

LLW *notes*

Volume 30 Number 3 May/June 2015

Texas Low-Level Radioactive Waste Disposal Compact Commission

Texas Compact Commission Publishes Proposed Rules

The Texas Low-Level Radioactive Waste Disposal Compact Commission (Texas Compact Commission) is proposing a new rule at 31 TAC §675.20 and amendments to 31 TAC §675.21 – §675.23 regarding the exportation and importation of low-level radioactive waste. The rule proposal was published in the *Texas Register* on May 8, 2015.

On May 29, 2015, the Texas Compact Commission conducted a stakeholder meeting on the proposed rules at the Double Tree Hotel in Austin, Texas.

The comment period on the proposed rules closed on June 22, 2015.

The proposed rulemaking can be obtained from the Texas Compact Commission's website at <http://www.tllrwdcc.org/rules/>.

Objectives and Purpose

The Texas Compact Commission initiated rulemaking to review, comprehensively, the preliminary rules under which it had been operating since calendar year 2012. During the time that the Texas Compact Commission has been operating under the preliminary rules, it has evaluated the manner in which the rules operated

and has identified aspects in which the rules can be improved. The proposed amendments to existing rules, coupled with the promulgation of a new rule collecting all definitions in a single rule that precedes all of the other rules, are designed to improve and streamline the processes by which persons appearing before the Texas Compact Commission seek approval of their actions.

The objectives of the rulemaking include to:

- ♦ simplify the processes by which applicants and petitioners would seek Texas Compact Commission action;
- ♦ simplify and clarify the language of the rules;
- ♦ amend the rule for exportation of waste to a non-party state for disposal now that the

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As part of that mission, the LLW Forum publishes a newsletter, news flashes, and other publications on topics of interest and pertinent developments and activities in the states and compacts, federal agencies, the courts and waste management companies. These publications are available to members and to those who pay a subscription fee.

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Low-Level Radioactive Waste Forum, Inc.

LLW Notes

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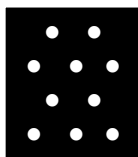
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Key to Abbreviations

U.S. Department of Energy	DOE
U.S. Department of Transportation	DOT
U.S. Environmental Protection Agency	EPA
U.S. Government Accountability Office	GAO
U.S. Nuclear Regulatory Commission	NRC
Naturally-occurring and accelerator-produced radioactive material	NARM
Naturally-occurring radioactive material	NORM
Code of Federal Regulations	CFR

Low-Level Radioactive Waste Forum, Inc.

Low-Level Radioactive Waste Forum, Inc. (LLW Forum)

Registration Open for the Fall 2015 LLW Forum Meeting

Embassy Suites Hotel in Downtown Chicago, Illinois

October 22-23, 2015

The Low-Level Radioactive Waste Forum (LLW Forum) is pleased to announce that registration is now open for our fall 2015 meeting, which will be held at the Embassy Suites Downtown Chicago Hotel on October 22-23, 2015. Please mark your calendars accordingly and save the date!

Interested stakeholders are encouraged to register and make hotel reservations for the meeting at your earliest convenience, as there is limited space available in our discount room block.

The meeting is being co-sponsored by the Central Midwest Interstate Low-Level Radioactive Waste Compact Commission, the Illinois Emergency Management Agency (IEMA), and the LLW Forum.

The meeting documents—including bulletin and registration form—have been posted to the LLW Forum's web site at www.llwforum.org.

Attendance

Officials from states, compacts, federal agencies, nuclear utilities, disposal operators, brokers/processors, industry, and other interested parties are invited and encouraged to attend.

The meeting is an excellent opportunity to stay up-to-date on the most recent and significant developments in the area of low-level radioactive waste management and disposal. It also offers an important opportunity to network with other government and industry officials and to participate in decision-making on future actions and endeavors affecting low-level radioactive waste management and disposal.

Location and Dates

The fall 2015 LLW Forum meeting will be held on Thursday, October 22 (approx. 9:15 am – 5:15 pm) and Friday, October 23 (approx. 9:00 am – 1:00 pm) at:

**Embassy Suites
Downtown/Lakefront
511 North Columbus Drive
Chicago, Illinois 60611**

Located in the heart of downtown Chicago, the Embassy Suites Hotel is one block to the Magnificent Mile, two blocks to the Chicago River and three blocks to Navy Pier.

