



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 5, 1999

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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 1999 Energy and Water Development Appropriations Act, Senate Report 105-206, directed the Nuclear Regulatory Commission to provide a monthly report on the status of its licensing and regulatory duties. I am pleased to transmit the third report which covers the month of February (enclosed).

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In the month of February, the Commission also:

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Originated by: [MTschiltz, EDO]



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

Sincerely,

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Shirley Ann Jackson

cc: Senator Bob Graham

Enclosures:

1. February Monthly Report
2. Tasking Memorandum



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 5, 1999

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

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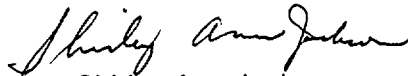
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Subcommittee on Energy and Water Development
Committee on Appropriations
United States House of Representatives
Washington, D.C. 20515

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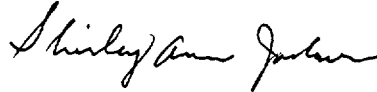
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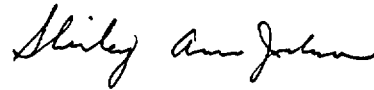
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Enclosure 1

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

FEBRUARY 1999

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I. Implementing Risk-Informed Regulations

In the area of risk-informed and performance-based regulation, the staff continues to make progress on tasks in all activity categories. The following are some examples:

The NRC staff continues to review and approve risk-informed technical specification modifications. The staff recently reviewed and approved an emergency diesel generator (EDG) allowed outage time (AOT) proposed relaxation from 3 days to 14 days for San Onofre Nuclear Generating Station, Units 2 and 3. Reviews are also in progress on the proposed relaxation of AOTs for the containment spray (CS) systems and for the high pressure safety injection (HPSI) systems at six facilities supported by the Combustion Engineering Owners Group. Similarly, reviews of proposed relaxation of AOTs for low pressure injection (LPI) and reactor building spray (RBS) are underway for five Babcock & Wilcox Owners Group plants.

The revision to 10 CFR 50.65, "Requirement for monitoring the effectiveness of maintenance at nuclear power plants," (i.e., the Maintenance Rule) to require plant licensees to assess and manage increases in risk that may result from proposed maintenance activities is in the process of being finalized. The third revision to NRC Regulatory Guide (RG) 1.160, "Monitoring the Effectiveness of Maintenance at Nuclear Power Plants," is being drafted in parallel with the rule change. This latest revision to RG 1.160 provides guidance for implementing the provisions of the rule change and addresses the staff's expectations concerning the methods licensees may employ to assure adequate risk management of plant maintenance configurations. General guidelines are provided in the revised RG for managing risk during maintenance activities while at power as well as maintenance activities during shutdown conditions.

A draft of the Phase 1 PRA Standard, which is concerned with assessments of the frequencies of core damage and radionuclide release from internal events (excluding fires) at full power operation, is now available for public comment. The standard is being prepared by the American Society of Mechanical Engineers (ASME) with the cooperation and support of the NRC staff. The final Phase 1 PRA Standard is scheduled for completion by December 1999. A schedule for work on the Phase 2 PRA Standard, which will deal with fire and external event initiators, and low power and shutdown operation, is under development.

II. Nuclear Plant Assessment, Inspection and Enforcement Processes

During the past month, the staff has continued to meet on a bi-weekly basis with NEI and other stakeholders to refine the proposed changes to its assessment, inspection and enforcement processes. Activities for the month included:

- performance of an internal feasibility study related to the tools being developed to assess the significance of inspection findings. The results of this study are currently being assessed.
- selection of the nine plants which will be evaluated under the proposed Baseline Inspection Program between June and December 1999.
- drafting of new Baseline Inspection Program procedures.

III. Status of Issues in the Reactor Generic Issue Program

There is no change in this area from the January 1999 report.

IV. Nuclear Power Plants on the Watch List

There is no change in this area from the January 1999 report for Millstone Unit 3, Clinton and LaSalle Units 1 and 2. A Commission briefing on the remaining issues related to the proposed restart of Millstone Unit 2 is scheduled for April 14, 1999.

V. Licensing Actions

Licensing actions may be defined as 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 it can be implemented by the licensee. The FY 1999 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: 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 1999 NRC Performance Plan incorporates as an output measure the number of other licensing tasks completed.

The actual FY 1998 results, the FY 1999 goals and the FY 1999 results through January 31, 1999, for the four NRC Performance Plan output measures are shown in the following table.

