# **INFORMATION REPORT**

# February 13, 2002

# SECY-02-0028

| <u>For</u> :     | The Commissioners  |
|------------------|--|
| <u>From</u> :    | John W. Craig, Assistant for Operations, Office of the EDO               |
| <u>Subject</u> : | SECY-02-0028 WEEKLY INFORMATION REPORT - WEEK<br>ENDING FEBRUARY 8, 2002 |
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\*No input this week.

/**RA**/ John W. Craig Assistant for Operations, OEDO

Contact: S. Rosenberg, OEDO

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\*No input this week.

#### /RA/

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Contact: S. Rosenberg, OEDO

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# WEEKLY INFORMATION REPORT - WEEK ENDING FEBRUARY 8, 2002

The Weekly Information Report is compiled by the Office of the EDO and includes highlights of Headquarters and Regional Office activities.

Contact: S. Rosenberg, OEDO by E-mail: <u>slr1@nrc.gov</u>.

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\*No input this week

#### Office of Nuclear Reactor Regulation Items of Interest Week Ending February 8, 2002

#### Big Rock Point

On February 5, 2002, the NRC approved a Consumers Energy Company request to dispose of Big Rock Point Plant demolition debris that could contain minimal levels of radioactivity in a State of Michigan landfill. Rather than shipping the material to a low-level radioactive waste facility or leaving the material on-site and terminating the license, the licensee requested permission to dispose the demolition debris in a Michigan landfill pursuant to the provisions of Title 10 of the Code of Federal Regulations, Part 20.2002.

The licensee will perform radiological surveys on structural surfaces and decontaminate as necessary, prior to demolition. All demolition debris will also be monitored by a bulk assay radiation detection system prior to disposal. The licensee performed a comprehensive physical and radiological evaluation of the demolition debris material. Dose modeling calculations resulted in the potential annual dose to a worker or a member of the public of less than 1 mrem. This calculated dose is well within the 10 CFR Part 20 annual dose limit of 100 mrem and less than the annual dose limit of 25 mrem for decommissioning, which will allow for license termination and unrestricted use of the land.

#### Regulatory Issue Summary

On January 31, 2002, the staff issued Regulatory Issue Summary (RIS) 2002-03, "Guidance on the Content of Measurement Uncertainty Recapture Power Uprate Applications." This RIS includes the staff's information needs for reviewing measurement uncertainty recapture power uprates. Development of the guidance in the RIS was discussed in SECY 01-0124, "Power Uprate Application Reviews," dated July 9, 2001, and undertaken by the NRC staff as a process improvement effort to make the applications and review processes for measurement uncertainty recapture power uprates more effective and efficient.

#### San Onofre Units 2 and 3

The U.S. Coast Guard, Department of Transportation, has established a temporary security zone in the waters adjacent to the San Onofre Nuclear Generating Stations. This security zone will prohibit all persons and vessels from entering, transiting through or anchoring within the security zone unless authorized by the Coast Guard. This rule is temporary and is effective from October 25, 2001 until June 21, 2002. The temporary final rule was noticed in the Federal Register (67 FR 5480) dated February 6, 2002.

A similar temporary final rule has already been noticed for the Diablo Canyon Power Plant Units 1 and 2 in the Federal Register (66 FR 53713) dated October 24, 2001.

#### Tritium Production Program

On January 15, 2002, Mr. David Lochbaum of the Union of Concerned Scientists sent the staff a letter requesting a 60-day extension of the public comment period on Tritium Production

Program license amendment requests received from Watts Bar and Sequoyah. He also requested the additional time to file a hearing request. On January 17, 2002, the Secretary of the Commission (SECY) sent Mr. Lochbaum a letter denying his request for more time to request a hearing. On January 30, 2002, the Director of the Division of Licensing Project Management sent Mr. Lochbaum a letter stating that the NRC would not extend the comment period, but would address additional relevant technical comments received from him during the period when the staff is addressing other public comments.

SECY also received hearing requests from the Blue Ridge Environmental Defense League, We the People of Tennessee, and Jeannine Honicker. The Federal Register for February 1, 2002, announced that an Atomic Safety and Licensing Board (ASLB) was established to review the hearing requests. Thomas S. Moore, Chairman, Dr. Peter S. Lam, and Dr. Thomas S. Elleman comprise the ASLB. On January 28, 2002, the Chief Administrative Judge consolidated the Watts Bar and Sequoyah proceedings. Both the NRC staff and TVA sent the ASLB panel chairman answers to the hearing requests.

