

INFORMATION REPORT

September 30, 2011

SECY-11-0136

For: The Commissioners

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

Subject: WEEKLY INFORMATION REPORT - WEEK ENDING SEPTEMBER 23, 2011

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Office of Administration (ADM)
Items of Interest
Week Ending September 23, 2011

Licenses, Certifications, and Approvals for Materials Licensees, Final Rule, 10 CFR Parts 30, 36, 39, 40, 51, 70, and 150 (NRC-2010-0075)

On September 15, 2011, the NRC published a final rule in the *Federal Register* (76 FR 56951) amending its regulations by revising the provisions applicable to the licensing and approval processes for byproduct, source, and special nuclear materials licenses, and irradiators. The changes will clarify the definitions of “construction” and “commencement of construction” for materials licensing actions conducted under the NRC’s regulations. These changes will improve the effectiveness and efficiency of the licensing and approval processes for future materials license applications. It will also eliminate inconsistencies within the NRC’s regulations with respect to the use and definition of the terms “construction” or “commencement of construction” for certain materials licensees for purposes of its environmental reviews. This final rule is effective on November 14, 2011.

Proposed Generic Communications; Draft NRC Regulatory Issue Summary 2011-XX; NRC Regulation of Military Operational Radium-226; Reopening of Comment Period, 10 CFR Parts 30 and 150 (NRC-2011-0146)

On September 15, 2011, the NRC published a proposed generic communication in the *Federal Register* (76 FR 57006) to reopen the comment period for a draft Regulatory Issue Summary published in the *Federal Register* on July 8, 2011 (76 FR 40282), pertaining to the NRC’s regulation of military operational Radium-226. The 60-day public comment period that ended on September 6, 2011, has been reopened for an additional 75 days. The comment period now closes on November 29, 2011.

Petitions for Rulemaking (PRMs) Submitted by the Natural Resources Defense Council, Inc., Notice of Receipt, 10 CFR Parts 50, 52, and 100 (NRC-2011-0189)

On September 20, 2011, the NRC published a notice of receipt in the *Federal Register* (76 FR 58165) for six PRMs dated July 26, 2011, from the Natural Resources Defense Council, Inc. (the petitioner). The petitioner requests the NRC amend its regulations to require: (1) emergency preparedness (EP) enhancements for prolonged station blackouts; (2) EP enhancements for multiunit events; (3) licensees to confirm seismic hazards and flooding hazards every 10 years and address any new and significant information; (4) licensees to improve spent nuclear fuel pool safety; (5) each operating and new reactor licensee to establish station blackout mitigation strategies and resources; and (6) licensees to provide training and exercises on severe and extreme accident mitigation guidelines for licensee staff. The petitioner solely and specifically cites the Fukushima Task Force Report as the rationale and bases for its six PRMs. The NRC will consider the issues raised by these PRMs through the process the Commission has established for addressing the recommendations from the Fukushima Task Force Report and is not providing a separate opportunity for public comment on the PRMs at this time.

Equal Employment Opportunity (EEO) Counseling and Investigation Services

On September 20, 2011, as a result of a non-competitive 8(a) procurement, an Indefinite Quantity, Indefinite Delivery type contract (NRC-HQ-11-C-27-0086) was awarded to Delany, Siegel, Zorn and Associates, of Arlington, Virginia. The contract will provide EEO Counseling and Investigative Services to NRC's Office of Small Business and Civil Rights. The period of performance is from September 20, 2011, to September 19, 2012, with three 1-year option periods. The total value of the contract is \$500,000, inclusive of all options.

NRC's Mentoring Program

On September 22, 2011, as a result of a General Services Administration Federal Supply Schedule competitive acquisition, an Indefinite Quantity, Indefinite Delivery Firm Fixed Price Contract (NRC-HQ-11-F-27-0001) was awarded to Ivy Planning Group, Inc., of Rockville, Maryland. The contract will provide the NRC with mentoring courses and personnel to support the delivery of quality mentoring training to NRC's workforce. The period of performance is from September 23, 2011, to September 22, 2012, with four 1-year option periods. The total value of the contract is \$300,000, inclusive of all options.

