

February 23, 2000

The Honorable James M. Inhofe, Chairman
Subcommittee on Clean Air, Wetlands,
Private Property and Nuclear Safety
Committee on Environment and Public Works
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

The Fiscal Year 2000 Energy and Water Development Appropriations Act, Senate Report 106-58 and House Report 106-253, directed the Nuclear Regulatory Commission (NRC) to continue to provide a monthly report on the status of its licensing and regulatory duties. The initial reporting requirement arose in the Fiscal Year 1999 Energy and Water Development Appropriations Act, Senate Report 105-206. As further directed in House Report 106-253, we have expanded the monthly report to include regulatory reform efforts affecting power reactor operations beyond 10 CFR Part 50, particularly NRC efforts to harmonize NRC security regulations with Part 50. Also, beginning with this report, we have expanded the monthly report to include the status of all license renewal applications that are under active review and other NRC initiatives in developing implementation guidance for the license renewal rule. I am pleased to transmit the fourteenth report, which covers the month of January (Enclosure 1).

The December report provided information on a number of significant NRC activities. NRC continued to concentrate on preparations for the Year 2000 transition. NRC inspectors completed on-site reviews of selected nuclear power plants undergoing decommissioning and found no problems with their Year 2000 transition program activities. During the actual transition period, NRC provided staff for key positions in the President's Council's Information Coordination Center, as well as staffing the NRC Incident Response Center at the Headquarters location, each of the four Regional Offices, and assigning inspectors to be present in all 103 operating reactor control rooms. NRC and its licensees successfully made the transition into the Year 2000.

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Please do not hesitate to contact me if I may provide additional information.

Sincerely,

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Richard A. Meserve

Enclosures:

1. January Monthly Report
2. Tasking Memorandum

cc: Senator Bob Graham

February 23, 2000

The Honorable Joe Barton, Chairman
Subcommittee on Energy and Power
Committee on Commerce
United States House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

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Richard A. Meserve

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2. Tasking Memorandum

cc: Representative Rick Boucher

February 23, 2000

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Subcommittee on Energy and Water Development
Committee on Appropriations
United States House of Representatives
Washington, D.C. 20515

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Richard A. Meserve

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2. Tasking Memorandum

cc: Representative Peter J. Visclosky

February 23, 2000

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Subcommittee on Energy and Water Development
Committee on Appropriations
United States Senate
Washington, D.C. 20510

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Richard A. Meserve

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2. Tasking Memorandum

cc: Senator Harry Reid

February 23, 2000

The Honorable Tom Bliley, Chairman
Committee on Commerce
United States House of Representatives
Washington, D.C. 20515

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cc: Representative John D. Dingell

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The Honorable Robert C. Smith, Chairman
Committee on Environment and Public Works
United States Senate
Washington, D.C. 20510

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- ! Conducted roundtable public meetings in the vicinity of both the Prairie Island (Minnesota) and FitzPatrick (New York) power plants. At these local meetings, NRC staff discussed the new risk-informed revised reactor oversight process with members of the public and state and local officials. These were the last of the roundtable meetings NRC has held in the vicinity of the nine pilot plant sites.
- ! Completed performance reviews of all pilot plants participating in the revised reactor oversight process. Based on the reviews, NRC issued inspection plan letters to each pilot licensee informing them of NRC's future inspection activities for the next six months.
- ! Conducted an internal lessons-learned workshop following the completion of the revised reactor oversight process pilot program at the end of November 1999. During this workshop NRC staff identified pilot program issues, and discussed their impact on readiness for initial implementation in April 2000 and key NRC performance goals. On January 10 -13, 2000, NRC conducted a well-attended revised reactor oversight process pilot program lessons-learned public workshop with members of industry and the public.
- ! Conducted a Commission meeting with NRC staff, the licensee for the D.C. Cook nuclear power station, and other stakeholders to discuss the status of D.C. Cook's preparations to restart the two units located at the facility. On February 2, 2000, NRC closed out the confirmatory action letter, permitting restart of the D.C. Cook units following appropriate NRC reviews and inspections.

- ! Approved a proposed rule that adds the Nuclear Assurance Corporation's Universal Multipurpose System-Universal Storage System to the list of approved spent fuel storage casks. This amendment would allow the holders of power reactor operating licenses to store spent fuel in the approved casks under a general license.
- ! Published a Federal Register notice seeking public comment on restructuring the allegation program under the agency's revised reactor oversight process. At the conclusion of the public comment period, the NRC will conduct a public meeting to discuss stakeholder comments and options for revising the allegation program.
- ! Issued a performance review report which indicates a continued need for increased NRC oversight of the regulatory safety performance at the Nuclear Fuel Services, Incorporated, fuel processing facility at Erwin, Tennessee.
- ! Issued for public comment a draft Standard Review Plan (SRP) for the review of a possible future application for a mixed oxide (MOX) fuel fabrication facility. The draft SRP defines standards and criteria that the NRC staff would use in reviewing an application to decide if there is reasonable assurance that a MOX fuel fabrication facility will be constructed and operated in a manner that will provide reasonable protection of the health and safety of workers and the public and the environment and that will not be inimical to the common defense and security.

I have enclosed (Enclosure 2) the January update to the Tasking Memorandum which delineates the specific initiatives completed by the agency since August 1998 and future milestones.

Please do not hesitate to contact me if I may provide additional information.

