

# INFORMATION REPORT

April 30, 2010

SECY-10-0055

For: The Commissioners

From: Nader L. Mamish  
Assistant for Operations  
Office of the Executive Director for Operations

Subject: WEEKLY INFORMATION REPORT - WEEK ENDING  
APRIL 23, 2010

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\*No input this week.

**/RA/**

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Office of Nuclear Reactor Regulation (NRR)  
Items of Interest  
Week Ending April 23, 2010

Public Phone Conference with Licensee from Beaver Valley

On Thursday, April 22, 2010, NRR staff held a public phone conference with the licensee for Beaver Valley to discuss the licensee's planned responses to an NRC staff request for additional information regarding Generic Letter 2004-02, Pressurized Water Reactor Sump Performance.

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ENCLOSURE A

Office of New Reactors (NRO)  
Items of Interest  
Week Ending April 23, 2010

Public Outreach Meeting in Support of the Victoria County Station Early Site Permit (ESP) Application

On April 15, 2010, NRC staff held a Category 1 public meeting at the Victoria Community Center Dome, located in Victoria County, Texas. The purpose of the meeting was to inform members of the public of the NRC review process as well as when and how they may participate in the review process for the Victoria County Station, ESP application that Exelon submitted to the NRC on March 25, 2010. The ESP application uses the plant parameter envelope approach and no limited work authorization has been requested at this time. The acceptance review is ongoing and is scheduled to be completed on June 7, 2010.

Draft Environmental Impact Statements (DEISs) Issued for Calvert Cliffs and V.C. Summer

On April 16, 2010, the staff issued the DEISs for Calvert Cliffs Nuclear Power Plant, Unit 3 (NUREG-1936), and for V.C. Summer Nuclear Station, Units 2 and 3 (NUREG-1939), for public comment. A 75-day public comment period began on April 23, 2010, for these DEISs when the Notice of Availability of each DEIS was published by the U.S. Environmental Protection Agency. The staff has scheduled public meetings on May 25, 2010, in the vicinity of Calvert Cliffs and on May 27, 2010 in the vicinity of V.C. Summer to present its analyses and to accept public comments on the respective DEISs. The staff's preliminary recommendation to the Commission related to the environmental aspects of each proposed action is that combined licenses be issued as requested.

Office of Nuclear Material Safety and Safeguards (NMSS)  
Items of Interest  
Week Ending April 23, 2010

Environmental Law and Policy Conference Panel on Nuclear Waste

On Friday, April 16, 2010, NMSS staff attended a panel discussion, "U.S. Nuclear Waste Law and Policy: Fixing a Bankrupt System," as part of the Environmental Law and Policy Annual Review Conference. The conference, co-sponsored by the Environmental Law Institute and Vanderbilt University Law School, is held annually on Capitol Hill, and attended mostly by Congressional staff members. Speakers included the author of the subject Law Review article (<http://www.breakingthelogjam.org/CMS/files/29721229374284StewartMacro.pdf>), Richard B. Stewart, Professor, NYU School of Law; Vice Admiral, John J. Grossenbacher (*Ret.*), Director, INL; Geoffrey H. Fettus, Senior Attorney and Dr. Thomas B. Cochran, Senior Scientist, both of Natural Resources Defense Council; and David R. Hill, Partner, Sidley Austin LLP.

The subject article was written in 2008 before recent actions to shut down the Yucca Mountain Project. All of the panelists noted that informed consent of the host state and community will need to be a part of any new process, and most seemed to be of the mind that the U.S. Department of Energy was not well suited to site and manage a repository or centralized storage facility. Several also voiced skepticism that the newly-formed Blue Ribbon Commission would be able to "solve the problem" in the limited time available to it, noting that the source of the current problems with the national program rested, in part, with the long timeline for implementation along with issues of adequacy of the institutions and governance. In addition, most panelists voiced skepticism toward future reprocessing facility licensing, citing economics as a barrier for industry.