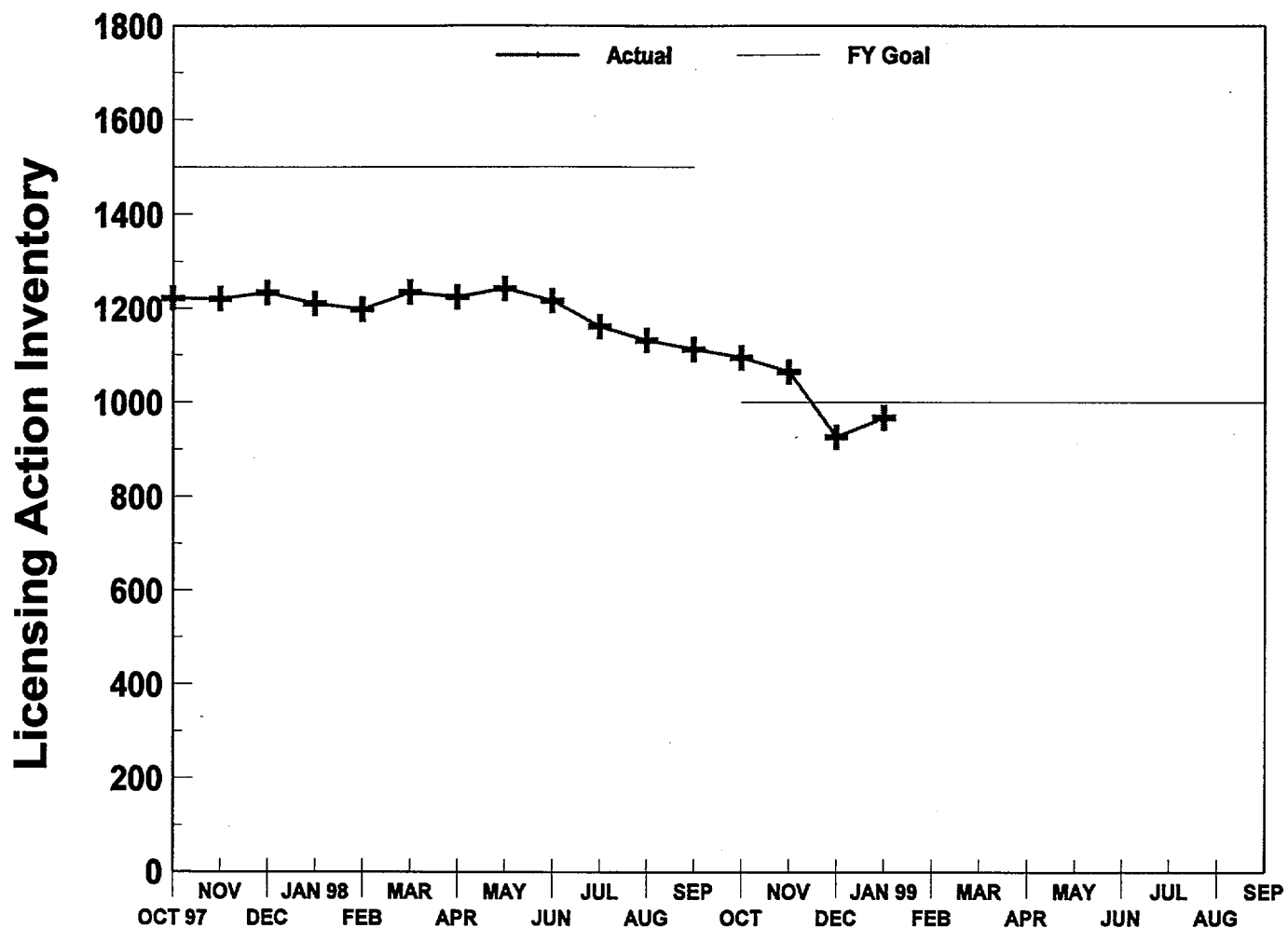
PERFORMANCE PLAN			
Output Measure	FY 1998 Actual	FY 1999 Target	FY 1999 Actual (through 1/31/99)
Licensing actions completed per year	1425	1670	545
Size of licensing actions inventory	1113	1000	927
Age of licensing action inventory	65.6% ≤ 1 year; 86.0% ≤ 2 years; and 95.4% ≤ 3 years old	80% ≤ 1 year; 95% ≤ 2 years; and 100% ≤ 3 years old	77.1% ≤ 1 year; 91.4% ≤ 2 years; and 96.8% ≤ 3 years old
Other licensing tasks completed per year	1006	800	293

In FY 1999, NRC increased resources for completing licensing actions, such that given the current size of the inventory and the estimated number of licensing action requests, the inventory size and number of completions goals should be met by the end of the fiscal year. However, the goal for the age of the inventory has historically not been met. NRC has undertaken several initiatives to reduce the age of licensing action inventory. For instance, a special effort was initiated in mid-1998 to conduct a management review of the older items in the inventory. For each item, status was assessed, success paths for resolution were identified, and completion schedules were established. Monthly progress reports have been published and follow up management meetings have emphasized the need to meet established schedules. The NRC has made substantial progress towards meeting the licensing action age goal.