Sincerely,

/RA/

Richard A. Meserve

Enclosures:

1. January Monthly Report
2. Tasking Memorandum

cc: Senator Max Baucus

February 23, 2000

The Honorable Pete V. Domenici
United States Senate
Washington, D.C. 20510

Dear Senator Domenici:

The Fiscal Year 2000 Energy and Water Development Appropriations Act, Senate Report 106-58 and House Report 106-253, directed the Nuclear Regulatory Commission (NRC) to continue to provide a monthly report on the status of its licensing and regulatory duties. The initial reporting requirement arose in the Fiscal Year 1999 Energy and Water Development Appropriations Act, Senate Report 105-206. As further directed in House Report 106-253, we have expanded the monthly report to include regulatory reform efforts affecting power reactor operations beyond 10 CFR Part 50, particularly NRC efforts to harmonize NRC security regulations with Part 50. Also, beginning with this report, we have expanded the monthly report to include the status of all license renewal applications that are under active review and other NRC initiatives in developing implementation guidance for the license renewal rule. I am pleased to transmit the fourteenth report, which covers the month of January (Enclosure 1).

The December report provided information on a number of significant NRC activities. NRC continued to concentrate on preparations for the Year 2000 transition. NRC inspectors completed on-site reviews of selected nuclear power plants undergoing decommissioning and found no problems with their Year 2000 transition program activities. During the actual transition period, NRC provided staff for key positions in the President's Council's Information Coordination Center, as well as staffing the NRC Incident Response Center at the Headquarters location, each of the four Regional Offices, and assigning inspectors to be present in all 103 operating reactor control rooms. NRC and its licensees successfully made the transition into the Year 2000.

Late in December, NRC issued an order transferring the source material license from Atlas Corporation to the Moab Mill Reclamation Trust, pursuant to the settlement agreement approved by the U.S. Bankruptcy Court. The order transfers the license to the Trust and authorizes the Trust to perform reclamation of the uranium mill tailings site.

In January, the Commission approved the staff's recommendation to modify the resident inspector staffing policy. This modification will be in effect until NRC completes a comprehensive review of inspector resources associated with the revised reactor oversight process. As a result of the Commission's decision, a minimum of two resident inspectors will

be stationed at dual unit sites and three resident inspectors at triple unit sites. No change was made to the staffing at single unit sites, which remained constant at two inspectors. This staffing policy is intended to add flexibility to the assignment of inspection resources and represents a greater focus on safety by enhancing NRC's ability to allocate inspection resources on the basis of licensee performance. The policy change will not result in a direct reduction of the overall inspection resources or the Agency's ability to complete planned inspection program requirements.

Also during January, the Commission approved the staff's plan to risk-inform the scope of 10 CFR Part 50 regulations for the reactor program. The Commission believes that this effort will enhance public safety by allowing licensees and NRC to focus resources on the most significant safety issues. We intend to solicit stakeholder discussion throughout the rulemaking process.

Since our December report, the Commission and the NRC staff also:

- ! Forwarded for Commission approval the staff's review of the Calvert Cliffs license renewal application and recommendation regarding renewal of the operating licenses for Units 1 and 2 for an additional twenty years. In addition, as of January 21, the staff's environmental review for the license renewal application for Oconee Nuclear Power Plant Units 1, 2, and 3 is complete.
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- ! Completed performance reviews of all pilot plants participating in the revised reactor oversight process. Based on the reviews, NRC issued inspection plan letters to each pilot licensee informing them of NRC's future inspection activities for the next six months.
- ! Conducted an internal lessons-learned workshop following the completion of the revised reactor oversight process pilot program at the end of November 1999. During this workshop NRC staff identified pilot program issues, and discussed their impact on readiness for initial implementation in April 2000 and key NRC performance goals. On January 10 -13, 2000, NRC conducted a well-attended revised reactor oversight process pilot program lessons-learned public workshop with members of industry and the public.
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I have enclosed (Enclosure 2) the January update to the Tasking Memorandum which delineates the specific initiatives completed by the agency since August 1998 and future milestones.

Please do not hesitate to contact me if I may provide additional information.

Sincerely,

/RA/

Richard A. Meserve

Enclosures:

1. January Monthly Report
2. Tasking Memorandum

MONTHLY STATUS REPORT ON THE
LICENSING ACTIVITIES AND REGULATORY DUTIES OF THE
UNITED STATES NUCLEAR REGULATORY COMMISSION

January 2000

Enclosure 1

TABLE OF CONTENTS

	<u>Page</u>
I. Implementing Risk-Informed Regulations	1
II. Revised Reactor Oversight Process	1
III. Status of Issues in the Reactor Generic Issue Program	3
IV. Licensing Actions and Other Licensing Tasks	3
V. Status of Calvert Cliffs License Renewal Application	9
VI. Status of Review of Private Fuel Storage, Limited Liability Corporation's Application for a License to Operate an Independent Spent Fuel Storage Installation	10
VII. Summary of Reactor Enforcement by Region	11
VIII. Power Reactor Security Regulations	13

III. Implementing Risk-Informed Regulations

The staff continues to make progress on tasks in five general areas: Rulemaking and Generic Communications; Licensing Activities; Reactor Oversight (Inspection, Enforcement and Licensee Performance Assessment); Events Assessment; and Probabilistic Risk Analysis (PRA) Methods and Standards as described below:

Accident Management Implementation

The staff issued generic accident management strategies in 1990 for utility consideration in the Individual Plant Examination process. The staff continued to work with the industry to define the scope and content of utility accident management programs. These efforts culminated in industry-developed severe accident management guideline documents and training materials for utility implementation. Industry endorsed the NRC goals and objectives, and committed to implement an accident management program at each nuclear power plant by the end of 1998 as a voluntary industry initiative. Key elements of accident management programs include implementation of plant-specific severe accident management guidelines, incorporation of severe accident information into licensee training programs, and the conduct of periodic accident management drills. NRC staff participated in industry-organized accident management demonstration visits at four sites in 1997-1998 to better understand licensee implementation efforts. Industry implementation has now been completed.