Registration

All persons must pre-register for the meeting and pay any associated registration fees in order to be allowed entry. Registration forms are needed in order to ensure that you receive a meeting packet and name badge. Accordingly, interested attendees are asked to please take a moment to complete the registration form at your earliest convenience and return it Todd Lovinger of the LLW Forum at the address, e-mail or fax number listed at the bottom of the form.

The meeting is free for up to two individuals representing members of the LLW Forum. Additional and non-member registration is \$500, payable by check only to the "LLW Forum, Inc." (Credit card payments are not accepted.)

Reservations

Persons who plan to attend the meeting are strongly encouraged to make their hotel

reservations and send in their registration forms as soon as possible, as we have exceeded our block at the last few meetings.

A limited block of hotel rooms has been reserved for meeting attendees for Wednesday (October 21) and Thursday (October 22) at the prevailing federal per diem rate (which is currently \$194/night) plus tax/single or double. (The rate for a triple is \$214/night plus tax and for a quadruple is \$234/night plus tax.) A limited number of rooms are available at this rate for three days prior to and following the meeting, subject to availability.

To make a reservation, please call 1-800-HILTONS and ask for a room in the “LLW Forum block” at the Embassy Suites Downtown–Lakefront Hotel or use the following dedicated link: http://embassysuites.hilton.com/en/es/groups/personalized/C/CHIREES-LLW-20151020/index.jhtml?WT.mc_id=POG.

In order to receive the discounted rate, please make your reservation by September 18, 2015.

Transportation and Directions

Super Shuttle offers transportation from both Chicago O’Hare International Airport and Chicago Midway Airport for a minimum charge of \$29. A taxi from the airport to the hotel is a minimum estimated charge of \$50/each way. Driving directions from both airports can be found at <http://chicagoembassy.com/>. Please note that self-parking at the hotel is \$43/day and valet parking is \$63/day.

For additional information, please contact Todd D. Lovinger, the LLW Forum’s Executive Director, at (754) 779-7551 or go to www.llwforum.org.

LLW Forum / Disused Sources and Part 61 Working Groups

Disused Sources and Part 61 Working Group Updates

The following is a brief update on activities of the Low-Level Radioactive Waste Forum’s (LLW Forum’s) Disused Sources Working Group (DSWG) and Part 61 Working Group (P61WG).

For additional information and ongoing updates, interested stakeholders are encouraged to go to the DSWG web site at www.disusedsources.org and the P61WG web site at www.part-61.org.

Disused Sources Working Group

On April 21, 2015, immediately following the conclusion of the spring 2015 LLW Forum meeting, the DSWG held a closed-session working group meeting in Alexandria, Virginia. During the meeting, DSWG members reviewed preliminary draft results of a survey of state program directors and continued reviewing the path forward for implementation of the 24 recommendations contained in the March 2014 DSWG report.

This survey was distributed in cooperation with the Conference of Radiation Control Program Director’s (CRCPD) E-34 Committee on Unwanted Radioactive Materials. The CRCPD Board reviewed, amended and approved the survey and encouraged all state program directors to timely complete and submit responses.

As of press time, officials from 36 states had completed and submitted survey responses. The results were first presented by the DSWG at the 47th National Conference on Radiation Control on May 18 -21, 2015 in St. Louis, Missouri. The survey results will also be presented at the

Health Physics Society's annual meeting in Indianapolis, Indiana on July 12-16, 2015 and at the Organization of Agreement States' (OAS) annual meeting in Boston, Massachusetts on August 23-27, 2015.

Additional information, including a link to the survey, can be found on the DSWG web site at www.disusedsources.org.

Part 61 Working Group

Although the P61WG has not recently held a formal meeting, staff and members of the working group—which includes representatives from the four sited states—are currently reviewing a proposed rule to amend 10 CFR Parts 20 and 61, “Licensing Requirements for Land Disposal of Radioactive Waste,” that was issued by the U.S. Nuclear Regulatory Commission (NRC) in the *Federal Register* (80 *Federal Register* 16,081) for public comment on March 26, 2015.

