

INFORMATION REPORT

September 25, 2009

SECY-09-0138

For: The Commissioners

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

Subject: WEEKLY INFORMATION REPORT - WEEK ENDING
SEPTEMBER 18, 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 September 18, 2009

Advisory Committee on Reactor Safeguards (ACRS) Briefing

On September 10, 2009, the staff briefed ACRS on Revision 2 to Draft Final Regulatory Guide (RG) 1.189, "Fire Protection for Nuclear Power Plants." Revision 2 to RG 1.189 endorses portions of Nuclear Energy Institute (NEI) 00-01 and provides guidance on fire-induced circuit failures. The purpose of an August 18, 2009, briefing was to discuss the major changes from Revision 1 to Revision 2 and the disposition of public comments on the document. The three significant comments reported to the subcommittee in August had been resolved to the satisfaction of the industry stakeholders. The staff did not have a complete document for the ACRS to approve at the September 10, 2009, briefing. Therefore, the staff plans to present the completed document to the ACRS during the October 9, 2009, full committee meeting of the ACRS.

Revision 1 to Draft Final RG 1.205

On September 10, 2009, the staff held a Category 3 Public Meeting on Revision 1 to Draft Final RG 1.205, "Risk-Informed, Performance-Based Fire Protection for Existing Light-Water Nuclear Power Plants." RG 1.205, Rev. 1, endorses NEI 04-02, with exceptions, and provides guidance for the transition of a licensing basis to the National Fire Protection Association Standard 805. The purpose of an August 18, 2009, briefing was to present the disposition of comments made to the RG, which was published for public comment in the *Federal Register* in March, 2009 (74 FR 12910). The staff plans to brief the ACRS Subcommittee on Reliability and Probabilistic Risk Assessment on RG 1.205, Rev.1, on November 13, 2009.

Generic Letter (GL) 2004-02 Call with Summer

On September 14, 2009, the staff conducted a public conference call with Summer to discuss the licensee's plans regarding responses to the staff's requests for additional information (RAI) regarding Generic Safety Issue (GSI)-191. The licensee provided draft RAI responses for the staff to consider. The staff determined that technical issues on debris characteristics and chemical effects should be discussed in a public meeting.

Meeting with Exelon and Cameron

On September 15, 2009, the staff met with representatives from Cameron and Exelon regarding the Cameron CheckPlus Leading Edge Flow Meter. The meeting covered NRC questions about moisture carryover uncertainty and its impact on the thermal power uncertainty, the meter sensitivity to angular orientation of an upstream flow condition, LIC-109 acceptance criteria for a measurement uncertainty recapture license amendment request as it relates to when calibration data must be provided, and editorial comments on Cameron's associated engineering report ER-157P, Rev 8.

GL 2004-02 Call with Kewaunee

On September 15, 2009, the staff conducted a public conference call with Kewaunee on to discuss the licensee's plans regarding responses to the staff's requests for additional information regarding GSI-191. The licensee provided slides to aid the technical discussions. The staff determined that several technical issues, including zone of influence, debris characteristics, and testing, should be discussed in a public meeting.

GL 2004-02 Call with Indian Point

On September 16, 2009, the staff conducted a public conference call with Indian Point to discuss the licensee's plans regarding responses to the staff's requests for additional information regarding GSI-191. The licensee provided slides to aid the technical discussions. The staff determined that some technical areas require additional discussion.

Spent Fuel Pit Criticality Teleconference with Palisades

On September 16, 2009, the staff participated in a Spent Fuel Pit Criticality teleconference with the Palisades licensee to discuss issues related to the ongoing inspection and potential violation regarding the Palisades Spent Fuel Pit Criticality Analysis.

GL 2004-02 Call with D.C. Cook

On September 17, 2009, the staff conducted a public conference call with D.C. Cook to clarify the licensee's responses to some of the staff's RAI regarding GSI-191. The staff had already determined that a public meeting was necessary to discuss the head loss testing at Cook.

