

# INFORMATION REPORT

June 24, 2009

SECY-09-0094

For: The Commissioners

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

Subject: WEEKLY INFORMATION REPORT - WEEK ENDING  
JUNE 12, 2009

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\*No input this week.

*/RA/*

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Office of Nuclear Reactor Regulation (NRR)  
Items of Interest  
Week Ending June 12, 2009

American Society of Mechanical Engineers (ASME) Code for Operation and Maintenance of Nuclear Power Plants (OM Code) Meetings

From June 2-4, 2009, the staff participated in committee meetings with members of the ASME OM Code. Significant discussions included action by the subgroup on pumps to move towards resolution of instrument accuracy/test tolerance and design basis verification testing issues, the use of terminology related to “operable/operability” in Code documents, and inservice testing in new reactor designs. The OM Standards Committee continued progress on a high priority initiative to develop a design guide aimed at identifying considerations related to inservice testing of components that should be factored into the design of new reactors.

Technical and Management Meetings on Materials Initiatives

From June 2-4, 2009, NRR, Office of New Reactors (NRO), and Office of Nuclear Regulatory Research (RES) staff met with representatives of the Electric Power Research Institute (EPRI) Materials Reliability Program, the EPRI boiling water reactor Vessels and Internals Project, the Pressurized Water Reactor Owners Group Materials Subcommittee and the EPRI Nondestructive Examination Center. During the technical meetings, industry made presentations on the programs they have underway or recently completed and how those programs assist in ensuring component integrity. The staff presented the results of assessments it has been performing on the effectiveness of various weld mitigation techniques to address primary water stress corrosion cracking. Discussions were held on project management issues associated with the materials initiatives, such as management of topical report reviews. Action items were tracked and were principally focused on agreements to have separate meetings or information exchanges on selected topics, including use of high-density polyethylene piping and license renewal. The staff and industry agreed that these meetings on pressurized water reactor (PWR) and boiling water reactor materials initiatives will take place annually.

Task Force on Electric Grid Vulnerability (EGV) Meeting

On June 4, 2009, NRC staff attended the Task Force on EGV meeting at DHS. Several representatives from other government agencies and the vendor community such as the Department of Defense, Department of Energy, Department of Homeland Security, Environmental Protection Agency, and Sweitzer Relay Company attended this meeting. The representative from the above agencies discussed the potential gaps that might exist to mitigate cyber threats for the electric grid. This Task Force plans to meet again on June 25, 2009.

Prairie Island Nuclear Generating Plant, Units 1 and 2, License Renewal Safety Report with Open Items

On June 4, 2009, the staff issued the Safety Evaluation Report (SER) with Open Items related to the Prairie Island Nuclear Generating Plant, Units 1 and 2, license renewal application. By letter dated April 11, 2008, Northern States Power, a Minnesota Corporation, submitted an application requesting the extension of the Prairie Island Nuclear Generating Plant operating

licenses for an

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additional 20 years. The SER has three open items (regarding the scoping of the waste gas decay tank, vessel internals program, and the structures monitoring program).

#### Public Meeting on Focused License Renewal Process for Research and Test Reactors (RTRs)

On June 4, 2009, NRR staff conducted a Category 3 public meeting to obtain stakeholder feedback for the draft Interim Staff Guidance on the license renewal process for RTRs. To maximize stakeholder participation, the meeting included a webinar broadcast. Participants included representatives from the Office of Nuclear Security and Incident Response, Office of the General Counsel, Office of Federal and State Materials and Environmental Management Programs, the Organization of the Test, Research, and Training Reactors (TRTR), and other industry representatives.

#### Public Meeting on Advance Notice of Proposed Rulemaking for RTRs

On June 4, 2009, NRR staff conducted a Category 3 public meeting to discuss the Advance Notice of Proposed Rulemaking (ANPR) [74 FR 17115, April 14, 2009] to solicit the views of interested parties before commencing with the formal rulemaking process. To maximize stakeholder participation, the meeting included a webinar broadcast. Participants included representatives from TRTR, and other industry representatives.