P61WG members and staff are also reviewing associated guidance, “Guidance for Conducting Technical Analyses for Low-Level Radioactive Waste Disposal,” issued on the same day by NRC for public comment in the *Federal Register* (80 *Federal Register* 15,930).

The P61WG is developing a briefing paper and plans to submit comments to NRC on the documents. Comments for both the proposed rule and the conforming technical guidance documents are due to NRC by July 24, 2015. (See related story, this issue.)

Additional information and related documents and links can be found on the P61WG web site at www.part-61.org.

For additional information about the DSWG and the P61WG, please contact the working group's Project Director—Todd D. Lovinger, Esq—at (754) 779-7551 or at LLWForumInc@aol.com.

Central Interstate Compact

Central Interstate Compact Commission Holds Annual Meeting

On June 16, 2015, the Central Interstate Low-Level Radioactive Waste Commission held its annual meeting. The meeting—which was held at the Doubletree by Hilton Hotel in Overland Park, Kansas—began at 9:00 a.m. CDT.

The purpose of the meeting was to take necessary action on reports, meeting minutes, export applications, export fee schedule (Rule 1), resolution for relocation of Commission headquarters to Oklahoma, administrative budget, election of Chairman for fiscal year 2015-2016, and all other business that came before the Commission.

The following items were on the draft agenda for the meeting:

- ◆ call to order and roll call
- ◆ general public comment period
- ◆ future of the Commission
 - resolution for relocation of Commission headquarters to Oklahoma
- ◆ reports
 - Commission Administrator
- ◆ ratify action taken
 - export applications approved
 - * November 2014
 - * December 2014
 - * January 2015
 - * February 2015
 - * March 2015
 - * April 2015
 - * May 2015

States and Compacts *continued*

- ♦ approve meeting minutes
 - special teleconference on November 18, 2014
- ♦ review and approve Commission administrative budget
 - ♦ budget adjustments for fiscal year 2014 – 2015
 - export fee schedule (Rule 1) for fiscal year 2015 – 2016
 - administrative budget for fiscal year 2015 - 2016
- ♦ election of Commission Chairman for fiscal year 2015 – 2016
- ♦ confirm date and location for next Commission meeting
- ♦ executive session: personnel matters — Administrator review
- ♦ adjourn

For additional information, please contact Rita Houskie, Administrator of the Central Interstate Low-Level Radioactive Waste Compact Commission, at (402) 476-8247 or at rita@cillrwcc.org or visit their web site at www.cillrwcc.org.

Northwest Compact

Northwest Compact Commission Meets

On June 11, 2015, the Committee of the Northwest Interstate Compact on Low-Level Radioactive Waste Management met at the Radisson Hotel in downtown Salt Lake City, Utah.

During the meeting, Committee members discussed regional and national issues involving the management and disposal of low-level radioactive waste.

The draft agenda for the meeting was as follows:

- ♦ Welcome and Introductory Remarks (Mike Garner, Acting Chair, Northwest Compact)
 - Approve Minutes of June 12, 2014 Committee Meeting (Mike Garner, Executive Director, Northwest Compact)
- ♦ Party State Reports (Committee Members)
- ♦ Primer - Northwest Interstate Compact (Mike Garner, Executive Director, Northwest Compact)
 - Low-Level Radioactive Waste Policy Amendments Act of 1985
 - Compact Resolutions and Orders
- ♦ US Ecology - Activities Overview (Mike Ault, General Manager, US Ecology Washington)
 - Disposal Volume Summary for 2014 and for 2015 through May
 - 2015 Revenue Requirement
 - MTCA Investigation
 - Other Issues