Risk Informing Part 50

The Commission recently approved the staff's plan to risk-inform the scope of 10 CFR Part 50 regulations for the reactor program. The staff will shortly issue an Advance Notice of Proposed Rulemaking that seeks public comment on the direction, scope, and the effects of risk-informing the reactor regulatory program. The Commission believes that this effort will enhance public safety by allowing licensees and the NRC to focus resources on the most significant safety issues. By focusing on the most risk significant safety issues, this rulemaking will inherently provide a voluntary means to reduce unnecessary regulatory burdens and to improve efficiency and effectiveness. An alternative regulatory infrastructure will permit licensees to reduce special treatment requirements for those structures, systems, and components that do not contribute appreciably to safety and to ensure that matters identified as having more substantial impact on risk are given due attention. The Commission intends to solicit stakeholder input, interactions, and discussion throughout the rulemaking process.

II. Revised Reactor Oversight Process

The staff has continued to meet on approximately a biweekly basis with the Nuclear Energy Institute (NEI) and other stakeholders to refine the proposed changes to its oversight processes. Recent activities include the following:

- ! As part of its ongoing external communications with external stakeholders regarding the revised reactor oversight process, NRC conducted roundtable public meetings in the vicinity of both the Prairie Island (Minnesota) and FitzPatrick (New York) power plants on January 5, 2000 and January 6, 2000, respectively. At these local meetings, NRC staff discussed the new risk informed revised reactor oversight process with members of the public and state and local officials, and obtained their feedback on the process and the recently concluded pilot program. The meetings were well attended and focused on the public's perception of the revised reactor oversight process. These were the last of the roundtable meetings NRC has held in the vicinity of the nine pilot plant sites.

- ! NRC staff completed mid-cycle performance reviews of all pilot plants participating in the revised reactor oversight process. During these reviews, NRC utilized performance indicators in conjunction with inspection findings to integrate performance information and to plan for inspection activities at all pilot facilities. Based on the reviews, the NRC issued inspection plan letters to each pilot licensee informing them of the NRC's future inspection activities for the next six months.
- ! Following the completion of the revised reactor oversight process pilot program at the end of November 1999, the Inspection Program Branch of the Office of Nuclear Reactor Regulation (NRR) has reviewed results of the program for lessons learned. On January 4-5, 2000, headquarters and regional representatives conducted an Internal Lessons Learned Workshop. During this workshop the NRC staff identified pilot program issues, and discussed their impact on readiness for initial implementation in April 2000 and key NRC performance goals.

NRC staff will continue with implementation of the revised reactor oversight process at the nine pilot plants through planned initial implementation at all operating sites in April 2000. The staff plans to issue a Commission paper and brief the Commission on the results of the pilot program and staff recommendation for initial implementation of the revised reactor oversight process in February 2000.

- ! On January 10 -13, 2000, NRC conducted a Revised Reactor Oversight Process Pilot Program Lessons Learned Public Workshop in Washington, DC. The workshop was well attended by representatives from NRC, NEI, industry, public interest groups, federal and state agencies, and the public. During this workshop, participants discussed pilot program lessons learned. The workshop consisted of sessions addressing performance indicators, baseline inspection program, significance determination process, enforcement and assessment, problem identification and resolution, and communications. Issues were discussed in detail during these sessions, including their impact on implementation, priorities for implementation, and recommendations for resolution. The staff is taking actions to resolve issues that have been identified as requiring resolution before initial implementation.
- ! The Commission has approved a policy change that would establish a staffing level of two resident inspectors at dual reactor unit sites and three resident inspectors at triple unit sites. The previous policy of staffing single unit sites with two resident inspectors remains unchanged. The policy changes onsite staffing criterion for multi-unit sites that was first put in place in 1988.

The 1988 policy required one more resident inspector (N+1) at a site than the number of units (N) at that site. At the time, the N+1 policy placed agency inspection resources where they were needed to address operational events that occurred at nuclear power plants. During the past decade, the nuclear industry safety performance has steadily improved. These improvements are among the factors which prompted the Agency to commence its current efforts to revise the oversight process. With the revised policy, Regional Administrators, in consultation with NRR, will retain the flexibility to adjust the number of resident inspectors assigned to a site upward if the circumstances warrant such an adjustment. The change in the N+1 policy will not result in a direct reduction of the overall inspection resources and will not impact the Agency's ability to complete planned inspection program requirements.

III. Status of Issues in the Reactor Generic Issue Program

Changes in the status or resolution dates for Generic Safety Issues since the December 1999 report and the reasons for the changes are described below:

GSI Number: 190
TITLE: Fatigue Evaluation of Metal Components for 60-Year Plant Life
STATUS: This issue is closed and will no longer be tracked as a generic issue. No additional regulatory requirements were found to be necessary. This conclusion was based on probabilistic analyses performed by the staff that showed low core damage frequencies resulting from fatigue failure of metal components. However, the nature of age-related degradation indicates the potential for an increase in the frequency of pipe leaks as plants continue to operate. Therefore, consistent with 10 CFR 54.21, "Requirements for Renewal of Operating Licenses for Nuclear Power Plants: Contents of Application - Technical Information," licensees will have to address the effects of the reactor coolant system environment on component fatigue life, as aging management programs are formulated in support of license renewal.