Office of New Reactors (NRO)
Items of Interest
Week Ending September 18, 2009

Schedule change for Levy County Combined Operating License Application (COLA)

By letter dated September 16, 2009, the staff informed Progress Energy of a 2.5 month safety review schedule change for the Levy County COLA. The material properties and characteristics of the Levy County site result in a more complicated review and an anticipated higher number of requests for additional information (RAIs) in the geotechnical and structural engineering areas. This complexity and the applicant's RAI responsiveness have affected the schedule.

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ENCLOSURE B

Office of Nuclear Material Safety and Safeguards (NMSS)
Items of Interest
Week Ending September 18, 2009

Public Meeting on the Development of a Reprocessing Licensing Framework

On September 18, 2009, the Division of Fuel Cycle Safety and Safeguards hosted a Category III public meeting to discuss the NRC efforts in developing a licensing framework for reprocessing facilities. The meeting was held in the Executive Boulevard Building and was also available via webinar. Presentations included an overview of the regulatory development for licensing reprocessing facilities; and an overview of the rulemaking process; and a discussion of the staff's regulatory gap analysis for licensing reprocessing facilities (SECY-09-0082; ML091520243). Additional information can be found in the public meeting notice (ML092400268) or at <http://www.nrc.gov/materials/reprocessing.html>.

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ENCLOSURE C

Office of Federal and State Materials and Environmental Management Programs (FSME)
Items of Interest
Week Ending September 18, 2009

Meeting with the State of Utah Radiation Control Board (RCB)

On September 22, 2009, FSME staff plans to meet with the Utah RCB in Salt Lake City, Utah to discuss questions raised by the RCB concerning the proposed depleted uranium (DU) rulemaking. The Healthy Environment Alliance (HEAL) of Utah has proposed that the State issue a moratorium on the disposal of DU until the NRC completes the final proposed rulemaking. The Utah RCB is considering the issue of a moratorium and requested the meeting to discuss with the NRC their questions submitted by August 25, 2009, letter to the Director, Division of Waste Management and Environmental Protection. The Utah RCB meetings are open to the public and members of the public are invited to attend the meeting and ask questions.

Notice of Public Workshop on a Potential Rulemaking for Safe Disposal of Unique Waste Streams Including Significant Quantities of Depleted Uranium

On September 23-24, 2009, FSME Management plans to conduct the second of two public workshops to solicit public input on major issues associated with a potential rulemaking for land disposal of unique waste streams including; but, not limited to, significant quantities of depleted uranium in near-surface radioactive waste disposal facilities. This workshop will be held in Salt Lake City, Utah. Members of the public are invited to provide written comments on the issues presented at the workshop on the potential rulemaking. The first public workshop was previously held in Bethesda, Maryland on September 2-3, 2009. Background information, including the Commission Paper, Federal Register Notice, Agendas, Fact Sheets, Key Messages and Frequently Asked Questions, are publicly available at <http://www.nrc.gov/public-involve/conferences.html> (*click on the unique waste streams link*).

Office of Administration (ADM)
Items of Interest
Week Ending September 18, 2009

Advisory Committee on Reactor Safeguards (ACRS) Engineering and Scientific Services

On September 1, 2009, as a result of a negotiated non-competitive award under the authority of Section 8(a) of the Small Business Act, a labor hour contract (NRC-11-09-430) was awarded to Reeves & Associates Consulting and Training, Inc. in Atlanta, Georgia for engineering and scientific support of the ACRS. The period of performance is from September 1, 2009, through August 31, 2010, with two 1-year options. The total value of the contract is \$884,764.51 inclusive of all options.

Organizational Realignment Support

On September 1, 2009, as a result of a negotiated non-competitive award under the authority of Section 8(a) of the Small Business Act, a fixed priced contract (NRC-09-09-337) was awarded to Strategic e-Business Solutions, Inc. in Bethesda, Maryland to provide assistance with divisional realignment and best value performance analysis support to the Office of the Chief Financial Officer. The period of performance is from September 14, 2009, through December 30, 2011, with no option periods. The total value of the contract is \$815,965.00.