States and Compacts *continued*

- ♦ Utah Activities Overview (Rusty Lundberg, Director, Utah Division of Radiation Control)
 - Legislation
 - EnergySolutions' Activities—Status of EnergySolutions' Depleted Uranium Performance Assessment
 - Other Issues
- ♦ Break
- ♦ EnergySolutions—Activities Overview (Dan Shrum, Director of Compliance and Permitting, EnergySolutions)
 - 2014 Disposal Volumes
 - Other Issues
- ♦ National and Regional Issues (Mike Garner, Executive Director, Northwest Compact)
 - Import/Export License Applications
 - NRC's Manifest Review
 - NRC's Low-Level Radioactive Waste Strategic Assessment
 - Texas Compact/Waste Control Specialists
 - June 25, 2015 NRC Commissioner Briefing
 - Other Issues
- ♦ Lunch
- ♦ Overview of NRC's Changes to 10 CFR Part 61 and BTP on Concentration Averaging (Rusty Lundberg, Utah Division of Radiation Control)
 - Potential Impacts: State of Washington and State of Utah (Earl Fordham, Deputy Director, Washington Office of Radiation Protection)

- ♦ Update on Legal Issues (Kristen Mitchell, Compact Counsel, Washington State Attorney General's Office)
- ♦ Committee Business
- ♦ Public Comment
- ♦ *Meeting Adjourned*

The meeting, which began at 9:00 a.m., was open to the public.

For additional information, please contact Mike Garner of the Washington State Department of Ecology at (360) 407-7102.

Northwest Compact/State of Utah

Utah Radiation Control Board Holds June 2015 Meeting

On June 9, 2015, the Utah Radiation Control Board held a regularly scheduled meeting in Salt Lake City, Utah. The meeting, which was open to the public, began at 1:00 p.m. MDT. It was held in Room 1015 (DEQ Board Room) at the Multi Agency State Office Building, which is located at 195 North 1950 West in Salt Lake City, Utah.

The following items, among others, were on the regular Board meeting agenda:

- I. Call to Order
- II. Approval of the Minutes from the April 14, 2015 Board Meeting
- III. Approval of Mammography Imaging Medical Physicists
- IV. Administrative Rulemaking

States and Compacts *continued*

a. Final Adoption

- i. Proposed changes to sections of R313-19-34, *Requirements of General Applicability to Licensing of Radioactive Material, Terms and Conditions of Licenses*; R313-24-4, *Uranium Mills and Source Material Mill Tailings Disposal Facility Requirements, Clarifications or Exceptions*; and, R313-36-3, *Special Requirements for Industrial Radiographic Operations, Clarifications or Exceptions*, to incorporate corresponding federal regulations promulgated by the NRC and published in the *Federal Register* of July 6, 2012 (77 *Federal Register* 39,899)
- ii. Proposed changes to R313-12-3, *General Provisions, Definitions*; R313-19-13, *Requirements of General Applicability to Licensing of Radioactive Material, Exemptions*; R313-21, *General Licenses, General Licenses—Radioactive Material Other Than Source Material*; and, R313-22, *Specific Licenses*, to incorporate corresponding federal regulations promulgated by the NRC and published in the *Federal Register* of July 25, 2012 (77 *Federal Register* 43,666)
- iii. Proposed new rule R313-27, *Medical Use Advisory Committee*

V. Information Items

- a. U.S. Nuclear Regulatory Commission (NRC) Update

- i. Public meeting for proposed changes to 10 CFR Part 61, *Licensing Requirements for Land Disposal of Radioactive Waste*, which was published in the *Federal Register* on March 26, 2015 (80 *Federal Register* 15,930); and, related Guidance for Conducting Technical Analyses for Low-Level Radioactive Waste Disposal—both documents are available on the DRC and NRC web sites

June 10, 2015
6:00 p.m.
Hilton Garden Inn
250 West 600 South
Salt Lake City, UT

VI. Public Comment

VII. Other Business

VIII. Final Meeting of the Radiation Control Board—Future meetings will be held as the Waste Management and Radiation Control Board

The Board—which is appointed by the Utah Governor with the consent of the Utah Senate—guides development of Radiation Control policy and rules in the state.

The Board holds open meetings ten times per year at locations throughout the state. A public comment session is held at the end of each meeting.

Copies of the Utah Radiation Control Board meeting agendas can be found at <http://www.deq.utah.gov/boards/radiationcontrol/docs/agendas/>.

States and Compacts *continued*

For additional information, please contact Rusty Lundberg, Director of the Division of Radiation Control at the Utah Department of Environmental Quality, at (801) 536-4257 or at rlundberg@utah.gov.