GSI Number: B-55
TITLE: Improve Reliability of Target Rock Safety Relief Valves
STATUS: This issue is closed and will no longer be tracked as a generic issue. No additional regulatory requirements were found to be necessary. This conclusion was based on the staff finding that licensees had significantly improved the performance of Target Rock safety relief valves, and continue to evaluate and improve their performance. Licensee compliance with existing regulations, such as 10 CFR 50 Appendix B, "Quality Assurance Criteria for Nuclear Power Plants and Fuel Reprocessing Plants" and 10 CFR 50.65, "Requirements for Monitoring the Effectiveness of Maintenance at Nuclear Power Plants," are sufficient for the staff to pursue additional improvements on a plant-specific basis, if needed.

IV. Licensing Actions and Other Licensing Tasks

Licensing actions include NRC review of licensee requests for: license amendments, exemptions from regulations, relief from inspection or surveillance requirements, topical reports submitted on a plant-specific basis, notices of enforcement discretion, or other licensee requests requiring NRC review and approval before they can be implemented by the licensee. The FY 2000 NRC Performance Plan incorporates three output measures related to licensing actions. These are: size of the licensing action inventory, number of licensing action completions per year, and age of the licensing action inventory.

Other licensing tasks may be defined as: NRC review of licensee responses to NRC requests for information through generic letters or bulletins, NRC responses to 2.206 petitions, NRC review of licensee topical reports, NRR responses to regional requests for assistance, and NRC review of licensee 10 CFR 50.59 analyses and FSAR updates. The FY 2000 NRC Performance Plan incorporates one output measure related to other licensing tasks. This is the number of other licensing tasks completed.

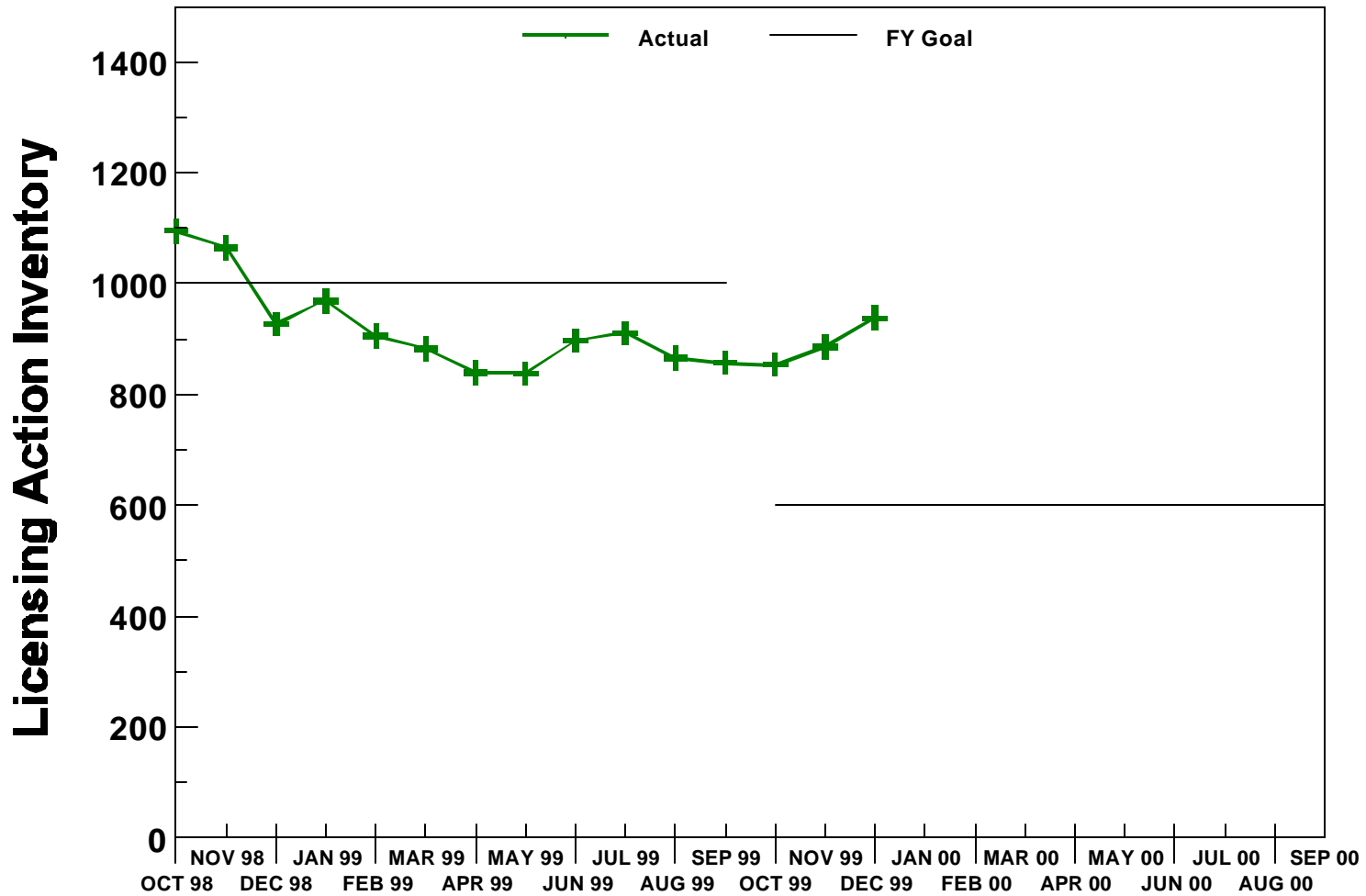
The actual FY 1998 and FY 1999 results, the FY 2000 goals and the actual FY 2000 results, through the end of December 1999, for the four NRC Performance Plan output measures for licensing actions and other licensing tasks are shown in the table below.