Office of Administration (ADM)  
Items of Interest  
Week Ending April 23, 2010

Categorical Exclusions from Environmental Review, Final Rule, 10 CFR Part 51  
(RIN 3150-AI27, NRC-2009-0269)

On April 19, 2010, the U.S. NRC published a final rule (75 FR 20248), amending its regulations that describe the categories of actions which do not require an environmental review under the requirements of the National Environmental Policy Act of 1969, as the NRC has determined that such actions do not individually or cumulatively have a significant effect on the human environment. The amended regulations eliminate the need for the preparation of environmental assessments for NRC actions that are minor, administrative, or procedural in nature. The amendments do not change any requirements for licensees, but may provide for more time for NRC action on more substantial issues and/or speed up the process for review of the amendments. The final rule was effective on April 19, 2010.

Letter to be Signed by EDO

On April 21, 2010, the Executive Director for Operations signed a letter to Mr. Sherwood Martinelli informing him that his correspondence does not meet the acceptance criteria for a petition for rulemaking. In his correspondence, Mr. Martinelli requested that the NRC promulgate a regulation that provides specific weight-based exposure limits for household animals and pets. He also requested that a fund be established for family members of cancer victims (both human and animal) who live within 10 miles of nuclear reactors, with funds to be provided by licensees. Mr. Martinelli's request does not meet the NRC's acceptance criteria for a petition for rulemaking because the NRC does not have authority under the Atomic Energy Act of 1954, or any other law, to assess fees against licensees for the purpose of establishing a fund to compensate family members for the loss of humans or animals due to radiation exposure. However, Mr. Martinelli's proposal for the NRC to develop weight-based exposure limits may meet the NRC's acceptance criteria for a petition for rulemaking. Mr. Martinelli has 90 days to meet the criteria. The letter to Mr. Martinelli can be found in ADAMS at ML100700072.

Office of Information Services (OIS)  
Items of Interest  
Week Ending April 23, 2010

Freedom of Information Act (FOIA) and Privacy Act (PA) Requests Received During the Period of April 16, 2010, through April 22, 2010:

Battelle Memorial Institute Special Nuclear Material License, SNM-7 (ML010410012) and Preliminary Written Notification regarding Possession of Material in Excess of Licensed Limits (ML022000321)	FOIA/PA-2010-0198
Communications between Chairman and Senator Harry Reid, Steven Chu, Daniel Poneman, Daniel Utech, Neile Miller and Carol Browner, created on or after 1/21/2005	FOIA/PA-2010-0199
Midnite Mine Superfund Site, Spokane Indian Reservation, Wellpinit, Washington, and Dawn Mill Site at Ford, Washington, all records and investigations	FOIA/PA-2010-0200
Approved Suppliers List for MOX project in Aiken, South Carolina, referenced in email between D. Tikinsky, M. Kotzalas, P. Bell, and K. Morrissey dated 10/07/08 (ML082900123)	FOIA/PA-2010-0201
Savannah River Site MOX Project, contract between U.S. Department of Energy and Duke, Cogema, Stone and Webster, including modifications	FOIA/PA-2010-0202
MOX fuel agreement between DOE and Duke Energy regarding irradiated lead test assemblies at Catawba and McGuire plants	FOIA/PA-2010-0203

Office of Public Affairs (OPA)  
Items of Interest  
Week Ending April 23, 2010

OPA Received Significant Media Inquiries on the Following:

The Commission order directing the Atomic Safety and Licensing Board to rule by June 1, 2010 on the U.S. Department of Energy's motion to withdraw the Yucca Mountain application.

Groundwater contamination issues at Vermont Yankee and Oyster Creek nuclear plants in Vermont and New Jersey, respectively.

Inspection findings related to fire protection at the Browns Ferry nuclear plant near Athens, Alabama.

Other Public Affairs Items

OPA facilitated an interview with Exchange Monitor Publication with staff about the Integrated Materials Performance Evaluation Program self-assessment team and its activities.

OPA supported open houses and annual assessment meetings for various nuclear power plants in the regions.