#### Global Nuclear Fuel (GNF) Fuel Performance Update Meeting

On June 4-5, 2009, staff from the Division of Safety Systems and the Division of Policy and Rulemaking, as well as staff from the Office of Nuclear Material Safety and Safeguards, RES, and NRO, met with Global Nuclear Fuel technical staff and licensees at the General Electric Headquarters Offices in Washington, DC, to discuss fuel performance issues. This meeting was one of several periodic meetings the staff holds with nuclear power plant fuel vendors to gather information on fuel performance and exchange information on fuel operating experience and proposed changes in acceptance criteria for fuel integrity following accidents and transients. GNF also provided information on future topical reports they plan to submit on new fuel designs and analytical methods for prediction of fuel performance.

#### Biennial Region IV Office Review

On June 9 -12, 2009, the Division of Inspection and Regional Support staff reviewed the administration of the operator licensing functions in the Region IV office. This is a biennial review which evaluates Regional consistency in implementing 10 CFR 55, the Examination Standards (NUREG-1021), and other associated policy guidance.

#### Generic Fundamentals Examination (GFE)

On June 10, 2009, the NRC administered its GFE to 148 license operator applicants at 13 utilities across all four Regions. The GFE measures applicant knowledge in components, reactor theory, and thermodynamics, and is the first examination that license operator applicants must take and pass before they can proceed to their site specific training and subsequently take the NRC site-specific license examination.

Conference Call on WCAP-16793

On June 10, 2009, NRC staff held a phone call with the PWR Owners Group and Westinghouse to discuss certain aspects of the review of WCAP-16793, a topical report intended to address in-vessel downstream effects and currently under high-priority staff review. The staff informed the industry participants that the staff does not believe the data submitted in support of the topical report make an adequate case for the bounding fibrous debris loading intended to be used as an acceptance criterion for PWR plants. This is a potentially significant issue that could result in delay in final staff approval of the WCAP. The PWR Owners Group indicated that they will consider their options for path forward and will discuss their plans with the staff next week

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Office of New Reactors (NRO)  
Items of Interest  
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Babcock & Wilcox (B&W) Company Announces Plans to Deploy mPower Reactor

On June 10, 2009, B&W publicly announced its plans to deploy a 125 MWe light-water reactor known as the mPower Reactor. B&W has received a letter of intent from the Tennessee Valley Authority (TVA) to begin the process of evaluating a potential lead plant site. A memorandum of understanding has been signed by B&W, TVA, and a consortium of regional municipal and cooperative utilities to explore the construction of a fleet of mPower reactors to meet the consortium's need to diversify its power generation assets. B&W intends to submit an application for design certification of the reactor in 2011.

Publication of Final Aircraft Impact Rule

On June 12, 2009, the final rule on Consideration of Aircraft Impacts for New Nuclear Power Reactors was published in the *Federal Register* (74 FR 28111). The rule requires applicants for new nuclear power reactors to perform a design-specific assessment of the effects of the impact of a large, commercial aircraft. The rule requires applicants to use realistic analyses to identify and incorporate design features and functional capabilities to show, with reduced use of operator actions, that either the reactor core remains cooled or the containment remains intact, and either spent fuel cooling or spent fuel pool integrity is maintained. The rule is effective on July 13, 2009.

Office of Nuclear Material Safety and Safeguards (NMSS)  
Items of Interest  
Week Ending June 12, 2009

NRC and the U.S. Department of Energy (DOE) Management Meeting

On June 10, 2009, NRC and DOE held a public management meeting to discuss the status of NRC's review of DOE's license application for construction authorization of a high-level waste repository at Yucca Mountain, Nevada. Discussion topics included: (1) the NRC license application review status, (2) the status of DOE's licensing program, and (3) the status of NRC requests for additional information and DOE responses. This was a Category 1 public meeting where the public had been invited to observe this meeting and had one or more opportunities to communicate with the NRC after the business portion, but before the meeting was adjourned. There were no public comments.