Office of Human Resources (HR)
Items of Interest
Week Ending September 23, 2011

Arrivals		
Hunter, James	Budget Analyst	R-II
Palestro, Christopher	Medical Consultant	FSME
Tornow, John	Physical Security Specialist	R-II
Retirements		
None		
Departures		
Bashore, Joseph	RESIDENT INSPECTOR (PWR)	R-IV
Calero, Alicia	GENERAL ENGINEER	NRR
Dorn, Jaclyn	REACTOR SYS ENGR (TH RESEARCH COORD)	RES

Office of Information Services (OIS)
Items of Interest
Week Ending September 23, 2011

Controlled Unclassified Information (CUI) Working Group Meeting

On September 22, 2011, staff from the Information and Records Services Division attended a CUI Working Group meeting at the office of the CUI Executive Agent (EA) to receive a demonstration of the CUI Registry (CUIR), which will be the consolidated reference point on the for all CUI guidance. The CUIR will be publicly available on the National Archives and Records Administration web site beginning November 4, 2011. However, even though the CUIR will be posted on November 4, 2011, agencies will not be allowed to begin using its data until they are notified by the EA, because of the phased-in implementation of the CUI program. The CUIR will include a list of all CUI categories and subcategories and their authorities in statute, regulation, or government-wide policy. It will also include all approved CUI markings and safeguarding, decontrol, and dissemination guidance. The initial posting will be incomplete data due to the ongoing development of the markings and safeguarding, decontrol, and dissemination guidelines. Additional information will be added to the site as it is developed. The next meeting, on October 4, 2011, will address the "Law Enforcement/Intelligence" categories and subcategories.

Freedom of Information Act (FOIA) and Privacy Act (PA) Requests Received During the Period of September 16, 2011, through September 22, 2011:

Material License Tracking System active and retired facilities	FOIA/PA-2011-0352
Use of Gothic Computer Code, NRC memo from J. Hannon to J. Grobe dated May 23, 1997 (AIT-97-005)	FOIA/PA-2011-0353
Web site known as Government Attic	FOIA/PA-2011-0354
NRC correspondence with Congresswoman Shelley Berkley from January 1, 1999, to present	FOIA/PA-2011-0355
Media lists of foreign and domestic media and press contacts maintained by NRC	FOIA/PA-2011-0356
Dominion Resources North Anna reactors, all NRC analyses including staff and Commissioner emails following August 23, 2011, earthquake	FOIA/PA-2011-0357
Dominion Resources North Anna Unit 1 and 2 nuclear reactors, seismic analyses used in the original licensing	FOIA/PA-2011-0358
Dominion Resources proposed North Anna 3 reactor, seismic review including staff and Commissioner emails	FOIA/PA-2011-0359
Chairman Jaczko's complete response to a July 8, 2011, letter from Representatives Fred Upton and John Shimkus	FOIA/PA-2011-0360

Office of New Reactors
Items of Interest
Week Ending September 23, 2011

Schedule for Submittal of Construction Permit (CP) Application for Clinch River Site

On September 20, 2011, the NRC staff met with representatives from the Tennessee Valley Authority (TVA) in a public meeting to discuss TVA's development of their Regulatory Framework Document associated with a Part 50 construction permit application for a Babcock and Wilcox (B&W) mPower design at the TVA Clinch River site. During that meeting, TVA announced that the CP application, initially planned for fall of 2012, would be delayed. The new date for the CP application submittal will be in 2013, but TVA has not yet completed their schedule development to support announcement of a specific date. TVA noted that they expect to be able to announce the new specific date next month. B&W has not notified the NRC of any changes to their planned design certification application for the mPower design currently scheduled for Fall 2013.

September 23, 2011

ENCLOSURE D

Office of Nuclear Reactor Regulation (NRR)
Items of Interest
Week Ending September 23, 2011

Meeting with Luminant Generation Company, LLC

On September 13, 2011, representatives of Luminant Generation Company, LLC, and staff held a meeting in NRC Headquarters, Rockville, Maryland, to discuss the licensee's proposed license amendment request for Risk-Informed Technical Specification Task Force Traveler 8a and to relocate Limiting Conditions for Operation for Reactor Trip System and Engineered Safety System Actuation System Instrumentation from Technical Specifications to a licensee controlled for Comanche Peak Nuclear Power Plant, Units 1 and 2.