The following charts demonstrate NRC's progress in meeting the four licensing action and other licensing task output measure goals.

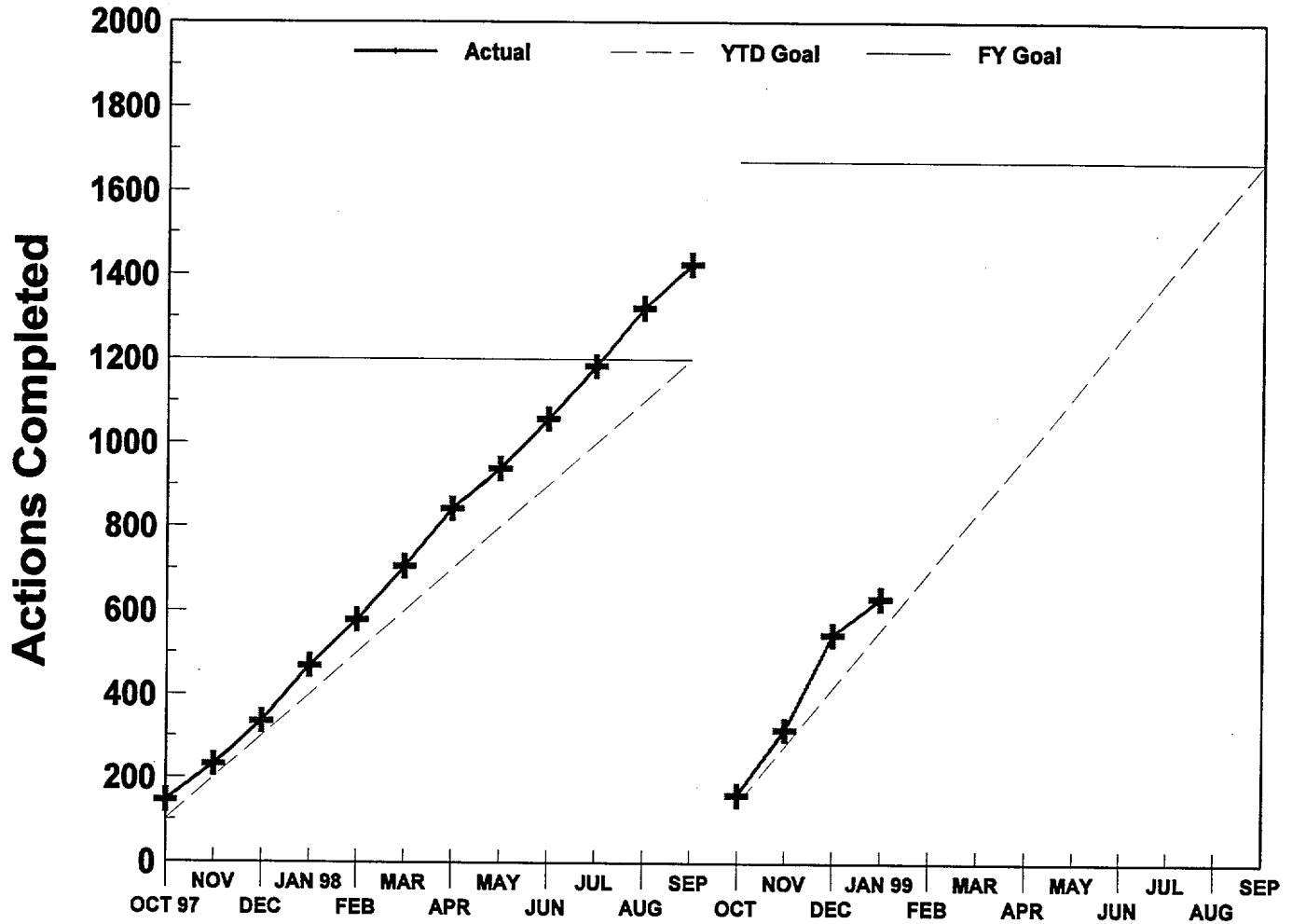
Nuclear Reactor Safety - Reactor Licensing