# NRC Information Notice 2008-08: Pump Shaft Damage to Excessive Hardness of Shaft Sleeve Dated: January 30, 2002

The NRC is issuing this information notice to alert addressees of potentially serious damage that occurred to pump shafts manufactured by Bingham-Willamette. The damage resulted from harder-than-specified material used during the manufacture of the thrust sleeve installed on the pump shaft.

# Final Skin Dose Limit Rule to Commission

On January 30, 2002, the Executive Director for Operations (EDO) transmitted for the Commission's review and approval in SECY-02-0021 a final rule that would revise 10 CFR Part 20. The amendment changes the method of calculating dose to the skin by requiring that the assigned skin or extremity dose be the dose averaged over the 10 square centimeters (cm<sup>2</sup>) of skin receiving the highest exposure, rather than the current requirement to average dose to the highest exposed 1 cm<sup>2</sup>. This rulemaking makes the skin does limit less restrictive when small areas of skin are irradiated, and addresses skin dose from all sources, including "hot particles" and small area (<1 cm<sup>2</sup>) contaminations, under a single limit. Licensees currently monitor workers frequently to avoid reportable doses from "hot particles," at the cost of additional, unproductive whole-body dose. The rule balances a higher risk of small, transient acute effects to the skin, such as reddening or small breaks in the skin barrier, with a reduction in whole body dose and its associated risk of cancer. An additional worker benefit is a reduction in the overly conservative use of protective clothing and associated industrial hazards such as heat stress and the potential for accidents. The rule, if approved by the Commission, will be effective 60-days from the date of publication in the Federal Register.

# AP1000 Pre-Application Review: Phase 2

The staff met with Westinghouse Electric Company on January 23, 2002, to discuss the staff's assessment of the applicability and/or acceptability of the AP600 scaling/testing, safety analysis codes, Design Acceptance Criteria (DAC), and regulatory exemptions to the AP1000 design.

The staff informed Westinghouse that the AP600 scaling, testing and safety analysis codes are, in general, applicable to the proposed AP1000 design. The staff pointed out, however, that certain analytical models employed in the codes need to be improved and/or verified.

# Office of Nuclear Material Safety and Safeguards Items of Interest Week Ending February 8, 2002

# NRC Meeting at Nuclear Fuel Services

On January 29, 2002, staff from the NRC's Division of Fuel Cycle Safety and Safequards (FCSS) and Region II met with Nuclear Fuel Services (NFS) staff at NFS' plant site in Erwin, Tennessee. Portions of the meeting were closed to discuss proprietary and safeguards information. The purpose of the meeting was: (1) to familiarize FCSS management with the facility; (2) to discuss current and future planned operations at the facility; and (3) to discuss NRC preliminary comments on a current licensing action. In the morning, NRC staff visited the future location of the Blended Low-Enriched Uranium (BLEU) preparation facility, the generator and battery rooms for the uninterruptible power supply system, the KAST fuel manufacturing and uranium recovery processes, the 200 Complex and Building 234 decommissioning projects, and the North Site and Radiological Burial Ground decommissioning projects. NRC staff also visited the site for the new BLEU complex facilities and the Industrial Park Facility (IPF) warehouse. In the afternoon meeting, NFS presented an update of its security upgrades; an overview of the BLEU project; an update of the decontamination and decommissioning activities; a description of plans to expand parts of the KAST fuel manufacturing process; and a description of a potential new project that the State of Tennessee would license. NFS and NRC also briefly discussed NRC's use of the risk-informed regulatory process in Agency decisionmaking. On the morning of January 30, NRC staff met with NFS staff to discuss preliminary review comments on the IPF warehouse Criticality Accident Alarm System Exemption request.