Rocky Mountain Compact

Rocky Mountain Board Holds Annual and Regular Meetings

On June 24, 2015, the Rocky Mountain Low-Level Radioactive Waste Board held both a Regular Meeting and an Annual Meeting in Las Vegas, Nevada. The meetings—which were held at the Westin Las Vegas Hotel Casino & Spa—began at 9:00 a.m.

Regular Meeting

The following items were on the draft agenda for the Regular Meeting:

- ◆ Approval of Minutes of the Regular and Annual Meetings on June 19, 2014 and Notice of Actions Taken at the Telephonic Meeting on March 2, 2015
- ◆ Update Regarding the Clean Harbors Regional Facility/Annual Permit
- ◆ Update from URENCO USA
- ◆ Status of Conservation Services/Waste Management (Colorado) Application for Certificate of Designation to Dispose of Naturally Occurring Radioactive Material (NORM) and Technologically Enhanced Naturally Occurring Radioactive Material (TENORM)

- ◆ Discussion of Policy Concerning Rule 6.3.3.J when there is not a Licensed Entity or Physical Location to Receive Waste Back
- ◆ Update from New Mexico on Waste Isolation Pilot Plant (WIPP)
- ◆ Update on National Developments
- ◆ Executive Director's Report
 - Fiscal Status/Investment Summary
 - Permit Fee Revenue for 2014 and 2015
 - Expenditure/Budget Comparison
 - Status of Volumes Authorized for Export and Disposal in 2014 and 2015

Annual Meeting

The following items were on the draft agenda for the Annual Meeting:

- ◆ Election of Officers
- ◆ Consideration of Fiscal Year 2015-2016 Budget

Interested parties and the public were invited to attend the meetings and an opportunity was provided for public comment.

For additional information, please contact Leonard Slosky, Executive Director of the Rocky Mountain Board, at (303) 825-1912 or lslosky@rmlrwb.us.

Southeast Compact

2016 Hodes Award Nominations Sought

Deadline is July 31, 2015

The Southeast Compact Commission for Low-Level Radioactive Waste Management is accepting nominations for the 2015 Richard S. Hodes, M.D. Honor Lecture Award—a program that recognizes an individual, company, or organization that contributed in a significant way to improving the technology, policy, or practices of low-level radioactive waste management in the United States. The award recipient will present the innovation being recognized at a lecture during the Waste Management '16 Symposium in Phoenix, Arizona. The award recipient will receive a \$5,000 honorarium and all travel expenses will be paid.

Nominations must be received by July 31, 2015.

Background

Dr. Richard S. Hodes was a distinguished statesman and a lifetime scholar. He was one of the negotiators of the Southeast Compact law, in itself an innovative approach to public policy in waste management. He then served as the Chair of the Southeast Compact Commission for Low-Level Radioactive Waste Management from its inception in 1983 until his death in 2002.

Throughout his career, Dr. Hodes developed and supported innovation in medicine, law, public policy, and technology. The Richard S. Hodes, M.D. Honor Lecture Award was established in 2003 to honor the memory of Dr. Hodes and his achievements in the field of low-level radioactive waste management.

Past Recipients

The following individuals and entities are past recipients of the Richard S. Hodes, M.D. Honor Lecture Award:

- ♦ W.H. “Bud” Arrowsmith (2004);
- ♦ Texas A & M University Student Chapter of Advocates for Responsible Disposal in Texas (2004 *honorable mention*);
- ♦ William Dornsife (2005);
- ♦ California Radioactive Materials Management Forum (2006);
- ♦ Larry McNamara (2007);
- ♦ Michael Ryan (2008);
- ♦ Susan Jablonski (2009);
- ♦ Larry Camper (2010);
- ♦ Christine Gelles (2011);
- ♦ Lawrence “Rick” Jacobi (2012);
- ♦ James Kennedy (2013);
- ♦ EnergySolutions, the Utah Department of Environmental Quality (DEQ), the Conference of Radiation Control Program Directors (CRCPD), and the U.S. Department of Energy’s (DOE) Global Threat Reduction Initiative (2013 *honorable mention*);
- ♦ Electric Power Research Institute (2014) ;and,
- ♦ Division of Radiation Control of the Utah DEQ and EnergySolutions (2015).