Performance Plan Target: Licensing Action Inventory



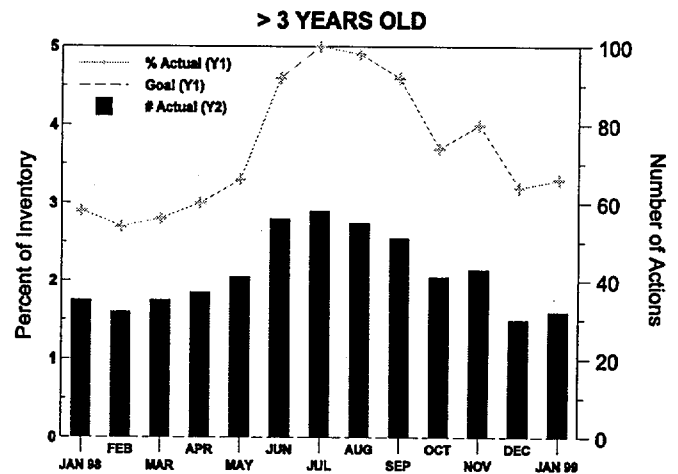
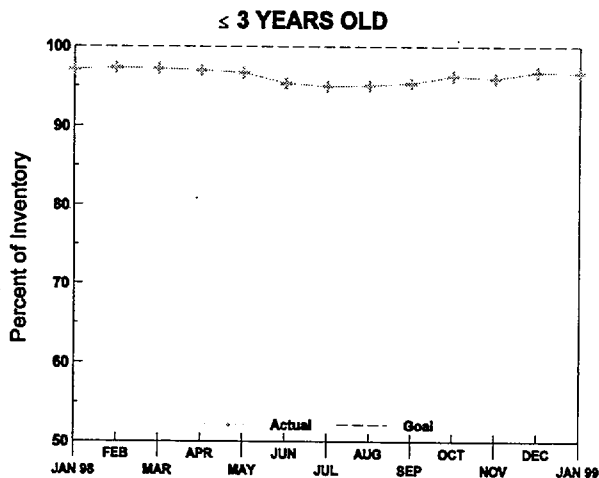
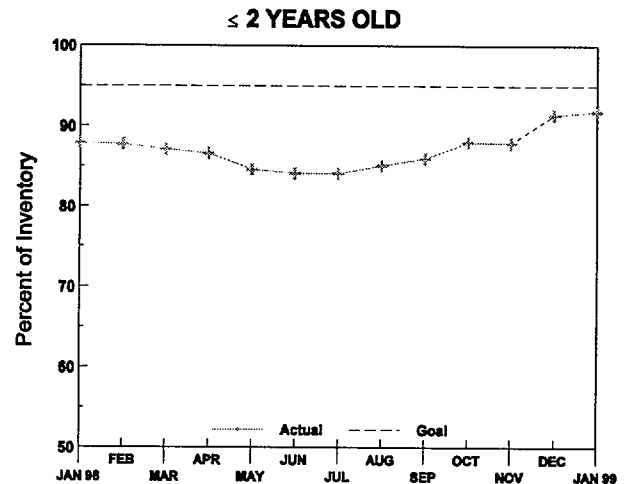
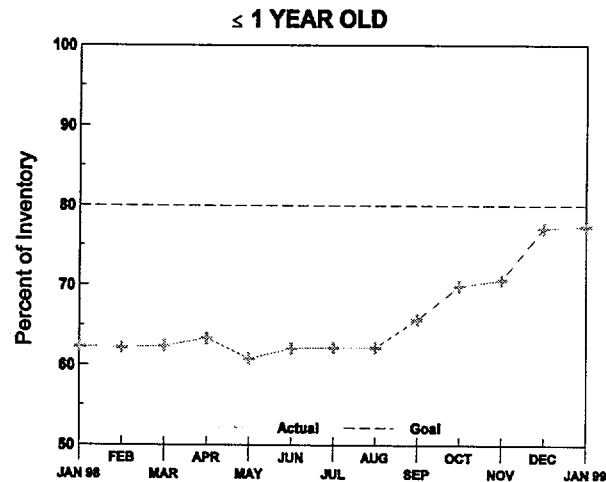
Nuclear Reactor Safety - Reactor Licensing