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Office of Federal and State Materials and Environmental Management Programs (FSME)  
Items of Interest  
Week Ending June 12, 2009

Site Remedial Action Plan Discussed

On June 9, 2009, an inter-agency meeting was held between the U.S. Army Corps of Engineers (USACE), the Pennsylvania Department of Environmental Protection, and NRC staff concerning the remediation of the Babcock and Wilcox Formerly Utilized Site Remedial Action Plan (FUSRAP) site near Vandergrift, Pennsylvania. In a letter dated May 14, USACE requested that NRC suspend the license for the Shallow Land Disposal site to allow the USACE to begin work. During the meeting, USACE provided a crosswalk of its final work plan and discussed the approach to meeting NRC requirements for physical protection, criticality safety, and material control & accounting during remediation of the FUSRAP material from ten burial pits. This site is under NRC jurisdiction because it contains special nuclear material in a quantity that makes it regulated by NRC.

Standardized NUHOMS® System Revision 10

A direct final rule, "List of Approved Spent Fuel Storage Casks: Standardized NUHOMS® System Revision 10," was published in the *Federal Register* on June 10, 2009 (74 FR 27423). The companion proposed rule was published at 74 FR 27469. The direct final rule amends Part 72 by revising the Transnuclear, Inc., Standardized NUHOMS® System listing in 10 CFR 72.214 to include Amendment No. 10 to Certificate of Compliance Number 1004. The cask amendment will allow holders of power reactor operating licenses to load spent fuel in the Standardized NUHOMS® System under the revised conditions. The final rule is effective August 24, 2009, unless significant adverse comments are received by July 10, 2009.

Office of Administration (ADM)  
Items of Interest  
Week Ending June 12, 2009

Nuclear Energy Institute (NEI); Notice of Receipt of Petition for Rulemaking (10 CFR PART 70)  
(PRM-70-80, NRC-2009-0184)

On June 4, 2009, the NRC published a document (74 FR 26814) in the *Federal Register* noticing the receipt of and requesting comments on a petition for rulemaking dated April 16, 2009, filed by NEI (petitioner). The petition was docketed by the NRC and has been assigned Docket No. PRM-70-8. The petitioner requests that the NRC amend its regulations to clarify the existing event reporting requirements based on experience gained since the requirements were implemented in 2000. The comment period expires August 18, 2009.

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Office of Information Services (OIS)  
 Items of Interest  
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Freedom of Information Act (FOIA) and Privacy Act (PA) Requests Received During the Period of June 5, 2009 through June 11, 2009:

Brazilian nuclear program between January 1979 and May 2007 – Referral from the Department of State	CON-2009-0003
Contract DR-01-0290 Attachment #05 of Section J	FOIA/PA-2009-0188
Post Test Analysis of the FAI Millstone 3 RWST (Refueling Water Storage Tank) 1/4 Scale Gas Entrainment Test, designated FAI/09-44, dated March 13, 2009	FOIA/PA-2009-0189
All information relative to variations in power usage, perturbations or fluctuations in line demand, authorizations to enter protected airspace or any anomaly with 25 miles of Arkansas Nuclear One, Arizona, between April 19, 2009 and April 20, 2009	FOIA/PA-2009-0190
Evidence supplied by [named individual] and Ameren Corp for RIV-2008-A-0028	FOIA/PA-2009-0191
Inspection heads and/or control rod drive mechanisms & related components of Indian Point 2 and 3 including inspection plans, results, condition reports, component susceptibility and corrective actions, all documentation	FOIA/PA-2009-0192
Replacement of reactor vessel head and/or control rod drive mechanisms of Indian Point 2 & 3 including analyses, calculations, investigations, etc., all correspondence between NRC and Entergy Nuclear Operations Inc and New York State Agencies	FOIA/PA-2009-0193
Seismic issues in the central and eastern United States, all communications between NRC and Office of Management and Budget, January 1, 2004, to October 31, 2008	FOIA/PA-2009-0194

CON = Consultation requests from other agencies: a new DOJ requirement to track consultations separately from FOIA/PA requests.