PERFORMANCE PLAN				
Output Measure	FY 1998 Actual	FY 1999 Actual	FY 2000 Goals	FY 2000 Actual (thru 12/31/99)
Licensing actions completed/year	1425	1727	1500	326
Size of licensing actions inventory	1113	857	600	938
Age of licensing action inventory	65.6% # 1 year; 86.0% # 2 years; and 95.4% # 3 years old	86.2%# 1 year; 100% # 2 years; and 100% # 3 years old	95% # 1 year and 100% # 2 years old	85.1% # 1 year; 99.1% # 2 years; and 0.9% > 2 years old
Other licensing tasks completed/year	1006	939	800	430

The following charts demonstrate NRC's progress in meeting the four licensing action and other licensing task output measure goals. The staff is currently assessing these data to assure goals for FY 2000 will be met.

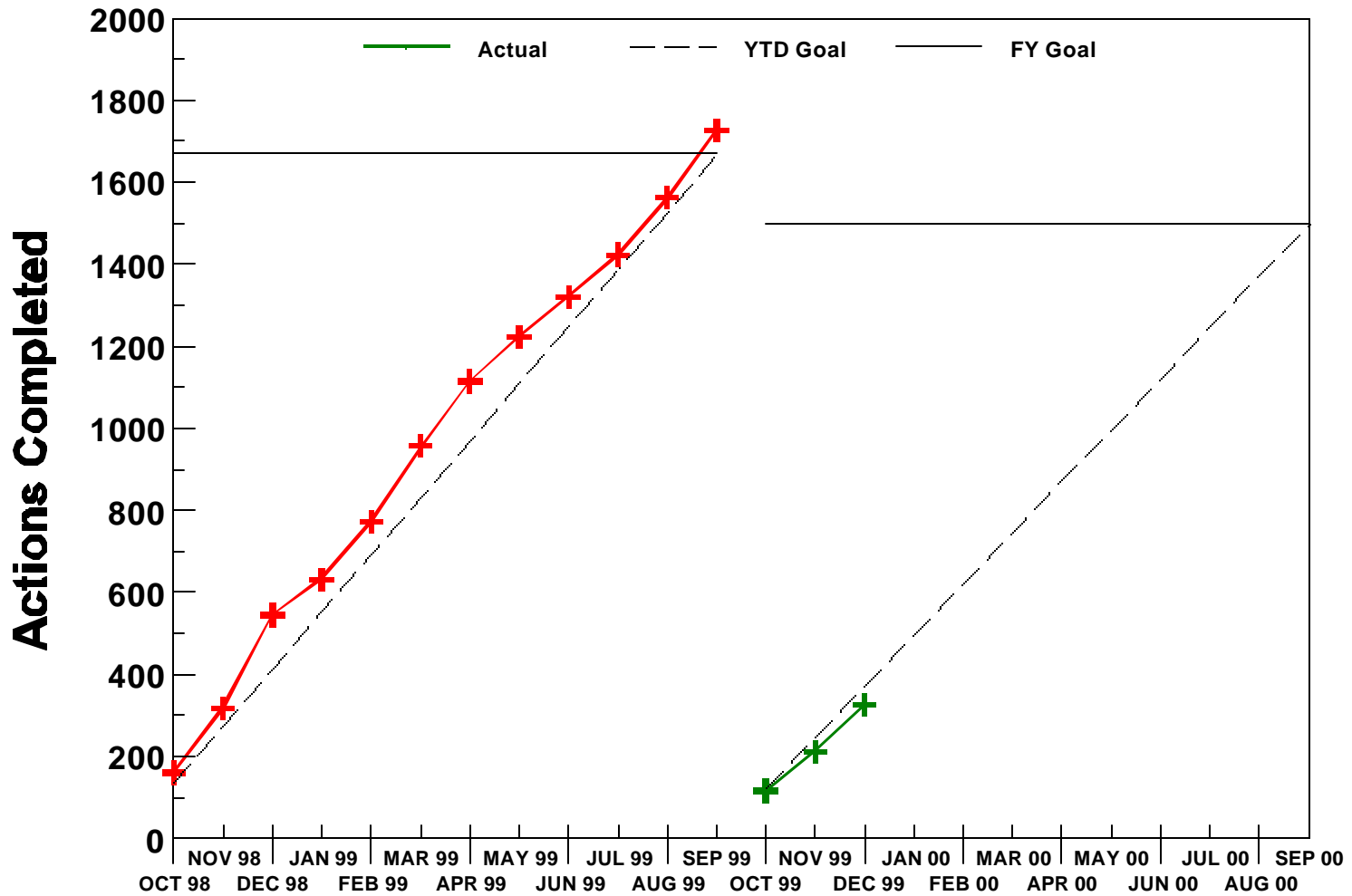
Nuclear Reactor Safety - Reactor Licensing