Performance Plan Target: Completed Licensing Actions



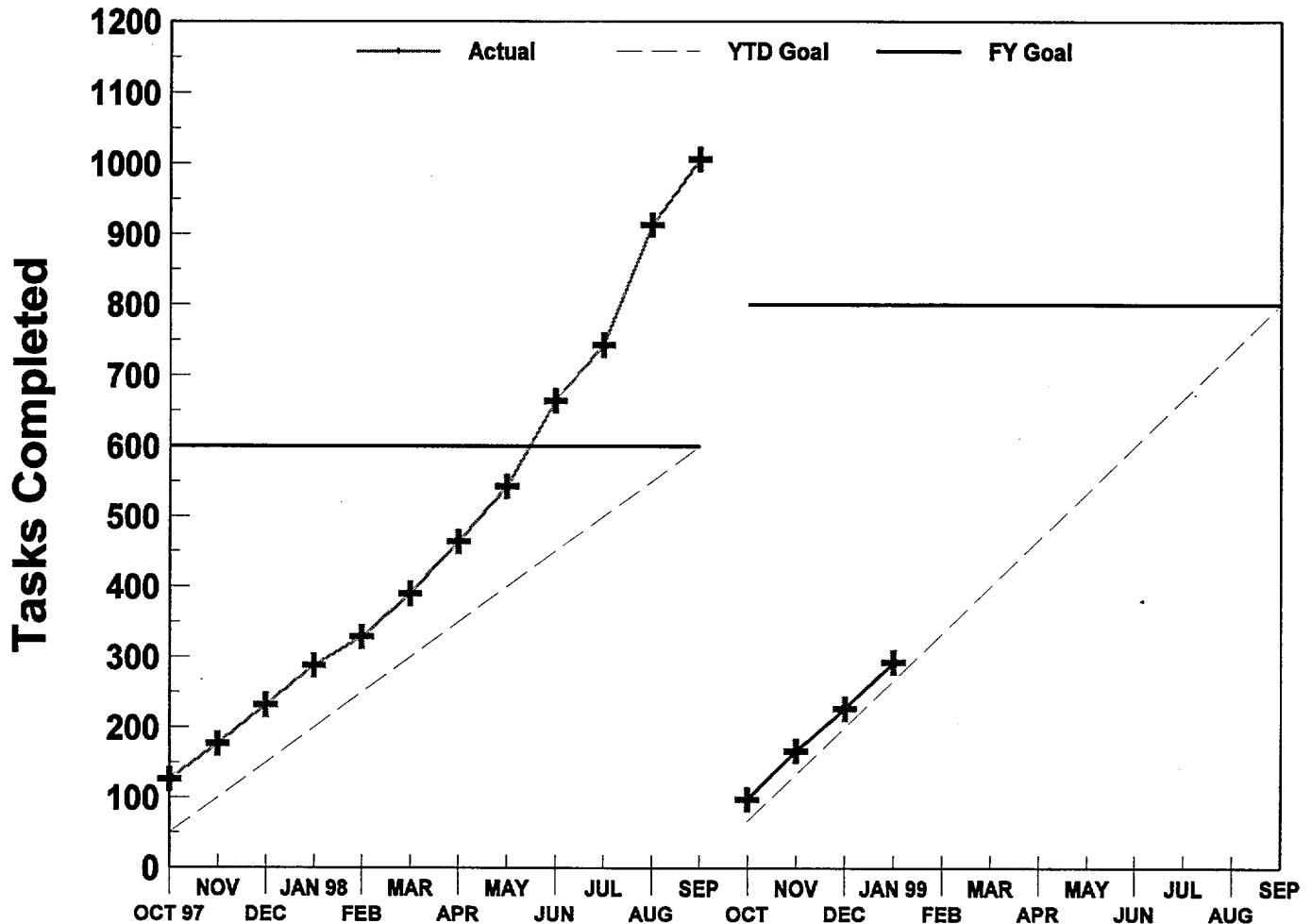
Nuclear Reactor Safety - Reactor Licensing

Performance Plan Target: Age of Licensing Action Inventory



Nuclear Reactor Safety - Reactor Licensing

Performance Plan Target: Completed Other Licensing Tasks



VI. Status of Calvert Cliffs License Renewal Application

All activities associated with the review of the Calvert Cliffs license renewal application are on schedule. The staff is preparing the draft environmental statement and safety evaluation report for issuance in March 1999 to meet the next schedule milestones.