Public Meetings to Solicit Comments on the Draft Supplemental Environmental Impact Statement (SEIS) for the License Renewal of Seabrook Station

On September 15, 2011, the staff held two identical public meetings in Hampton, New Hampshire, to discuss the preliminary findings and receive public comments on the draft SEIS on the proposed renewal of the operating license for Seabrook Station. The Draft Supplement 46 (ML11158A152) was issued August 1, 2011, and is a site-specific supplement to the Generic Environmental Impact Statement for License Renewal of Nuclear Plants (NUREG-1437). The report contains the NRC's preliminary finding that there are no environmental impacts that would preclude license renewal for an additional 20 years of operation. Approximately 40 people attended each meeting, including representatives from the staff of Senators Shaheen and Ayotte. Public comments received at the meetings included comments relating to spent fuel storage, emergency planning, alternatives to license renewal, and the timing of license renewal. The public comment period on the draft SEIS closes on October 26, 2011.

NRC Presentation at Cascades Library, Virginia

On September 19, 2011, staff provided a presentation entitled: "The NRC: Who We Are and What We Do and Overview of Recent Events in Japan and at North Anna" at the Cascades Library, Loudoun County, Virginia. This presentation was requested by the Loudoun County Public Libraries as a community outreach initiative.

Meeting with Federal Energy Regulatory Commission (FERC) Staff

On September 21, 2011, staff met with representatives from FERC to discuss the reliability and restoration strategies of offsite power/grid. This was a quarterly scheduled meeting and the specific topics of discussion included the recent blackout in the Southern California area, Geomagnetic Disturbance and impact on transformers and legislation, Cyber Security issues and legislation, and NRC Near-Term Task Force Report Recommendation 4.1 on station blackout.

Staff Meeting with Nuclear Energy Institute (NEI)

On September 22, 2011, staff met with representatives from NEI to discuss the staff position on evaluation and reporting of defects, and communicate staff position in reporting of defects in 10CFR Part 21. This was a scheduled meeting as part of NRC's proposal for Part 21 Rulemaking.

September 23, 2011

ENCLOSURE E

Office of Nuclear Regulatory Research (RES)
Items of Interest
Week Ending September 23, 2011

RES Staff Meets With Electric Power Research Institute (EPRI) and Department of Energy (DOE) on Current and Planned Research on Aging Effects

On September 20, 2011, RES staff met with representatives of EPRI and DOE to share information regarding on-going and planned research into aging effects on concrete civil structures. This meeting was in support of the information sharing provisions of the memoranda of understanding (MOU) between NRC/EPRI and NRC/DOE. The participants discussed the research related to irradiation, temperature and environmental effects on concrete; potential locations for harvesting ex-plant material samples for benchmarking, and potential areas of collaborative research. It was agreed that such coordination meetings will be held semi-annually.

RES Staff Brief the Advisory Committee on Reactor Safeguards (ACRS) Subcommittee on Materials, Metallurgy, and Reactor Fuels

On September 21, 2011, the staff briefed the ACRS Subcommittee on Materials, Metallurgy, and Reactor Fuels on the ongoing Extremely Low Probability of Rupture (xLPR) program. This briefing was the first time ACRS was presented with the program information. Presentations on the regulatory impact, development of Version 1.0, the pilot study results and the development plans for Version 2.0 were given by staff. The ACRS subcommittee recommended this program be presented to the full committee in November 2011.

National Academies of Sciences (NAS) Briefing on Extreme Hydrology Event Report

On September 22, 2011, the staff attended a briefing by the Committee on Hydrologic Science (COHS) of the Water Science and Technology Board of the NAS to the sponsors of the NAS report on "Global Change and Extreme Hydrology: Testing Conventional Wisdom." The report provides a brief overview of the earlier COHS workshop. It documents the workshop presentations, and panel discussions on the topic of global climate-change and its possible effects on extreme hydrologic events. The workshop provided a forum for the science and engineering applications communities to identify differing perspectives and to seek common ground on the issue of climate-change induced floods and droughts. It also provided an opportunity to recognize and potentially begin a technical dialogue on the array of contrasting definitions, scientific agendas, methodologies, and observations that separate the climate science, hydrologic, and engineering applications communities as they address the hydrologic extremes question. NRC staff participated in both the workshop and in the discussions following the briefing with COHS members and sponsors, to focus on technical issues in predicting the occurrence of extreme hydrologic events and the interfacing of meteorological observations and modeling with watershed modeling.