REF = Referral requests from other agencies: a new DOJ requirement to track referrals separately from FOIA/PA requests.

Office of Human Resources (HR)  
Items of Interest  
Week Ending June 12, 2009

<b>Arrivals</b>		
Azarbarzin, Aryaan	Student Management Assistant	ACRS
Brodsky, Jason	Student Management Analyst	OIG
DeBold, Thomas	Student Engineer	RES
Fuller, Gabrielle	Student Clerk	ACRS
Harper, Joseph	Student Engineer	RII
Patterson, Kasarah	Student Clerk	NMSS
Thoman, Raymond	Student Program Assistant	OCFO
Traynham, Brooke	Student Engineer (Co-Op)	FSME
Turner, Chase	Student Clerk	ADM
<b>Departures</b>		
Fruchter, Daniel	Attorney	OGC

Office of Public Affairs (OPA)  
Items of Interest  
Week Ending June 12, 2009

OPA Received Significant Media Inquiries on the Following

Status of the current uranium recovery applications and the acceptance review process

Elevated levels of tritium found at the Dresden nuclear power plant near Columbus, Ohio

The public inspection meeting postponed on Nuclear Fuel Services' new line for uranium conversion

Discussion of Entergy's proposal to move fuel from Indian Point Nuclear Power Plant's (north of New York City) spent fuel pool into dry cask storage

Other Public Affairs Items

OPA and NRO staff met with the editorial board of the Post-Standard to discuss decision on the Nine Mile Point new nuclear reactor application and the NRC's review process

<b>Press Releases</b>	
<b>Headquarters:</b>	
09-105	NRC Issues Final Safety Evaluation Report for Beaver Valley Nuclear Power Plant License Renewal (6/8)
09-106	NRC Invites Nominations for the Advisory Committee on Reactor Safeguards (6/9)
09-107	Licensing Board to Hear Oral Argument June 23-24 in Bay City, Texas, on South Texas Project New Nuclear Reactor Application (6/9)
09-108	NRC Issues Final Licensing, Inspection and Annual Fees Rule for Fiscal Year 2009 (6/10)
09-109	NRC Seeks Public Input on Environmental Review of Palo Verde Nuclear Plant License Renewal; Meetings June 25 (6/11)
09-110	NRC Issues Annual Report on Abnormal Occurrences for FY2008 (6/12)
<b>Regions:</b>	
I-09-032	NRC Begins Special Inspection at Ginna Nuclear Plant (6/9)
II-09-034	NRC Schedules Public Meeting to Review Proposed New Development Line at Nuclear Fuel Services (6/9)
II-09-035	NRC Postpones June 17 Nuclear Fuel Services Meeting Related to Proposed New Line (6/12)
IV-09-020	NRC Proposes \$6,500 Fine Against Kakivik Asset Management (6/12)

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Office of the Secretary (SECY)  
Items of Interest  
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Document Released to Public	Date	Subject
<b>Decision Documents</b>		
1. SECY-09-0029	02/20/09	Report to Congress on Abnormal Occurrences: Fiscal Year 2008
2. SRM-SECY-09-0029	03/30/09	(same)
Commission Voting Record on SECY-09-0029	03/30/09	(same)
<b>Information Papers</b>		
1. SECY-09-0077	05/21/09	Information Security Strategic Plan
2. SECY-09-0078	05/20/09	Status Report on Power Upgrades
3. SECY-09-0079	05/20/09	Closing Fire Protection Issues – Semiannual Update
4. SECY-09-0085	06/10/09	Weekly Information Report – Week Ending May 29, 2009
<b>Memoranda</b>		
1. M090527A	06/08/09	Staff Requirements – Briefing on External Safety Culture (SECY-09-0075)
2. M090604C	06/08/09	Staff Requirements – Meeting with Advisory Committee on Reactor Safeguards (ACRS) and Progress on Recommendations of the Independent External Review Panel on the Materials Licensing Program
3. M090604A	06/08/09	Staff Requirements – Briefing on Digital Instrumentation and Control
4. M090603	06/12/09	Staff Requirements – Briefing on New Reactors – Component Fabrication and Oversight

Federal Register Notices Issued

1. Proposed rule, Extension of comment period, 10 CFR Parts 50 and 52, Enhancements to Emergency Preparedness Regulations.
2. Request for resumes, NRC seeks qualified candidates for the Advisory Committee on Reactor Safeguards (ACRS).
3. Advisory Committee on Reactor Safeguards, Meeting of the Subcommittee on Plant License Renewal, notice of meeting (07/07/2009).