<b>Press Releases Issued</b>	
<b>Headquarters:</b>	
10-069	NRC Seeks Public Input on Draft Environmental Impact Statement for Calvert Cliffs New Reactor; Meetings Scheduled (4/19/10)
10-070	NRC Seeks Public Input on Draft Environmental Impact Statement for New Reactors at Virgil C. Summer Site; Meetings May 27, 2010 (4/19/10)
10-071	NRC Historian Receives Prestigious Award For Yucca Mountain Book (4/20/10)
10-072	NRC Holding Public Meeting to Discuss Proposed Enhancements to its Force-on-Force Inspections (4/21/10)
10-073	NRC Advisory Committee on Reactor Safeguards to Meet May 6-8, 2010, in Rockville, Maryland (4/21/10)
10-074	NRC Meeting May 6, 2010, in Carney's Point, New Jersey, to Discuss Review Process for Early Site Permit Application (4/22/10)
10-075	Dr. George Apostolakis Sworn in as Newest NRC Commissioner (4/23/10)
<b>Regions:</b>	
I-10-021	NRC to Hold Open House, Public Meeting on April 22, 2010, in Waterford, Connecticut to Discuss Annual Assessment of Millstone Nuclear Power Plant (4/19/10)
I-10-022	NRC Updates Public on Vermont Yankee Groundwater Contamination (4/19/10)
I-10-023	NRC to Hold Public Meeting on April 27, 2010, in Berwick, Pennsylvania to Discuss Annual Assessment of Susquehanna Nuclear Power Plant (4/21/10)
II-10-027	NRC Issues Yellow Inspection Finding to St. Lucie Nuclear Plant (4/20/10)
II-10-028	NRC Issues Yellow and White Inspection Findings to Browns Ferry Nuclear Plant Regarding Fire Protection Issues (4/20/10)
II-10-029	NRC Schedules Open House to Discuss 2009 Performance of Summer Nuclear Power Plant (4/20/10)

II-10-030	NRC Schedules Meeting to Discuss Safety Performance of Honeywell Metropolis Facility (4/20/10)
II-10-031	NRC Names New Resident Inspector for Oconee Nuclear Plant (4/20/10)
III-10-012	NRC to Discuss 2009 Performance Assessment for Dresden Nuclear Power Plant April 28, 2010 (4/22/10)
IV-10-014	NRC Issues Confirmatory Order to CAN USA, Inc. After Agreement is Reached Under Alternate Dispute Resolution (4/21/10)
IV-10-015	NRC to Hold Open House to Discuss 2009 Performance of Arkansas Nuclear One (4/21/10)
IV-10-016	NRC to Discuss 2009 Performance Assessment for Waterford 3 Nuclear Plant (4/22/10)
IV-10-017	NRC to Discuss 2009 Performance Assessment for Cooper Nuclear Plant (4/22/10)

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ENCLOSURE M

Office of the Secretary (SECY)  
Items of Interest  
Week Ending April 23, 2010

Documents Released to Public	Date	Subject
<b>Information Papers</b>		
1. SECY-10-0038	4/2/10	Update Status on the Development of Construction Reactor Oversight Process Options
2. SECY-10-0040	4/6/10	Annual Report to the Commission on Licensee Performance in the Materials and Waste Programs Fiscal Year 2009
3. SECY-10-0042	4/7/10	Reactor Oversight Process Self-Assessment for Calendar Year 2009
<b>Memoranda</b>		
1. M100406	4/22/10	Staff Requirements – Periodic Briefing on New Reactor Issues – Design Certifications
2. M100423	4/23/10	Staff Requirements – Affirmation Session: I. SECY-10-0051 – U.S. Department of Energy (High-Level Waste Repository), Docket No. 63-001-HLW; U.S. Department of Energy's Petition for Interlocutory Review

Commission Correspondence

1. Letter to Congress, dated April 12, 2010, provides the Bipartisan Policy Center's report of the NRC licensing process for new reactors.

Federal Register Notices Issued

1. Advisory Committee on Reactor Safeguards, notice of the 572<sup>nd</sup> meeting (05/6-8/2010).
2. Exelon Generation Company, LLC, PSEG Nuclear, LLC, Docket Nos. 50-277 and 50-278, Notice of Consideration of Issuance of Amendment to Facility Operating License for Peach Bottom Atomic Power Station, Units 2 and 3, Opportunity for a Hearing, and Order Imposing Procedures for Access to Sensitive Unclassified Non-Safeguards Information.
3. Establishment of Atomic Safety and Licensing Board, GE-Hitachi Global Laser Enrichment LLC (GLE Commercial Facility), Docket No. 70-7016-ML.