#### Presiding Officer Grants Standing on White Mesa Hearing Requests

By order dated January 30, 2002, Presiding Officer Alan S. Rosenthal granted standing to the Sierra Club and William Love, and denied standing to the Nevada Nuclear Waste Task Force on hearing requests regarding the receipt and processing of Molycorp alternate feed material at the White Mesa uranium mill located in Blanding, Utah. This is a response to a Finding of No Significant Impact that the staff issued in a Federal Register notice published on December 11, 2002. The Judge gave standing because of statements, made by the petitioners, that they drink the water and recreate "near" the mill (near was not defined). Therefore, the Judge concluded, it is possible that they could receive harm from lead in the Molycorp material seeping through groundwater and then migrating into surface water, from which the petitioners could drink the water. William Love stresses that this Molycorp material is different from other material received by the mill because of its high lead (12 per cent) content. The Nevada Nuclear Waste Task Force was denied standing because "... the request fails to specify a single member of the organization who deems himself or herself threatened personally with an injury-in-fact attributable to the transportation of the Molycorp shipments through Clark County [Nevada]." Staff elected not to participate in the hearing because of a potential drain on resources. However, it is possible that the Presiding Officer may elect to have the staff participate. Several previous hearing requests in reference to alternate feed materials at the mill had been denied standing over the last 2 years.

# Staff Attendance at Department of Energy Transportation External Coordination Working Group

On January 30, 2002, staff from the Spent Fuel Project Office attended a meeting of the Department of Energy (DOE) Transportation External Coordination Working Group in New Orleans, Louisiana. The purpose of this biannual meeting is to improve interactions between DOE and external groups interested in transportation of DOE's hazardous (particularly radioactive) materials. Members representing State, Tribal and local governments; industry and professional associations; and other Federal agencies, attended. DOE representatives provided updates on the Naval Reactor program and changes in DOE's transportation emergency preparedness program. A Federal Railroad Administration representative updated the task force on high-level radioactive waste inspection activities. A discussion on various Federal agencies' responses to the September 11, 2001, event was provided by a panel that included representatives from DOE; the NRC; the U.S. Attorney's Office (New Orleans District); State of Pennsylvania Emergency Management Agency; and the Native American Indian Interaction Group.

# Industry Presentations on Vulnerability Studies

On February 6, 2002, representatives of the Office of Nuclear Regulatory Research, the Office of Nuclear Reactor Regulation, and the Spent Fuel Project Office observed industry presentations on their vulnerability studies for nuclear power plants and spent fuel dry cask storage facilities.

# U.S. Enrichment Corporation/Portsmouth Security Meeting

On February 5, 2002, Division of Fuel Cycle Safety and Safeguards staff met with U.S. Enrichment Corporation (USEC) security staff at the Portsmouth Gaseous Diffusion Plant, to review updated security measures incorporated into the plant's physical security since September 11, 2001. The meeting also included discussion of USEC's proposed security plan changes relating to the consolidation of the Portsmouth and Paducah Security Plan.

# Meeting with Canadian Nuclear Safety Commission

On February 4, 2002, Division of Fuel Cycle Safety and Safeguards staff participated in an informal meeting with a Senior Advisor of the Canadian Nuclear Safety Commission. This meeting was hosted by staff from the Office of International Programs. During the meeting, the NRC and Canadian staffs reviewed a recent activity in which NRC staff sought and obtained confirmation from the Canadian staff that a company in Canada held the proper permits to received thorium that was going to be exported from the U.S.

# Trilateral Meeting with Mexico and Canada

On February 5, 2002, NRC representatives met with counterparts from the Mexican Comision Nacional de Seguridad Nuclear y Salvaguardias (CNSNS) and Canadian Nuclear Safety Commission (CNSC). The meeting began with a welcome from Commissioner Merrifield. Topics addressed at the meeting included processes for notification of lost or stolen sources, institutional controls for radioactive materials, requirements of the Joint Convention on Spent Fuel and Radioactive Waste Management, and security-related matters at nuclear facilities.

After the close of the meeting, CNSNS and CNSC representatives participated in a demonstration of the General License Tracking System that is being developed.

# Combustion Engineering-Windsor, Connecticut Licensee and Regulators' Partnering Session

On February 4-5, 2002, staff of the Division of Waste Management and the Office of the General Counsel visited the Combustion Engineering (CE) site in Windsor, Connecticut. The purpose of the visit was to observe a facilitated project-partnering session between representatives of the licensee, the Department of Justice (DOJ); the Environmental Protection Agency (EPA); the Army Corps of Engineers (USACE); the Connecticut Department of Environmental Protection (CTDEP); and the Town of Windsor, Department of Health. The meeting agenda covered the CTDEP proposed State radiological dose standard; ongoing issues associated with the USACE's Formerly Utilized Remedial Action Program (FUSRAP) remediation of the site under the Comprehensive Environmental Response, Compensation, and Liability (CERCLA) Act; and the licensee's request to extend the NRC regulatory authority over the entire site, including the area currently covered under the FUSRAP.