Performance Plan Target: Licensing Action Inventory



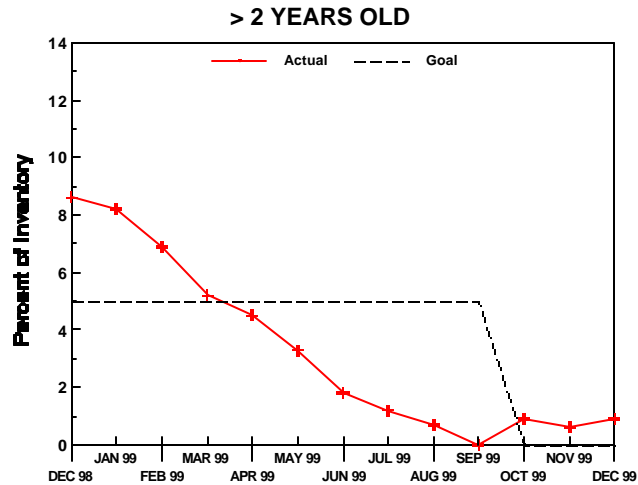
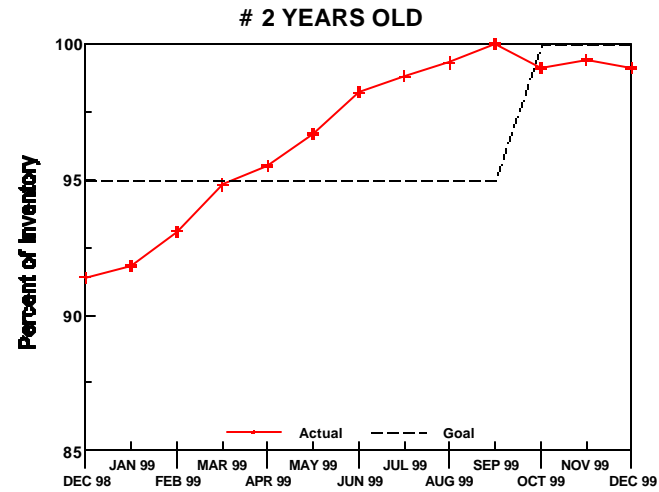
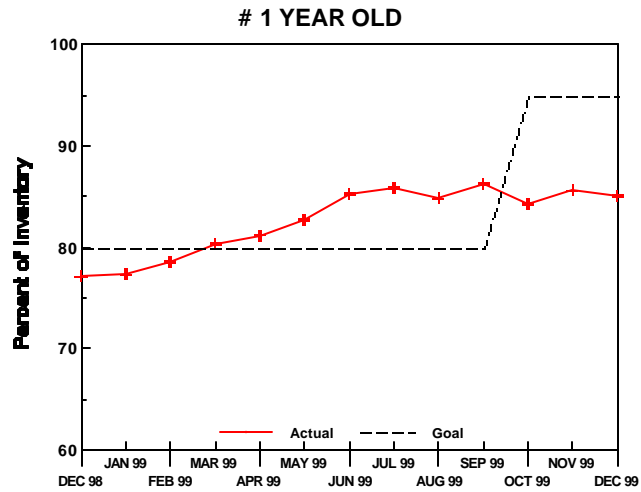
Nuclear Reactor Safety - Reactor Licensing

Performance Plan Target: Completed Licensing Actions



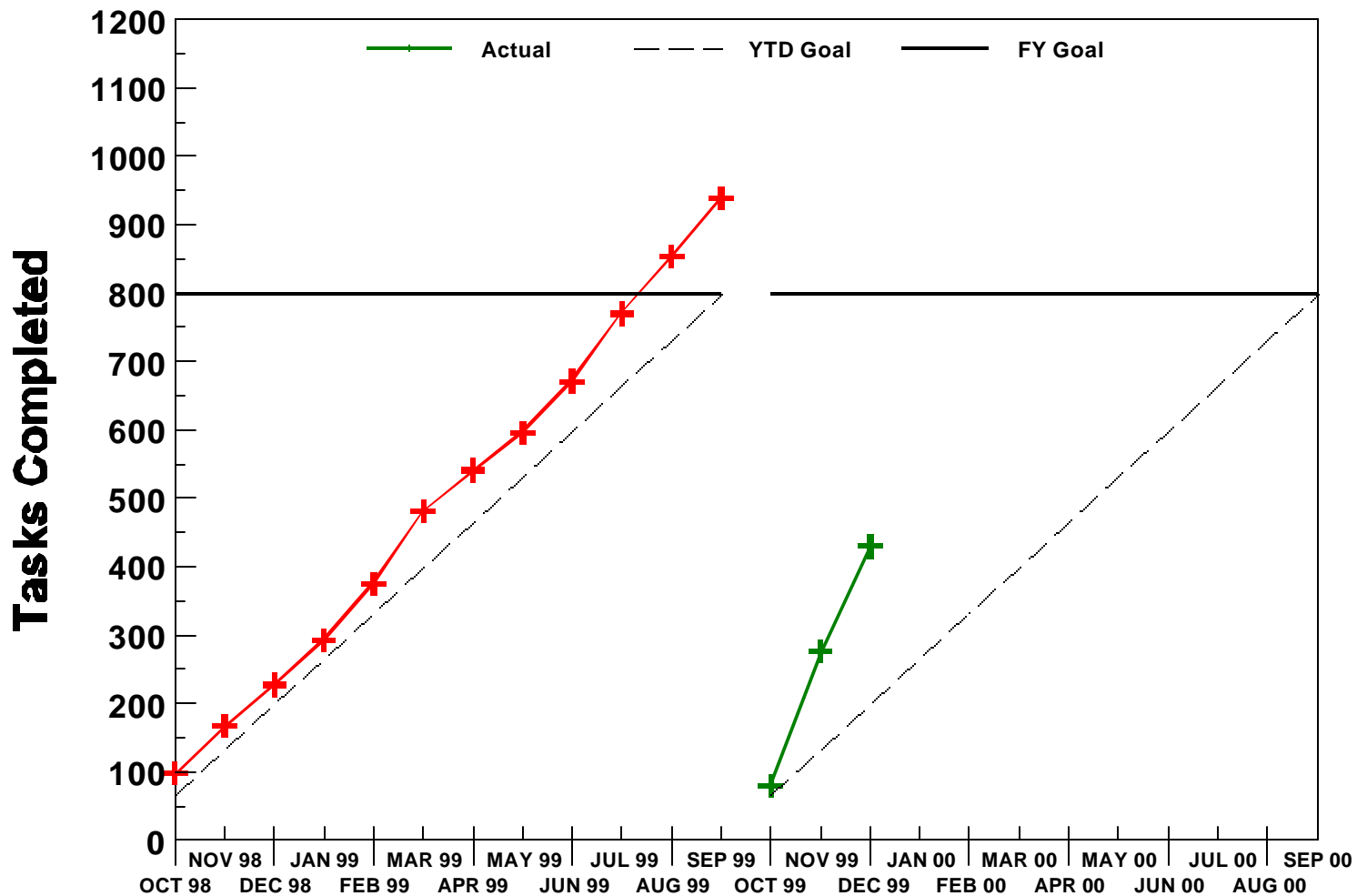
Nuclear Reactor Safety - Reactor Licensing