State of Colorado and the Organization of Agreement States: Consideration of Petition in the Rulemaking Process; Proposed Rule, Part 40 (PRM-40-27, NRC-2008-0453)

On September 10, 2009, the NRC published a document (74 FR 46512) in the *Federal Register* closing the docket for a Petition for Rulemaking filed by the State of Colorado and the Organization of Agreement States. The petition requested that the NRC regulations governing small quantities of source material be amended to (1) eliminate the exemption for source material general licensees from the requirements that specify standards of protection against radiation, and (2) require notification and instruction of individuals who participate in licensed activities. The NRC reviewed the petition and determined that this petition merits further consideration. Therefore, the concerns and issues raised in the petition will continue to be considered through an ongoing rulemaking titled "Distribution of Source Material to Exempt Persons and General Licensees and Revision of 10 CFR 40.22 General License (Part 40)," RIN 3150-AH15. Further information on the rulemaking may be tracked through <http://www.regulations.gov> under Docket ID NRC-2009-0084.

Security Screening X-Ray Machines

On September 14, 2009, as a result of a non-competitive acquisition under the General Services Administration (GSA) Federal Supply Schedule (NRC-10-09-3978), a fixed price delivery order was awarded to American Science and Engineering, Inc. in Billerica, Massachusetts for ADM to purchase Gemini X-Ray machines for NRC security screening in Regions II and IV, the Technical Training Center in Chattanooga, Tennessee, Executive Boulevard Building, and Twinbrook sites. The total contract amount is \$285,720.00.

Software Licenses and Maintenance

On September 14, 2009, as a result of a competitive acquisition under the GSA Federal Supply Schedule, a fixed price delivery order (NRC-DR-04-09-598) was awarded to ANSYS, Inc. in Canonsburg, Pennsylvania. The purchase order will provide new software licenses and maintenance for existing software licenses such as LS Dyna, Fluent, and ANSYS mechanical. The period of performance for the base period is September 15, 2009, through December 14, 2010, with two additional 1-year options. Total value is \$527,251.75, inclusive of all options.

Development of Assessment Tools

On September 15, 2009, as a result of a sole source negotiation, a cost, no fee contract (NRC-04-09-151) was awarded to Massachusetts Institute of Technology in Cambridge, Massachusetts to develop assessment tools for evaluating the safety impact of automation and human performance in advance reactors for the Office of Nuclear Regulatory Research. The period of performance is from September 28, 2009, through November 30, 2011, with no option periods. The total value of the contract is \$741,091.00.

License and Certificate of Compliance Terms: Proposed Rule, Part 72. (RIN 3150-AI09, [NRC-2008-0361]

On September 15, 2009, the NRC published a proposed rule (74 FR 47126) in the *Federal Register* that would amend its regulations which govern licensing requirements for the independent storage of spent nuclear fuel. The proposed amendments include changes that would clarify the term limits for dry storage cask Certificates of Compliance (CoCs) and independent spent fuel storage installation (ISFSI) specific licenses. The proposed amendments would also provide consistency between the general and specific ISFSI license requirements; it would allow general licensees subject to these regulations to implement changes authorized by an amended CoC to a cask loaded under the initial CoC, or an earlier amended CoC (a "previously loaded cask"). The comment period for this action closes November 30, 2009.

Office of Information Services (OIS)
 Items of Interest
 Week Ending September 18, 2009

Freedom of Information Act (FOIA) and Privacy Act (PA) Requests Received During the Period of September 11 - 17, 2009:

Indian Point 1, photos taken as part of groundwater contamination evaluation/remediation project beginning August 2005; photos taken in 2006 and 2007	FOIA/PA-2009-0275
Design Certification Application Review for US EPR docket 52-020 regarding Preliminary Safety Evaluation Report, all requests for additional information (RAIs) December 1, 2008, to present, all responses to the RAIs	FOIA/PA-2009-0276
All licensees who hold a Radioactive Materials License including name, address, phone, type of license, and Radiation Safety Officer and/or contact person for each licensee in Excel format	FOIA/PA-2009-0277
Investigation Case No. 1-2008-029	FOIA/PA-2009-0278
Investigation conducted by NRC's Office of the Inspector General into the actions and negotiations of post NRC employment, all records including referral to Department of Justice and decision	FOIA/PA-2009-0279
Implementation of President Obama's January 21, 2009, memo on the Freedom of Information Act and Attorney General Eric Holder's memo of March 19, 2009, all records including training materials, guidance, directives	FOIA/PA-2009-0280
Allegation Report RII-2008-A-0119 and transcripts from interviews	FOIA/PA-2009-0281
Investigation Case 2-2009-008 and transcripts from interviews	FOIA/PA-2009-0282
Summary of the number of radioactive materials licenses in Hawaii	FOIA/PA-2009-0283