NRC staff attended the meeting to gain a better understanding of the various stakeholder views about the CE proposal, since a decision has not been made on the CE request. CTDEP and the State Attorney General's office representative expressed strong views about maintaining the existing partnering arrangements with the licensee, USACE, and the Town of Windsor. The FUSRAP portion of the site currently is being evaluated under the CERCLA processes for site cleanup. The licensee indicated its preference to lead the site cleanup as Performing Party, and emphasized its financial commitment, technical strengths, and experienced management. DOJ is assisting the licensee and USACE in their attempts to resolve issues of liability and potential arrangements for CE to act as a Performing Party under CERCLA. EPA noted that it would answer questions that the State or public citizens may have regarding the CE proposal.

#### Staff Participation in Nuclear Waste Technical Review Board Meeting

On January 29-30, 2002, NRC and Center for Nuclear Waste Regulatory Analyses staff attended the winter meeting of the Nuclear Waste Technical Review Board, held in Pahrump, Nevada. Presentations were made on a variety of topics including: scientific updates of site investigations by Department of Energy (DOE) contractors; external reviews of DOE's suitability documents by NRC's Advisory Committee on Nuclear Waste, the U.S. Geological Survey, a contractor for Clark County, Nevada, and the international peer review jointly organized under the Nuclear Energy Agency of the Organization for Economic Co-operation and Development and the International Atomic Energy Agency; and regulatory considerations and developments presented by DOE contractors and NRC staff. Specifically, NRC staff presented overviews of 10 CFR Part 63 and the sufficiency comments provided to DOE. Office of Nuclear Regulatory Research Items of Interest Week Ending February 8, 2002

# Final Report: RES/OERAB/S02-01, "Fire Events – Update of Operating Experience, 1986–1999

The staff completed the Final Report: RES/OERAB/S02-01, "Fire Events – Update of Operating Experience, 1986–1999." The report, requested by NRR, provides an update of the fire and smoke events databases to assist the staff in analyses of fire frequencies for plant locations that contain safety-related systems or components. This information will be used by the NRC staff in risk-informed applications, such as the significance determination process (SDP) of fire protection issues, evaluation of fire barriers and 10 CFR 50 Appendix R exemption and deviation submittals, fire risk studies involving fire event data and fire frequencies, ASP analysis involving fire events, and trending of operating experience for input to agency trending activities.

#### Incident Response Operations Items of Interest Week Ending February 8, 2002

#### Preliminary Notifications

- 1. PNO-I-02-002, S.D. Richman Sons, Inc., UNAUTHORIZED DISPOSAL OF THICKNESS-DENSITY GAUGE.
- 2. PNO-II-02-004, H & H X-Ray Services, POTENTIAL OVEREXPOSURE TO RADIATION.
- 3. PNO-II-02-005, KCCS, Inc., STOLEN PORTABLE GAUGES.
- 4. PNO-II-02-006, S & ME, Inc., STOLEN PORTABLE GAUGE.
- 5. PNO-II-02-006A, S & ME, Inc., RECOVERED PORTABLE GAUGE.
- 6. PNO-IV-02-001B, Source Production and Equipment Company, HIGH RADIATION LEVELS DETECTED ON IMPORTED PACKAGE OF RADIOACTIVE MATERIAL UPDATE.
- 7. PNO-IV-02-006B, Owensby and Kritikos, UPDATE INDUSTRIAL ACCIDENT RESULTING IN DAMAGE TO A RADIOACTIVE SEALED SOURCE.
- 8. PNO-IV-02-007, Union Electric Company (Callaway), AUGMENTED INSPECTION TEAM TO EVALUATE A FAILURE OF AN AUXILIARY FEEDWATER PUMP AT THE CALLAWAY PLANT.
- 9. PNO-IV-02-007A, Union Electric Company (Callaway), UPDATE REGARDING AUGMENTED INSPECTION TEAM EVALUATION OF AUXILIARY FEEDWATER SYSTEM.
- 10. PNO-IV-02-008, Transalta Centralia Mining LLC, MECHANICAL FAILURE OF A RONAN MODEL SA-4 GAUGING DEVICE.

