be unavailable for seven days, rather than the three days permitted by technical specifications, while the licensee replaced a startup transformer that had failed. The Region issued the NOED based on the actions and compensatory measures taken by the Susquehanna staff that would result in a risk-neutral condition for the four-day period and the assurances from Susquehanna management that the replacement activities would be successfully implemented before the NOED expired at 2:30 a.m. on October 10, 2002.

The Susquehanna staff were not successful in completing the replacement activities on the startup transformer before the NOED expired. As a result, at 12:08 a.m. on October 10, 2002, Susquehanna Unit 1 began a shutdown from 100% power, as required by technical specifications. At 9:35 a.m. on October 10, 2002, the Susquehanna staff completed the replacement activities on the startup transformer, restored compliance with technical specifications, and stopped the shutdown activities of Unit 1 at approximately 35% power. The Susquehanna staff plans to return Unit-1 to full power. The resident inspectors continue to monitor the actions of Susquehanna for compliance with the NOED and the plant technical specifications.

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## Indian Point Unit 2

On October 9, 2002, at 7 p.m., News 12 -- a cable-TV news outlet in Westchester County, N.Y. -- held a forum on issues of public interest regarding the Indian Point nuclear power plants. Forum panel participants included: James Lee Witt, the former FEMA director (under contract to New York State for an independent review of emergency planning near the plants), and representatives of plant owner Entergy, environmental group Riverkeeper, Westchester County Emergency Services and NRC Region I. Topics covered by the panel included emergency preparedness, plant security and plant performance. The forum, which lasted about 2 hours, was held at the News 12 studio, while a video link-up allowed an audience to view the discussion from a location near the site (the Town Hall in Buchanan, N.Y.). Questions were posed by members of the public and elected officials.

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Region II  
Items of Interest  
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Special Strategic Plan Senior Leadership Group Meeting

On October 10, 2002, the Regional Administrator participated in the Special Strategic Plan Senior Leadership Group meeting in Headquarters.

Virginia Electric and Power Company - Commissioner Diaz Visits North Anna

On October 7-9, 2002, the Director, Division of Reactor Safety, accompanied Commissioner Diaz to the North Anna facility in Mineral, Virginia. The Commissioner's visit included a tour of the facility and discussions with licensee management and resident inspectors regarding operations at the site and NRC's regulatory oversight process.

Southern Nuclear Operating Company - Hatch Nuclear Plant

On October 7-10, 2002, the Deputy Director, Division of Reactor Safety (DRS); Chief, Plant Support Branch, DRS; and a Physical Security Inspector, DRS, visited the Hatch Nuclear Power Plant near Baxley, GA. The visit included a tour of the facility and observation of security activities at the site.

Region II Workstation Ergonomic Program

On October 8, 2002, a representative from Headquarters was in the Region II Office to provide the staff information on the NRC's Workstation Ergonomic Program. Employees were encouraged to attend and sign up to have their workstations assessed.

Differing Professional View - V.C. Summer

On September 17, 2002, Region II completed a decision and response to a Differing Professional View (DPV). The DPV was submitted to the Regional Administrator in response to a Region II decision regarding a violation of NRC requirements, as conveyed to the licensee in an Inspection Report earlier this year. The DPV requested review of that decision, indicating that the decision was a change in NRC position and thus a backfit. The DPV also indicated that the basis for using enforcement discretion in dispositioning the violation was not in accordance with the NRC Enforcement Policy.

Region II convened an ad hoc review panel (Panel) to review the DPV issues in accordance with Management Directive 10.159. The Panel issued a report to the Regional Administrator on September 16, 2002. The conclusions were that the NRC inspection report and violation of NRC requirements in 10 CFR 26.20 and 10 CFR 26.24 conveyed a new staff position, the action taken in the inspection report should be acknowledged and documented as a compliance backfit, and that the wording in the regulation and in associated guidance in NUREG-1354 should be reviewed for clarification to reduce future inconsistencies in interpretation. On October 9, 2002, the Regional Administrator assigned actions to follow up on the Panel's conclusions and recommendations.

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Region IV  
Items of Interest  
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Regulatory Performance Meeting at Callaway Plant

On October 9, 2002, the Director, Division of Reactor Projects, conducted a public regulatory performance meeting at Callaway Plant. The meeting was to discuss two licensee performance deficiencies, the licensee's corrective actions, the NRC's assessment of those actions, and a review of the licensee's planned actions. The first performance deficiency involved an inoperable essential service water pump that became fouled when a section of tygon tubing fell into the suction bay in February 2001. The second performance deficiency involved a significant problem identification and resolution issue associated with the licensee's failure to identify a degraded condensate storage tank cover. The degraded cover resulted in foreign material entering the auxiliary feedwater system, rendering at least one pump inoperable, with the potential for causing a common mode failure of all pumps. Public participation consisted of two reporters from local newspapers and one representative from the Missouri Department of Health.

Pre-decisional Enforcement Conference with Pacific Radiopharmacy, Ltd.

The Director, Division of Nuclear Materials Safety, along with other members of the NRC staff, conducted a closed Pre-decisional Enforcement Conference on October 10, 2002, in Honolulu, Hawaii, with the President, former President and a Consultant of Pacific Radiopharmacy, Ltd. The purpose of this meeting was to discuss apparent violations of NRC requirements while conducting radiopharmacy operations in NRC jurisdiction.

Office of Congressional Affairs  
 Items of Interest  
 Week Ending October 11, 2002

**CONGRESSIONAL HEARING SCHEDULE, NO. 69**

OCA Contact	DATE & PLACE	TIME	WITNESS	SUBJECT	COMMITTEE
Combs	10/17/02 2123 RHOB	9:00	TBA	Securing America: The Federal Government's Response to Nuclear Terrorism at Our Nation's Ports and Borders	Reps. Greenwood/Deutsch Oversight and Investigations Energy and Commerce
Combs	Tentative	TBD	Dr. Paperiello, DOE, DOD, DOS	Combating Terrorism: Preventing Nuclear Terrorism	Reps. Shays/Kucinich Nat'l Security, Veterans' Affairs and International Relations Government Reform