

INFORMATION REPORT

JULY 18, 2019

SECY-19-0073

FOR:

The Commissioners

FROM:

Catherine Haney
Assistant for Operations
Office of the Executive Director for Operations

SUBJECT:

WEEKLY INFORMATION REPORT – WEEK ENDING
JULY 12, 2019

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**Office Information Officer (OCIO)
Items of Interest
Week Ending JULY 12, 2019**

**Freedom of Information Act (FOIA) and Privacy Act (PA) Requests and Appeals
Received During the Period of July 8 – July 12, as submitted by requester**

Tracking Number	Requester's Name	Requester's Organization	Request Description	Received Date
2019-000354	Robert Leyse		A copy of INPO SER 76-84, referenced in NRC Information Notice No. 85-86: Lightning Strikes at Nuclear Power Generating Stations.	07/09/2019
2019-000356	Priscilla Leonard	Conner & Winters	Interview transcripts associated with NRC Enforcement Action EA-18-037, other than those already released in response to FOIA request NRC-2019-000224.	07/10/2019
2019-000357	Brian Magnuson		Copy of NRC Investigative File on Allegation RIII-15-A-0058.	07/10/2019
2019-000358	Brian Magnuson		Copy of NRC Investigative File on Allegation RIII-16-A-0040.	07/10/2019
2019-000359	Brian Magnuson		Copy of NRC Investigative File on Allegation RIII-17-A-0001.	07/10/2019

Office of Nuclear Material Safety and Safeguards (NMSS)
Items of Interest
Week Ending JULY 12, 2019

Amendments to Material Control and Accounting Regulations: Discontinuation of Rulemaking Activity; Parts 40, 70, 72, 74, and 150 of Title 10 of the Code of Federal Regulations (10 CFR); Regulatory Identifier Number 3150-AI61; NRC-2009-0096)

On July 8, 2019, the NRC published a document in the *Federal Register* (84 FR 32327) discontinuing a rulemaking activity that would have consolidated and revised the material control and accounting requirements for special nuclear material. The purpose of this action is to inform members of the public of the discontinuation of the rulemaking activity and to provide a brief discussion of the NRC's decision. The rulemaking activity will no longer be reported in the NRC's portion of the Unified Agenda of Regulatory and Deregulatory Actions. This rulemaking is discontinued as of July 8, 2019.

State of Vermont: NRC Staff Assessment of a Proposed Agreement Between the Nuclear Regulatory Commission and the State of Vermont; Proposed State Agreement; Request for Comment; 10 CFR Part 150 (NRC-2019-0114)

On July 9, 2019, the NRC published in the *Federal Register* (84 FR 32657) a notice of proposed agreement between NRC and the State of Vermont and is requesting public comment on the agreement. By letter dated April 11, 2019, Governor Philip Scott of the State of Vermont requested that the NRC enter into this agreement as authorized by Section 274b. of the Atomic Energy Act of 1954, as amended (AEA). Under the proposed Agreement, the Commission would discontinue, and the State of Vermont would assume, regulatory authority over certain types of byproduct materials as defined in the AEA, source material, and special nuclear material in quantities not sufficient to form a critical mass. The NRC is also publishing the summary of a draft assessment by the NRC staff of the State of Vermont's regulatory program. Comments are requested by July 25, 2019, on the proposed Agreement and its effect on public health and safety. Comments are also requested on the draft staff assessment, the adequacy of the State of Vermont's program, and the State's program staff. Section 274e. of the AEA requires that the terms of the proposed Agreement be published in the Federal Register for public comment once each week for four consecutive weeks. This document is the third notice being published in fulfillment of that requirement.