#### Office of Administration Items of Interest Week Ending February 8, 2002

# Acquisition Training

On February 7, 2002, the Division of Contracts and Property Management presented a mandatory Acquisition Certification and Training Program module entitled "Contract Administration" with 16 attendees. This all-day module focuses on monitoring contractor performance, spending controls, modifying contracts and agreements, and remedying contractual problems. Each participant receives a course manual that serves as a reference tool for project managers in performing their day-to-day responsibilities.

# Contract Award

On February 1, 2002, Contract No. NRC-03-02-029, entitled "Purchase of Potassium Iodide (KI) Tablets," was awarded to ANBEX Inc. The contract is fixed-price requirements, totals \$1,068,000, and is effective February 1, 2002, through January 31, 2004. This competitive procurement was completed in six weeks utilizing the following streamlining initiatives: less than three Source Evaluation Panel members; combined synopsis/solicitation; established a deadline for receipt of proposer's questions; limited the number of pages in the proposal; simplified evaluation criteria/past performance; and electronic transmittal of the Statement of Work, Competitive Range Report, and Final Evaluation Report.

List of Approved Spent Fuel Storage Casks: NUHOMS-24P, -52B, and 61BT Revision; Confirmation of Effective Date (Part 72)

A document confirming the effective date of February 12, 2002, for a direct final rule that revised the NUHOMS-24P, -52B, and 61BT cask system listing within the list of approved spent fuel storage casks was published in the Federal Register on February 8, 2002 (67 FR 5934).

#### Chief Information Officer Items of Interest Week Ending February 8, 2002

# <u>Freedom of Information and Privacy Act Requests received during the Period of</u> <u>February 1, 2002 through February 7, 2002</u>:

Nilex Corporation, OIG case file 01-26C. (FOIA/PA-2002-0116)

OIG records, reports for 1991 through 2001; log or list of IG investigations 1995 to present; & close-out summary for each investigation for 1998 through 2002. (FOIA/PA-2002-0117)

Meteorological data collected by the TMI power plant in accordance with NRC Guide 1.23. (FOIA/PA-2002-0118)

Site assessment, 2001-0215 Newbold Ave., Bronx, Bronx County, New York. (FOIA/PA-2002-0119)

Site assessment, 1621 Lexington Ave., New York, New York County, New York. (FOIA/PA-2002-0120)

Daily plant status reports, 1/1/2001 to present. (FOIA/PA-2002-0121)

OI report as identified. (FOIA/PA-2002-0122)

Security file on self and FOIA processing records of FOIA/PA-2002-0103. (FOIA/PA-2002-0123)

#### Office of Human Resources Items of Interest Week Ending February 8, 2002

# 2001 Combined Federal Campaign (CFC) Keyworker Appreciation Gala Attended

On February 7, 2002, Henry Rubin, CFC Agency Manager; Rey Picon-Colon, Office of Human Resources CFC keyworker; and Pamela Wong and Cornelia Burkhalter, Office of Nuclear Materials Safety and Safeguards CFC keyworkers; attended the 2001 CFC Keyworker Appreciation Gala held at the Marriott Wardman Park Hotel. The 2001 Campaign has raised a record \$49 million in contributions. The keynote speaker was the Honorable Anthony J. Principi, Secretary of Veteran Affairs, who was Chair of the 2001 Combined Federal Campaign.

| Arrivals         |                                     |           |  |
|------------------|-------------------------------------|-----------|--|
| BANERJEE, Sanjoy | CONSULTANT                          | ACRS/ACNW |  |
| BOBIAK, Jennifer | NUCLEAR SAFETY INTERN               | RI        |  |
| DIMORA, Shannine | SECRETARY (OA)                      | RI        |  |
| HELTON, Donald   | NUCLEAR SAFETY INTERN               | RES       |  |
| KEVERN, Thomas   | EMERGENCY RESPONSE COORDINATOR      | IRO       |  |
| O'HARA, Joseph   | OPERATIONS ENGINEER                 | RI        |  |
| Departures       |                                     |           |  |
| LOZA, Luz        | CRIMINAL HISTORY ASSISTANT          | ADM       |  |
| WARREN, Michael  | SENIOR SAFEGUARDS TECHNICAL ANALYST | NMSS      |  |

# Office of Public Affairs Items of Interest Week Ending February 8, 2002

# Media Interest

There was continuing media interest in the safety of the Indian Point nuclear plant and the adequacy of emergency planning.