The Award

The Richard S. Hodes Honor Lecture Award—established in March, 2003—is awarded to an individual, company, or organization that contributed in a significant way to improving the technology, policy, or practices of low-level radioactive waste management in the United States.

The award recipient will be recognized with a special plaque and an invitation to present a lecture about the innovation during the annual international Waste Management Symposium

States and Compacts *continued*

(WM '16). The 2016 symposium is sponsored by the University of Arizona and will be held in Phoenix, Arizona in the spring of 2016.

A special time is reserved during the Symposium for the lecture and the award presentation. The Southeast Compact Commission will provide the award recipient a \$5,000 honorarium and will pay travel expenses and per diem (in accordance with Commission Travel Policies) for an individual to present the lecture.

Criteria

The Richard S. Hodes Honor Lecture Award recognizes innovation industry-wide. The award is not limited to any specific endeavor—contributions may be from any type of work with radioactive materials (nuclear energy, biomedical, research, etc.), or in any facet of that work, such as planning, production, maintenance, administration, or research. The types of innovations to be considered include, but are not limited to:

- ◆ conception and development of new approaches or practices in the prevention, management, and regulation of radioactive waste;
- ◆ new technologies or practices in the art and science of waste management; and,
- ◆ new educational approaches in the field of waste management.

The criteria for selection include:

1. *Innovation*. Is the improvement unique? Is it a fresh approach to a standard problem? Is it a visionary approach to an anticipated problem?
2. *Safety*. Does the practice enhance radiation protection?
3. *Economics*. Does the approach produce significant cost savings to government, industry or the public?
4. *Transferability*. Is this new practice applicable in other settings and can it be

replicated? Does it increase the body of technical knowledge across the industry?

Eligibility

To be eligible for the award, the individual/group must consent to being nominated and must be willing to prepare and present a lecture about the innovation being recognized at the Waste Management Symposium. Individuals or organizations can nominate themselves or another individual, company, institution, or organization.

Nominations

To nominate yourself or another individual, company, or organization for this distinguished award, please contact:

Awards Committee
c/o Ted Buckner, Executive Director
Southeast Compact Commission
1230 SE Maynard Road
Suite 103
Cary, NC 27511
(919) 380-7780
(919) 380-7710 - FAX
tedb@secompact.org

or visit the Southeast Compact Commission's website at <http://www.secompact.org/>.

Nominations must be received by July 31, 2015.

Southeast Compact Commission Holds 106th Meeting

On June 23, 2015, the Southeast Compact Commission for Low-Level Radioactive Waste Management held its 106th meeting via teleconference beginning at 10:30 am EDT.

The following items were on the draft agenda for the meeting:

- ♦ call to order and introductory remarks (Michael Mobley, Chair)
- ♦ establishment of quorum (Debra Shults, Vice-Chair)
- ♦ approval of minutes (Commissioners)
- ♦ comments pertaining to agenda items only (General Public)
- ♦ report from the Executive Director (Ted Buckner, Executive Director)
- ♦ report from the Treasurer (Herbert Wheary, Treasurer)
- ♦ state reports and liaison reports (Commissioners)
- ♦ old business (Commissioners)
- ♦ new business (Commissioners)
 - proposed budget for fiscal year 2015-2016 (Commissioners)
- ♦ election of officers (Commissioners)
- ♦ comments (General Public)
- ♦ adjournment

Committee and Commission meetings are open to the public.

For additional information, please contact the Southeast Compact Commission at (919) 380-7780 or at secc@secompact.org.

(Continued from page 1)

Texas Compact Commission has made the determination required by §3.02 of the Texas Compact; and,

- ♦ in some cases, to correct grammatical errors found in the preliminary rules.

Proposed New Rule and Amendments

The following offers an overview and a few highlights from the proposed rules. Persons interested in additional details are directed to the proposed rules as published.