Performance Plan Target: Age of Licensing Action Inventory



Nuclear Reactor Safety - Reactor Licensing

Performance Plan Target: Completed Other Licensing Tasks



V. Status of License Renewal Activities

Calvert Cliffs License Renewal Application

All activities associated with the review of the Calvert Cliffs license renewal application are on schedule. The staff's recommendation regarding issuance of the license was provided to the Commission. A Commission decision on the issuance of the renewed licenses is expected in March or April.

On November 12, 1999, the United States Court of Appeals for the District of Columbia Circuit issued an order remanding the Calvert Cliffs proceeding to the Commission for further action. However, on November 23, 1999, the court vacated its earlier judgement. In an order dated December 7, 1999, the court scheduled oral arguments to be heard on January 26, 2000. The oral arguments were subsequently rescheduled for March 2, 2000. The Commission has scheduled a briefing by the NRC staff on March 3, 2000, to discuss the staff's review of the license application. The Commission expects to act on the matter later in March.

Oconee License Renewal Application

All activities associated with the review of the Oconee license renewal application are on schedule. The NRC staff is reviewing Duke Energy's responses to the open and confirmatory items identified in the safety evaluation report (SER) issued on June 16, 1999, and is scheduled to reissue the SER in February 2000 documenting closure of the open items. A Commission decision on issuance of the renewed license is scheduled for July 2000.

The NRC staff issued the final supplemental environmental impact statement to the Environmental Protection Agency on December 9, 1999. Since no concerns were raised by a Federal agency by January 21, 2000, the environmental review is considered complete.

Arkansas Nuclear One, Unit 1 License Renewal Application

On January 31, 2000, Entergy Operations, Inc., the licensee for Arkansas Nuclear One, Unit 1, filed its license renewal application. The current license for ANO-1, a 836-MW pressurized water reactor unit designed by Babcox and Wilcox (similar in design to the three Oconee units), expires in 2014. The renewal, if approved, would extend licensed operation to 2034.

License Renewal Implementation Guidance Development

NRC staff is currently developing implementation guidance for the license renewal rule with input from interested stakeholders. The staff held a public workshop on December 6, 1999, to gather input on the NRC's plans to develop guidelines on crediting existing programs for license renewal. Input received at the workshop is being considered in the staff's development of a report on Generic Aging Lessons Learned (GALL) which generically will document the basis for determining when existing programs are adequate and when existing programs should be augmented for license renewal. The GALL report would then be referenced in an update of the draft standard review plan for license renewal as the basis for identifying those programs that warrant particular attention during the staff's review of a license renewal application. A draft of the GALL report was made available to the public to support the workshop.

The staff is also revising the draft license renewal regulatory guide which provides guidance on the standard format and content of a license renewal application. Experience gained from the review of the Calvert Cliffs and Oconee renewal applications is being incorporated into the revision of both the regulatory guide and the standard review plan. The revised standard review plan and regulatory guide are scheduled to be reissued in draft in August 2000 to obtain public comments.

VI. Status of Review of Private Fuel Storage, Limited Liability Corporation's Application for a License to Operate an Independent Spent Fuel Storage Installation on the Reservation of the Skull Valley Band of Goshute Indians

During this reporting period, the Spent Fuel Project Office released the site-related SER for the Private Fuel Storage Facility. This SER addresses only those matters related to the site; it does not include the evaluation of the cask-specific or cask-dependent aspects of the Facility. Cask-specific and cask-dependent aspects of the facility will be addressed in a SER which is scheduled for completion in September of 2000.

The Spent Fuel Project Office staff continued work on the Draft Environmental Impact Statement for the Private Fuel Storage Facility. The staff completed and signed a memorandum of understanding with the Department of Transportation's Surface Transportation Board. This memorandum made the Surface Transportation Board the third Federal agency cooperating with NRC in the development of this Environmental Impact Statement. The other cooperating Federal agencies are both part of the Department of Interior -- the Bureau of Indian Affairs and the Bureau of Land Management.