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

The Atomic Safety and Licensing Board (ASLB) has recently admitted the Southern Utah Wilderness Alliance (SUWA) as an additional party to the Private Fuel Storage proceeding. One SUWA contention, related to the proposal to build a rail spur from Low, Utah to the proposed ISFSFI site, primarily on Bureau of Land Management land, was admitted. In a separate ruling, the ASLB has issued a revised hearing schedule for the PFS proceeding. Hearings on the safety contentions are now scheduled for November 1999 and July 2000. Hearings on the environmental contentions are scheduled for April 2001.

The staff's review of the PFS license application and development of the Environmental Impact Statement remain on schedule.

VIII. Summary of Reactor Enforcement by Region

		Reactor Enforcement Actions*				
		Region I	Region II	Region III	Region IV	TOTAL
Severity Level I	January 99	0	0	0	0	0
	FY 99 YTD	0	0	0	0	0
	FY 98 Total	0	0	0	0	0
Severity Level II	January 99	0	0	0	0	0
	FY 99 YTD	1	0	1	0	2
	FY 98 Total	3	1	1	1	6
Severity Level III	January 99	0	0	0	3	3
	FY 99 YTD	4	0	1	4	9
	FY 98 Total	46	11	15	19	91
Severity Level IV	January 99	4	7	10	13	34
	FY 99 YTD	39	31	44	54	168
	FY 98 Total	383	271	392	261	1307
Non-Cited Severity Level IV	January 99	19	9	27	22	77
	FY 99 YTD	105	47	85	81	318
	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 refer 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 January 1999

Washington Public Power Supply System, WNP-2 Supplement I

A Notice of Violation for a Severity Level III violation was issued on January 11, 1999. The action was based on an inadequate fire protection system design which resulted in a rupture of the WNP-2 fire protection system which significantly impaired the safety capability of components in residual heat removal pump room C and the low pressure core spray room. The rupture occurred when a water hammer generated during preaction sprinkler system actuation in response to an actual fire detection system signal, caused a fire main valve to fail. The resulting water from the running fire protection pumps entered a residual heat removal pump room through an open watertight door and spread to the adjacent low pressure core spray pump room via a sump isolation valve that failed to close. The water completely submerged the residual heat removal pump and motor and the Division I and II keepfill pumps and rose to just below the motor in the low pressure core spray pump room. Although this was not the first escalated enforcement action within the last 2 years, the civil penalty was fully mitigated because; (1) credit was given for identification, and (2) credit was given for corrective action.

Entergy Operations, Waterford-3 Supplement III

A Notice of Violation for a Severity Level III violation was issued on January 7, 1999. The action was based on a failure to maintain required control of a copy of the Waterford-3 Physical Security Plan. Specifically, for approximately five hours, a copy of the plan was left unattended and unsecured in an office outside of the protected area of the Waterford-3 facility. Entergy's investigation of this incident found no evidence that the information in the security plan had been compromised. The violation occurred because the individual who was routing the plan for approval did not assure that the plan was under the positive control of an authorized person at all times, as required by Waterford-3 security procedures. In accordance with the NRC's enforcement policy, leaving a document containing significant safeguards information unattended outside of the protected area of a facility, where it is accessible to individuals who may not be authorized access to safeguards information or to the protected area, is a significant violation. The NRC considers such violations significant whether or not the information is compromised because of the potential for the compromise of information pertaining to the detailed security measures of the facility. Although this was not the first escalated enforcement action within the last 2 years, the civil penalty was fully mitigated because: (1) credit was warranted for identification and (2) credit was warranted for corrective action.

Entergy Operations, River Bend Station

Supplement VII

A Notice of Violation for a Severity Level III and proposed imposition of Civil Penalty in the amount of \$55,000 was issued on January 5, 1999. This action was based on the deliberate failure to provide the NRC with information that was complete and accurate in all material respects, in violation of 10 CFR 50.9. Specifically, the violation involved deliberate misconduct by a licensee manager, the Superintendent of Radiation Control, when he provided an NRC senior resident inspector information he knew was not accurate and not complete during a meeting on October 15, 1997. During that meeting, the Superintendent of Radiation Control showed the senior resident inspector four Radiation Work Permits (RWPs) that a technician signed onto during the period October 10-15, 1997 and stated that none of the RWPs, were violated because none of the RWPs required "minimum booties and gloves;" instead the RWPs allowed a technician to determine the protective clothing requirements. However, the Superintendent did not present the version of RWP 97-0002 that had been in effect on October 10, 1997. A base civil penalty was proposed in this case because: (1) the violation was considered willful, (2) credit was not warranted for identification, and (3) credit was given for corrective action.