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4. ACRS, Subcommittee Meeting on Planning and Procedures, notice of meeting (07/07/2009).
5. ACRS, Meeting of the ACRS Future Plant Designs Subcommittee, notice of meeting (07/07/2009).
6. ACRS, Meeting of the ACRS Subcommittee (Radiation Protection and Nuclear Materials), notice of meeting (07/06/2009).
7. ACRS, notice of 564<sup>th</sup> meeting (7/8-10/2009).

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Office of Congressional Affairs (OCA)  
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CONGRESSIONAL HEARINGS SCHEDULE, NO. 13					
OCA Contact	Date & Place	Time	Committee	Subject	Witnesses
Decker	06/09/09 2322 RHOB	9:30	House Energy and Commerce Committee Energy and Environment Subcommittee (Representatives Markey / Upton)	Allowance Allocation Policies in Climate Change Legislation	<ul style="list-style-type: none"> <li>• Thomas F. Farrell II – Edison Electric Institute</li> <li>• Rich Wells – Vice President of Energy, Dow Chemical Co</li> <li>• Nat Keohane – Economist, Environmental Defense Fund</li> <li>• Rev. Mari Castellanos – Minister for Policy Advocacy, Justice and Peace Ministries, United Church of Christ</li> <li>• G. Tommy Hodges – American Trucking Associations</li> <li>• David Sokol – Chairman of the Board, Mid American Energy Holdings Co</li> <li>• David Montgomery – Vice President, Charles River Associates</li> </ul>
Decker	06/09/09 366 DSOB	10:00	Senate Energy and Natural Resources Committee (Senators Bingaman / Murkowski)	Mark up Draft Comprehensive Energy Policy Legislation	<ul style="list-style-type: none"> <li>• NA</li> </ul>

Riley	06/09/09 366 DSOB	10:00	Senate Energy and Natural Resources Committee (Senators Bingaman / Murkowski)	Vote on Pending Nominations: - Catherine Radford Zoi to be Assistant Secretary of Energy for Energy Efficiency and Renewable Energy - William F. Brinkman to be Director, Office of Science, Energy Department - Anne Castel to be Assistant Secretary of the Interior for Water and Science	<ul style="list-style-type: none"> <li>• N/A</li> </ul>
Decker	06/09/09 311 CHOB	2:00	House Homeland Security Committee Emerging Threats, Cybersecurity, and Science and Technology Subcommittee (Representatives Clarke / Lungren)	Fiscal 2010 Budget: Homeland Security	<ul style="list-style-type: none"> <li>• Brad Buswell – Acting Undersecretary of Homeland Security, Science and Technology Directorate</li> <li>• Chuck Gallaway – Acting Director, Domestic Nuclear Detection Office</li> <li>• John Krohmer – Acting Assistant Secretary of Homeland Security and Chief Medical Officer, Office of Health Affairs</li> </ul>
Riley	06/11/09 342 DSOB	2:30	Senate Homeland Security and Governmental Affairs Committee Oversight of Government Management, the Federal Workforce and the District of Columbia Subcommittee (Senators Akaka / Voinovich)	Whistleblower Protection	<ul style="list-style-type: none"> <li>• TBD</li> </ul>
Decker	06/12/09 2123 RHOB	9:30	House Energy and Commerce Committee Energy and Environment Subcommittee (Representatives Markey / Upton)	Electricity Grid and the National Transmission Policy	<ul style="list-style-type: none"> <li>• TBD</li> </ul>