On January 11-14, 2000, the four agencies met to review a preliminary version of the Draft Environmental Impact Statement. During the meeting, the three cooperating agencies requested that the staff revise the schedule for the Draft Environmental Impact Statement to provide additional time to review the document prior to making it publically available to accommodate each agency's internal review. As a result of the cooperating agencies' request, and the need to incorporate those agencies' comments in the draft document, the schedule for the Draft Environmental Impact Statement has been revised. The staff's current projection is a two-month extension in issuing the Draft Environmental Impact Statement from March 2000 to May 2000. The date for publication of the Final Environmental Impact Statement remains unchanged at February 2001.

Litigation in the adjudicatory proceeding on the Private Fuel Storage, Limited Liability Corporation application continued during this reporting period. Hearings on the physical protection plan are scheduled for March 14-15, 2000. Hearings on safety issues will commence in June 2000, and hearings on environmental issues will be held in the year 2001.

VII. Enforcement Process and Summary of Reactor Enforcement by Region

Reactor Enforcement by Region

		Reactor Enforcement Actions*				
		Region I	Region II	Region III	Region IV	TOTAL
Severity Level I	Dec.99	0	0	0	0	0
	FY 2000 YTD	0	0	0	0	0
	FY 99 Total	0	0	0	0	0
	FY 98 Total	0	0	0	0	0
Severity Level II	Dec.99	0	0	0	0	0
	FY 2000 YTD	0	1	0	0	1
	FY 99 Total	5	0	2	0	7
	FY 98 Total	3	1	1	1	6
Severity Level III	Dec.99	0	0	1	1	2
	FY 2000 YTD	1	0	2	2	5
	FY 99 Total	9	2	7	8	26
	FY 98 Total	46	11	15	19	91
Severity Level IV	Dec.99	0	0	0	1	1
	FY 2000 YTD	0	1	0	1	2
	FY 99 Total	52	42	57	60	211
	FY 98 Total	383	271	392	261	1307
Non-Cited Severity Level IV	Dec.99	47	26	26	18	117
	FY 2000 YTD	102	53	100	86	341
	FY 99 Total	343	267	334	305	1249
	FY 98 Total	372	240	307	214	1133

*Numbers of violations are based on enforcement action tracking (EATS) system data that may be subject to minor changes following verification. The number of Severity Level I, II, III listed refers to the number of Severity Level I, II, III violations or problems. The monthly totals generally lag by 30 days due to inspection report and enforcement development.

Description of Significant Actions (Severity Level I, II, III) taken in December 1999

The Detroit Edison Company, Fermi 2 Supplement III (EA 99-263)

A Notice of Violation was issued for a Severity Level III violation on December 15, 1999. The violation involved the undetected introduction of a loaded weapon into the protected area of the Fermi 2 nuclear power plant. On September 21 and 22, 1999, security personnel did not search an accessible portion of the cargo area of a truck entering the protected area at the Fermi 2 facility. As a result of the failure to search all accessible areas of the truck, a loaded handgun was brought into the protected area of the facility on September 22, 1999. The failure to search the same area of the same vehicle on two consecutive days represented fundamental deficiency in the performance of vehicle searches at the Fermi 2 facility. A loaded weapon in the protected area could reasonably be expected to significantly assist in an act of radiological sabotage or the theft of strategic nuclear materials. Because the Fermi 2 facility had not been the subject of escalated enforcement actions within the last two years, the NRC considered whether credit was warranted for Corrective Action. Credit was given for Corrective Action because The Detroit Edison Company identified and promptly corrected the violation.

Southern California Edison Co., San Onofre Nuclear Generating Station Supplement I, (EA 99-242)

A Notice of Violation was issued for a Severity Level III violation on December 15, 1999. The violation involved aligning EDG 3G003 to a malfunctioning automatic voltage regulator, rendering the EDG inoperable, and subsequently removing from service a battery charger in the opposite safety train. Because the inoperability of the EDG was a condition that was not immediately recognized by operations personnel, actions required by the plant's Technical Specifications when the battery charger was removed from service were not taken. Specifically, on June 23, 1999, with EDG 3G003 inoperable and the battery charger in the opposite safety train out of service, Technical Specification 3.0.3 required the initiation of a plant shutdown. Southern California Edison discovered the misalignment of the EDG on June 25, 1999, and promptly realigned it to an operable automatic voltage regulator. A quantitative risk analysis determined that the incremental increase in risk from the time the plant should have entered Technical Specification 3.0.3 to the time EDG 3G003 was made operable was low, on the order of a $7.4E-7$ increase in core damage probability. Had there been a loss of off-site power with the plant in the configuration it was in on June 23, 1999, operators would have been challenged to maintain electrical power to safety-related equipment and to the battery chargers. Although the estimated, quantitative increase in risk was relatively low, it appears to be within the range of uncertainty for events that would be considered risk significant. In addition, the fact remains that the plant was in a configuration which: 1) was not authorized by the Technical Specifications; 2) reduced defense in depth because important safety equipment in more than one safety train was inoperable; and 3) would have complicated recovery actions had a loss of off-site power occurred. Because the facility had been the subject of escalated enforcement action within the last 2 years, the NRC considered whether credit was due for Identification and Corrective Action. Credit was given for identification and corrective action because Southern California Edison operations personnel discovered the misalignment of the EDG to a malfunctioning automatic voltage regulator and promptly corrected it.

VIII. Power Reactor Security Regulations

The NRC staff is continuing to work to risk-inform 10 CFR 73.55, "Requirements for physical protection of licensed activities in nuclear power reactors against radiological sabotage," and associated power reactor security regulations. To accomplish the rulemaking and tasks required by the Commission, the staff is holding public meetings with the stakeholders on a weekly basis. At the same time, the staff is continuing to work with NEI on a voluntary industry program that will be conducted while the new regulation is being written.