Several states have applied for Potassium lodide pills being made available from the NRC via a new contract signed by the agency.

| Press Releases |   |  |
|----------------|---|--|
| Headquarters:  |   |  |
| 02-013         | NRC Announces Availability of FY 2003 Budget  |  |
| 02-014         | Atomic Safety & Licensing Board Grants Petitioners' Request for Hearing<br>on Catawba, McGuire License Renewal Applications |  |
| 02-015         | NRC Finds No Significant Environmental Impact from Extended Operation of Turkey Point Nuclear Plant                         |  |

#### Office of International Programs Items of Interest Week Ending February 8, 2002

# Visit of Ukrainian Delegation

Vadym Gryschenko, Chairman of the State Nuclear Regulatory Committee of Ukraine (SNRCU), and his delegation visited NRC January 28-February 1, 2002 to discuss nuclear safety assistance to SNRCU. The delegation met with Chairman Meserve and the Commissioners, the Executive Director for Operations, and involved members of the NRC staff. This was the eleventh such meeting between the agencies. It took place in the context of a strengthened Ukrainian regulatory agency and the withdrawal of the Ukrainian application for an international loan to complete two reactors. Mr. Gryschenko described his three main objectives this year as licensing operating reactors, establishing a risk-informed regulatory program, and upgrading SNRCU's inspection program for reactor construction.

#### Office of the Secretary Items of Interest Week Ending February 8, 2002

|      | Document Released<br>to Public | Date    | Subject   |  |
|------|--------------------------------|---------|---|--|
| Info | ormation Papers                |         |   |  |
| 1.   | SECY-02-0022                   | 1/31/02 | SECY-02-0022 Weekly Information Report -<br>Week Ending January 25, 2002  |  |
| 2.   | SECY-02-0026                   | 2/7/02  | SECY-02-0026 Weekly Information Report -<br>Week Ending February 1, 2002  |  |
| Me   | Memoranda                      |         |   |  |
| 1.   | M020206A                       | 2/6/02  | Staff Requirements-I. SECY-02-0018 -<br>Duke Energy Corp. (McGuire Nuclear<br>Station, Units 1 & 2; Catawba Nuclear<br>Station, Units 1 & 2), LBP-02-04<br>Memorandum and Order Ruling on Standing<br>and Contentions (Jan 24, 2002); II.<br>SECY-02-0016 - Duke Cogema Stone &<br>Webster (Savannah River Mixed Oxide Fuel<br>Fabrication Facility); Applicant's Petition for<br>Interlocutory Review; III. SECY-02-0017 -<br>Dominion Nuclear Connecticut, Inc.<br>(Millstone Nuclear Power Station, Unit<br>No. 3, Facility Operating License NPF-49);<br>IV. SECY-02-0007 - Private Fuel Storage<br>(Independent Spent Fuel Storage<br>Installation) Docket No. 72-22; Review of<br>LBP-01-37 |  |

#### Commission Correspondence

- 1. Letter to Mitchell E. Daniels, Jr., OMB, and David M. Walker, GAO, dated February 1, 2002, provides a summary of actions taken by the NRC in response to recommendations contained in various General Accounting Office reports that address NRC activities.
- 2. Letter to David M. Walker, GAO, dated February 1, 2002, provides NRC views on the GAO's agency protocols.
- 3. Letter to Dr. Graham B. Wallis dated January 31, 2002, offers a reappointment to a fouryear term on the ACRS.
- 4. Letter to Congress dated January 31, 2002, provides NRC's Annual Report of the administration of the Government in the Sunshine Act for Calendar Year 2001.

February 8, 2002

- 5. Letter to Senator Barbara Mikulski dated January 29, 2002, concerns the proposed reactivation of the Cove Point liquified natural gas terminal and its proximity to the Calvert Cliffs Nuclear Power Plant.
- 6. Letter to Robert Annese, et al., Emergency Management Agency of Bath, Maine, dated January 28, 2002, concerns the safety and security of the Maine Yankee Atomic Power Station in Wiscasset, Maine.
- 7. Letter to Congressman John D. Dingell dated January 28, 2002, responds to request for a legal memorandum describing the NRC's authority over the movement of nuclear materials as it has evolved from the enactment of the Atomic Energy Act of 1954 to the present.