**Office of the Secretary (SECY)
Items of Interest
Week Ending JULY 12, 2019**

Document Released to Public	Date of Document	Subject
Decision Documents		
1. COMSECY-19-0006	05/21/19	Revised Security Inspection Program Framework (Option 3) in Response to SRM-SECY-17-0100
Information Papers		
1. SECY-19-0066	06/26/19	Staff Review of NuScale Power's Mitigation Strategy for Beyond-Design-Basis External Events

Commission Correspondence

None

Federal Register Notices Issued

1. Applications and Amendments to Facility Operating Licenses and Combined Licenses Involving Proposed No Significant Hazards Considerations and Containing Sensitive Unclassified Non-Safeguards Information and Safeguards Information and Order Imposing Procedures for Access to Sensitive Unclassified Non-Safeguards Information and Safeguards Information [NRC-2019-0146]

**Office of Enforcement
Items of Interest
Week Ending JULY 12, 2019**

DPO Appeal Decision

On March 14, 2019, the Acting Executive Director for Operations (EDO), issued a decision on the appeal of a Differing Professional Opinion (DPO) submitted on February 8, 2018, concerning a U.S. Nuclear Regulatory Commission (NRC) letter to the Nuclear Energy Institute (NEI) regarding the regulatory path for lead test assemblies (LTAs). The DPO raised concerns about the regulatory path discussed in the letter and the process used to develop the letter. Additionally, the DPO raised concerns about accident tolerant fuel (ATF) LTAs that were planned for insertion in early 2018 at the Edwin I. Hatch Nuclear Power Plant, Units 1 and 2.

An Ad-Hoc DPO Review Panel was convened to review the DPO and presented its findings to the Acting Director of the Office of Nuclear Reactor Regulation by report dated June 18, 2018. The Panel concluded that (1) the NRC's policy on the licensing strategy to insert LTAs in reactor cores needs to be clearly communicated to all stakeholders; (2) the NRC should clarify the interpretation of technical specifications relevant to LTAs; and (3) technical and licensing experts should communicate with each other and follow a consistent established process prior to announcing licensing strategies publicly or communicating these strategies to industry parties. The Acting Director agreed with the panel's assessment and determined that issuance of a revised LTA letter to NEI would be sufficient to address the first two recommendations. The Acting Director also assigned staff to evaluate whether more durable guidance was needed and to align resources to support regional reviews of LTA programs implemented pursuant to Title 10 of the Code of Federal Regulations (10 CFR) 50.59.

An appeal of the Acting Director's decision was filed on August 1, 2018 and raised additional concerns with the conduct of the DPO review and the disposition of the Hatch LTA safety concerns. The Acting EDO's decision on the appeal supported the Office Director's decision and recommended specific actions consistent with, and in addition to, those made by the Office Director to address the concerns raised in the original DPO and subsequent appeal. These actions included several additional improvements to the Differing Views Program, a recommendation to broaden the staff's use of risk-informed decision-making principles for emergent issues, and a tasking to ensure that any inspections of licensee ATF LTA change evaluations under 10 CFR 50.59 receive appropriate Headquarters support and are properly documented. The Acting EDO commended the DPO submitter's willingness to submit these concerns and dedication to safety.

The public record for this DPO case file is available in Agencywide Documents Access and Management System at Accession No. ML19141A075.

**Office of Administration
Items of Interest
Week Ending JULY 12, 2019**

Elevator Maintenance, Operations, and Repair

On July 5, 2019, contract 31310019C0010 was awarded to the SCHINDLER ELEVATOR CORPORATION in, Beltsville, MD. The purpose of this contract is to obtain elevator maintenance, repair, and operation services for Two White Flint North. The period of performance of this contract is from July 6, 2019 through July 5, 2020, with four one-year option periods. The total potential value over the life of the award is \$1,136,948.76.

Maintenance of NRC Computer Codes III (MONC-3)

On July 3, 2019, contract 31310019D0002 was awarded to the INFORMATION SYSTEMS LABORATORIES, INC., in Poway, CA. The purpose of this contract is to provide thermal-hydraulic (T/H) code and model development and improvements, as well as configuration control, correction of code errors, documentation updates, and user support to the NRC, it's contractors, and members of Code Application Maintenance Program (CAMP) and the domestic user community. The period of performance of this contract is from August 1, 2019 through July 31, 2020, with four one-year option periods. The total potential value over the life of the award is \$6,856,939.00.

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WEEKLY INFORMATION REPORT – WEEK ENDING JULY 12, 2019, DATED JULY 18, 2019

DISTRIBUTION:

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ADAMS Accession No: ML19198A289

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