Office of Public Affairs (OPA)
Items of Interest
Week Ending September 23, 2011

OPA Received Significant Media Inquiries on the Following:

NRC's filings in the Appeals Court, informing the court that the Commission has issued an Order on the Atomic Safety and Licensing Board's ruling on the Department of Energy's request to withdraw its application for a high-level radioactive waste repository at Yucca Mountain, Nevada.

Status of North Anna's nuclear plant (Virginia) preparations for restart after earthquake and NRC's focus on ensuring plant safety prior to authorizing restart.

Fire at the corporate offices of Vermont Yankee (Vermont); NRC's latest inspection report on groundwater contamination issues at the nuclear plant and the proposed merger of Northeast Utilities and NStar.

September 27, 2011, mandatory hearing for the Vogtle's (Georgia) application for combined operating license to build and operate two new reactors.

Alert declared at the Callaway nuclear power plant (Mississippi) because of a Freon gas leak from an air conditioning unit for the main control room.

An employee at the Peach Bottom nuclear plant (Pennsylvania) was transported to an off-site medical facility due to a work-related hand injury in which the individual's work glove was contaminated but not the individual.

Restart of Millstone Unit 2 (Connecticut), which has been shut down due to a service water leakage.

Other Public Affairs Items:

OPA supported Japan Task Force meeting with the industry on its activities and plans.

OPA pushed back on a Greenwire story about a Government Accountability Office report that it took 10 paragraphs to get to a parenthetical phrase summarizing the very strong NRC, National Nuclear Safety Administration, and State Department complaints that the reporter should have called NRC for comment.

Press Releases Issued	
Headquarters:	
11-180	NRC Meetings in Maryland, Illinois, and California to Discuss Long-Term Storage of Spent Nuclear Fuel (9/23/2011)
11-179	NRC Receives Top-Notch Rankings From Annual Survey (9/22/2011)

11-178	NRC to Hold Mandatory Hearing Regarding Vogtle New Reactor Application September 27-28, 2011, in Rockville, Maryland (9/22/2011)
11-177	Amended: NRC Advisory Committee on Medical Uses of Isotopes to Meet September 22-23, 2011, in Rockville, Maryland (9/20/2011)
Regions:	
II-11-058	NRC Schedules Meeting October 3, 2011, to Discuss Inspection at Browns Ferry Nuclear Power Plant (9/20/2011)
II-11-057	NRC Schedules Enforcement Conference with Global Nuclear Fuel for September 29, 2011 (9/20/2011)
II-11-056	NRC Schedules Meeting October 3, 2011, to Discuss Inspection at North Anna Nuclear Power Station (9/20/2011)
IV-11-042	NRC to Hold Regulatory Conference with Entergy Operations, Inc. (9/19/2011)

Office of the Secretary (SECY)
Items of Interest
Week Ending September 23, 2011

Document Released to Public	Date	Subject
Decision Documents		
1. SRM on SECY-11-0089	9/21/2011	Options for Proceeding with Future Level 3 Probabilistic Risk Assessment (PRA) Activities
2. Commission Voting Record on SECY-11-0089	9/21/2011	(same)
Information Papers		
1. SECY-11-0128	9/19/2011	Weekly Information Report- Week Ending September 9, 2011
2. SECY-11-0131	9/22/2011	Weekly Information Report- Week Ending September 16, 2011
Memoranda		
SRM-M110914	9/19/2011	Staff Requirements – Briefing on the Japan Near Term Task Force Report-Short -Term Actions

Federal Register Notices Issued

Advisory Committee on Reactor Safeguards, Notice of 587th Meeting (10/06-08/2011).