# Federal Register Notices Issued

1. Meeting of the ACRS Subcommittee on Reactor Fuels; Postponed.

#### Region I Items of Interest Week Ending February 8, 2002

#### Beaver Valley

The First Energy Nuclear Operating Company (FENOC) and International Brotherhood of Electrical Workers (IBEW) labor contract has been approved, thereby resolving a lengthy negotiation process that had continued several months beyond the previous contract's expiration date.

FENOC's contract with the IBEW (operations, maintenance, and health physics) had expired September 30, 2001. NRC Region I inspectors had reviewed licensee strike contingency plans, with particular emphasis on staffing plans and emergency preparedness provisions. NRC had found the licensee's strike planning to be acceptable. NRC management and the resident inspectors had maintained periodic contact with plant management and union representatives. The new contract is effective through September 30, 2005.

#### Maine Yankee Representatives Meet in Region I Office on ISFSI Security

On February 7, 2002, representatives from Maine Yankee Atomic Power Company (Maine Yankee) met with Region I staff to discuss safety issues at Maine Yankee's Independent Spent Fuel Storage Installation (ISFSI) at its decommissioned reactor facility. The Maine State Nuclear Safety Advisor and staff from NRR and NMSS participated via telephone on non-Safeguards issues. The Maine Yankee representatives discussed, in general terms, the design features of the ISFSI and the dry cask storage system and their relationship to security of the spent fuel that will be stored at the facility later in 2002.

#### Region II Items of Interest Week Ending February 8, 2002

#### Florida Power and Light Company - Turkey Point Nuclear Plant

On February 5, 2002, the Regional Administrator visited the Turkey Point Nuclear Plant in Florida City, Florida to tour the plant and met with licensee management and the NRC resident inspectors.

#### Southeast/Northeast Plant Managers' Conference

On February 5-6, 2002, the Regional Administrator made a presentation at the Southeast/Northeast Plant Managers' Conference in Miami, Florida.

#### Coaching and Counseling Techniques Training Course

On February 6-7, 2002, the Coaching and Counseling Techniques Training Course was held in the Region II office. The training was presented by Resolution Dynamics, Inc.

#### Duke Energy Corporation - Management Meeting in Region II office

On February 8, 2002, representatives from Duke Energy Corporation attended a management meeting in the Region II office. The purpose of the meeting was to discuss corrective actions which have been developed with respect to tornado mitigation strategies at the Oconee Nuclear Station.

#### Virginia Electric Power Company - North Anna/Surry License Renewal Exit Meeting

On February 8, the Director, Division of Reactor Projects was in Richmond, VA, to attend the license renewal exit and to visit the North Anna nuclear plant.

#### I. González Martínez Oncologic Hospital

On February 6, the Acting Deputy Regional Administrator and other regional staff conducted an Enforcement Conference at the licensee's facility to discuss circumstances surrounding the loss of control of brachytherapy sources. The licensee discussed the event and corrective actions.

#### Rotational Assignment to Region II

A participant from Human Resources, in the Leadership Potential Program is on a rotational assignment as Assistant to the Director, Division of Resource Management and Administration for the period of three months beginning February 5, 2002.

#### Region IV Items of Interest Week Ending February 8, 2002

#### Nebraska Public Power District

Region IV management and staff conducted a Regulatory Performance Meeting with licensee representatives on February 7, 2002, in the vicinity of the Cooper Nuclear Station. The purpose of the meeting was to discuss performance issues, underlying causes, and corrective actions for the degraded emergency preparedness cornerstone resulting from two White inspection findings.

#### Predecisional Enforcement Conference with Quality Testing & Inspection

The Director, Division of Nuclear Materials Safety Division, and members of the Region IV staff held a closed Predecisional Enforcement Conference on February 7, 2002, with the President of Quality Testing & Inspection to discuss an apparent violation of NRC requirements. Specifically, the apparent violation involved a failure to comply with the "two-man" rule (10 CFR 34.41(a)) while conducting radiographic operations in NRC jurisdiction as outlined in NRC Inspection Report 150-00043/01-001. The conference was closed because it was based on the results of an Office of Investigations report that had not been made public.