Office of Human Resources (HR)
Items of Interest
Week Ending September 18, 2009

Departures		
Murry, Maisha	Student Health/Physicist	RI
Sargeant, William	Student Management Analyst	HR
Sayoc, Emmanuel	Project Manager	NRR

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ENCLOSURE J

Office of Public Affairs (OPA)
Items of Interest
Week Ending September 18, 2009

OPA Received Significant Media Inquiries on the Following:

The significance of a failure of 18 out of 172 sirens at the Indian Point nuclear power plant in New York, during a test.

A proposed 40-year extension for spent nuclear fuel storage.

Guidelines for security personnel to possess enhanced weapons at nuclear facilities.

Identification of those plants having in-house versus contractor security forces.

Other Public Affairs Items

Sam Walker, NRC historian, did a phone interview for a podcast with SNL Energy, a subscription website that reports on infrastructure news. The main purpose of the interview was to talk about Mr. Walker's new book entitled, "The Road to Yucca Mountain: The Development of Radioactive Waste Policy in the United States."

Press Releases	
Headquarters:	
09 -153	NRC Meeting with Public Oct. 6 on Environmental Scoping for Watts Bar Unit 2 Operating License Application
09 -154	NRC to Co-Sponsor Conference for Minority Serving Institutions September 21-24 in Dallas, Texas
09 -155	NRC Proposes Changes in Licensing Requirements for Storage of Spent Nuclear Fuel
09 -156	NRC Workshop October 8-9 in Rockville, Maryland, to Discuss "Small And Medium-Sized" Reactor Licensing
Regions:	
II-09-049	NRC to Discuss Nuclear Fuel Services Performance at Public Meeting in Erwin
II-09-050	NRC Assigns New Senior Resident Inspector to Robinson Nuclear Power Plant
II-09-051	NRC Assigns New Senior Resident Inspector to Hatch Nuclear Power Plant
II-09-052	NRC Schedules Public Meeting on Inspection Results for Uranium Pellets Reported Missing at Westinghouse Columbia Plant

III-09-026	NRC to Hold Meeting in Oak Brook, Illinois, on Proposed Revisions to Nuclear Plant License Renewal Environmental Regulations
III-09-027	NRC Names New Senior Resident Inspector at Perry Nuclear Power Plant
IV-09-031	NRC Postpones California Meeting on Proposed Revisions to Nuclear Plant License Renewal Environmental Regulations

Office of the Secretary (SECY)
 Items of Interest
 Week Ending September 18, 2009

Document Released to Public	Date	Subject
Decision Documents		
1. SECY-08-0050	04/17/08	Firearms Guidelines Implementing Section 161A. of the Atomic Energy Act of 1954 and Associated Policy Issues (RELEASED WITHOUT ENCLOSURES 1 AND 5)
2. SECY-08-0050A	07/08/08	Firearms Guidelines Implementing Section 161A. of the Atomic Energy Act of 1954 and Associated Policy Issues—Supplemental Information (RELEASED WITHOUT ENCLOSURES 1 AND 2)
SRM-SECY-08-0050/0050A	08/15/08	Firearms Guidelines Implementing Section 161A. of the Atomic Energy Act of 1954 and Associated Policy Issues
Commission Voting Record on SECY-08-0050/0050A	08/15/08	Firearms Guidelines Implementing Section 161A. of the Atomic Energy Act of 1954 and Associated Policy Issues
Information Papers		
1. SECY-09-0119	08/26/09	Staff Progress in Resolving Issues Associated with Inspections, Tests, Analyses, and Acceptance Criteria
2. SECY-09-0121	08/24/09	Status of the Deviation from the Reactor Oversight Process Action Matrix for Davis-Besse Nuclear Power Station and Indian Point Energy Center
3. SECY-09-0122	08/28/09	Response to Staff Requirements Memorandum M081215B to Assess Individual Initiatives Within the Disaster Recovery Plan to Determine and Initiatives on Which it May be Possible to Act in the Near Term to Bring Some Recovery Capabilities Online Sooner
4. SECY-09-0124	09/10/09	Weekly Information Report – Week Ending August 28, 2009