§675.20—Definitions The Texas Compact Commission is proposing a new rule at 31 TAC §675.20 to collect the definitions of terms used in its rules into a single rule from sources such as the agreement between the State of Texas and the State of Vermont. Definitions for the majority of the terms used in the Texas Compact Commission's rules are specifically set out in the Compact.

Among other things, the proposed new rule would eliminate references to management of waste. The Texas Compact Commission is currently conducting investigations in preparation of drafting a new rule that would address the importation of waste for the purpose of management. If it adopts such a rule, the language will likely be amended to insert the references to management of waste.

A portion of the proposed new rule has been adapted from the Texas Compact Commission's draft White Paper of June 4, 2013 entitled,

States and Compacts *continued*

“Establishing the Generator of Low-Level Radioactive Waste for the Purposes of Determining Party v. Non-Party Status for the Texas Low-Level Radioactive Waste Disposal Compact.” The draft White Paper has been posted on the Texas Compact Commission’s web site since 2013.

§675.21—Exportation of Waste to a Non-Party State for Disposal The Texas Compact Commission is proposing to amend 31 TAC §675.21 to specify the procedure that must be used by a party-state generator to petition for permission to export party-state waste to a non-party state for disposal. The procedure is proposed for use going forward in lieu of the Texas Compact Commission’s granting permits pursuant to the resolution it adopted on December 11, 2009.

The proposed rule also eliminates a provision for the payment of a fee for the processing of a petition to export waste from a party state. Such a fee does not need to be imposed because the Texas Legislature makes an appropriation to the Texas Compact Commission each biennium for its operations.

As drafted, the proposed rule describes generators that seek permission to export compact waste to a non-party state for disposal as “petitioners,” rather than applicants. This change in designation is proposed for the purpose of more readily distinguishing between in-compact generators seeking permission to export waste and out-of-compact generators (or brokers) seeking permission to send their waste to Texas for disposal at the Texas Compact facility.

In addition, the proposed rule seeks to clarify that the Texas Compact Commission considers only petitioners’ unresolved violations of other regulatory entities’ regulations “associated with radioactive waste receipt, handling, processing or transportation” when deciding whether they may export waste.

The amendments reflect an allotment approach to authorizations to import and export waste. Because the Texas Compact Commission must track the volumes of waste disposed in the Texas Compact facility and the curies associated with those volumes on an operational year basis, it is transitioning to the issuance of permits to export party-state waste and the execution of agreements to import out-of-compact waste for disposal at the Texas Compact facility that terminate at the end of the facility’s operational year—i.e., on August 31 of each year. Petitioners and applicants are not prohibited from seeking authority to export party-state waste or import out-of-compact waste for disposal in future operational years.

§675.22—Exportation of Waste to a Non-Party State for Management or Processing and Return to the Party States for Management or for Disposal in the Compact Facility Generally, the Texas Compact Commission is proposing to amend 31 TAC §675.22 to clarify some of its terms and to recognize that some party state waste shipped out for management or processing is not returned to the generator, but rather shipped directly to the Texas Compact facility for disposal. Specifically, the proposed amendments clarify that the rule addresses the exportation of low-level radioactive waste, as opposed to other types of waste.

The proposed amendments clarify that, when a party-state generator ships waste out of the Texas Compact for management or processing, it is required to submit a report of that action to the Texas Compact Commission within ten days of shipment. The exporting generator’s duty accrues on shipment.

In addition, the proposed amendments change the manner in which an exporting generator notifies the Texas Compact Commission of its exportation of low-level radioactive waste for management or processing before it is returned for disposal in the Texas Compact facility. Currently, party-state generators are permitted to submit reports that they have exported low-level radioactive waste

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for management or processing by electronic mail and facsimile. The proposed amendments would permit such reports to be submitted to the Texas Compact Commission by electronic mail or by United Parcel Service (UPS) or FedEx delivery service. This change is intended to increase the likelihood that the Texas Compact Commission will receive timely, legible reports from the shipping generators.

The proposed amendments also account for those situations in which a party-state generator ships low-level radioactive waste out-of-compact for processing and management when, instead of the waste being returned to that generator after management or processing, the waste is shipped directly from the waste manager or processor to the Texas Compact facility for disposal. The proposed amendments also permit party-state generators that have shipped low-level radioactive waste out of the compact for management or processing to rely on information provided by the out-of-compact waste manager or waste processor to make reports to the Texas Compact Commission about returning the waste.