Region II (RII)
Items of Interest
Week Ending September 18, 2009

Regional Administrator Attends Nuclear Criticality Safety Division Topical Meeting

On September 16, 2009, the Regional Administrator attended the Nuclear Criticality Safety Division Topical Meeting in Richland, Washington,

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ENCLOSURE P

Office of Congressional Affairs (OCA)
 Items of Interest
 Week Ending September 18, 2009

CONGRESSIONAL HEARINGS SCHEDULE, NO. 22

OCA Contact	Date & Place	Time	Committee	Subject	Witnesses
Decker	09/14/09 Brooklyn, NY	9:30	House Committee on Homeland Security Subcommittee on Emerging Threats, Cybersecurity, and Science and Technology (Representatives Clarke / Lungren)	Status Updates on Federal and Local Efforts to Secure Radiological Sources	<ul style="list-style-type: none"> • Rob Lewis, Director, Division of Materials Safety and State Agreements, NRC • Craig Conklin - Branch Chief, Nuclear and Chemical Hazards, Office of National Preparedness, DHS • Ken Sheely - Deputy Director, Global Threat Reduction Initiative, National Nuclear Security Administration, DOE • Gene Aloise - Director, Natural Resources and Environment, GAO • Captain Michael Riggio - New York City PD, NYPD Counterterrorism • Bonnie Aquilla - SUNY Downstate Medical Center • Gene Miskin - Director, Bureau of Radiological Health, NY City Department of Health and Mental Hygiene

Riley	09/14/09 342 DSOB	10:00	Senate Homeland Security and Governmental Affairs (Senators Lieberman / Collins)	Protecting Industry from the Threat of Cyber Attacks	<ul style="list-style-type: none"> • Philip Reitlinger – Deputy Undersecretary of Homeland Security, National Protection and Programs Directorate • Michael Merritt - Associate Director, Office of Investigations, Secret Service, Department of Homeland Security • William B. Nelson - President and CEO, Financial Services Information Sharing and Analysis Center • Robert O. Carr - Chairman and CEO, Heartland Payment Systems, Inc.
Decker	09/15/09 2123 RHOB	1:00	House Energy and Commerce Committee (Representatives Waxman / Barton)	Preparing for the 2009 Pandemic Flu Season	<ul style="list-style-type: none"> • Kathleen Sebelius – Secretary of Health and Human Services
Riley	09/15/09 366 DSOB	2:30	Senate Energy and Natural Resources (Senators Bingaman / Murkowski)	Business meeting on the Nominations of: <ul style="list-style-type: none"> - John R. Norris to be a Member, Federal Energy Regulatory Commission - Jose Antonio Garcia to be Director, Office of Minority Economic Impact, Department of Energy - Joseph G. Pizarchik to be Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior 	<ul style="list-style-type: none"> • N/A

Riley	09/15/09 366 DSOB	2:30	Senate Energy and Natural Resources (Senators Bingaman / Murkowski)	Impact of Greenhouse Gas Trading Program	<ul style="list-style-type: none"> • Eileen Clausen – President, Pew Center on Global Climate Change • Jason Grumet – Founder and President, Bipartisan Policy Center • Joseph Mason – Associate Professor, Department of Finance, Louisiana State University • Michael Wara – Law Professor, Stanford University Law School • Brent Yacobucci - Specialist, Energy and Environmental Policy, Congressional Research Service
Riley	09/17/09 366 DSOB	2:15	Senate Energy and Natural Resources Committee (Senators Bingaman / Murkowski)	Energy and Related Economic Effects of Global Climate Change Legislation	<ul style="list-style-type: none"> • Douglas W. Elmendor – Director, Congressional Budget Office • Reid Harvey – Chief, Climate Change Division, Office of Atmospheric Programs, Office of Air and Radiation, EPA • Richard Newell – Administrator, Energy Information Administration • Larry Parker – Specialist in Energy and Environmental Policy, Congressional Research Service