§675.23—Importation of Waste from a Non-Party Generator for Disposal Generally, the Texas Compact Commission is proposing to amend 31 TAC §675.23 to clarify its language; reduce the amount of time needed for the Texas Compact Commission to act on applications for the importation of non-compact waste for disposal at the Texas Compact facility; eliminate the provision requiring the payment of a fee to the Texas Compact Commission on the filing of an application for an import agreement; change the manner in which applications for the importation of waste may be submitted to the Texas Compact Commission; provide for the delegation of certain decisions regarding amendments to existing agreements for the importation of waste to the Texas Compact Commission Chair or his or her delegate, acting in consultation with the Texas Compact Commission's Technical Committee; and, eliminate forms for applications and agreements from the rules. Specifically, the

Texas Compact Commission proposes to amend the rule to more closely track the policies set out in the Texas Compact.

The proposed amendments eliminate the requirement that the Texas Compact Commission issue a report every five years to establish the disposal capacity of the Texas Compact facility. The Texas Compact Commission will, however, continue to recognize and protect the portion of the Texas Compact facility's disposal capacity reserved for Vermont and not to be used for the non-party states.

The proposal includes non-substantive amendments to specifically require any state seeking to join the Texas Compact to comply with the provisions of Texas Compact Article VII.

Under the proposed amendments, applications for import agreements may be submitted (rather than filed) with the Texas Compact Commission by electronic mail, followed by a hard copy of the application delivered by UPS or FedEx delivery service. (Formerly, applications could be submitted by electronic mail and facsimile.) The proposed amendments also require the applicant to send a copy of the application to the Texas Compact facility operator and to the Texas Commission on Environmental Quality (TCEQ) by both electronic mail and UPS or FedEx delivery. The proposed amendments continue to provide that an applicant can ship no waste until the Texas Compact Commission has voted to enter into an agreement for the import of out-of-compact waste for disposal at the Texas Compact facility and both the Texas Compact Commission and the applicant have executed that agreement.

The proposed amendments eliminate any reference to the date on which an application is deemed received. Documents will be treated as having been received on the earlier of the date on which the Texas Compact Commission receives the email transmitting the application or the date when UPS or FedEx delivery service delivers the hard copy of an application to the Texas Compact

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Commission. Additionally, the proposed amendments provide that the Texas Compact Commission gives notice of an application for amendment by posting it on its web site. The Texas Compact Commission proposes to eliminate the practice of publishing applications for import agreements in the *Texas Register*.

The proposed amendments eliminate the 25-day period for comment on submitted applications in favor of a provision that preserves the right of all persons to comment and be assured that their comments will be considered up to one week before a meeting at which the Texas Compact Commission proposes to act on an application for an import agreement. As written, the proposed amendments require the Texas Compact Commission to consider comments submitted up to one week before such meeting. The proposed rules also permit the Texas Compact Commission to consider comments submitted less than one week before such meeting, but do not require consideration.

The proposed amendments remove the restrictions on time within which the Texas Compact Commission, its staff or its delegates must review any submitted applications for import agreements. They also clarify the specific information about the waste to be disposed that the Texas Compact Commission will consider and eliminate the requirement that the applicant provide information about certain radionuclide-specific activities as TCEQ has amended the Texas Compact facility's license in a manner that removes those radionuclide-specific limits. In addition, the proposed amendments clarify that the Texas Compact Commission will consider the identity of the generator and the need for and receipt of any authorizations needed to export waste from its location.

The proposed amendments reduce the span of time within which the Texas Compact Commission will act on submitted applications for importation of waste for disposal. They clarify that, once the Texas Compact Commission has

decided whether to grant an import agreement application, it is considered the final action of the Texas Compact Commission and that the applicant does not need to file a motion for rehearing to exhaust its administrative remedies. As proposed, the amendments also expand the basis for denying an importation agreement application related to international waste. The current rules permit the Texas Compact Commission to deny an application for an import agreement because the waste proposed for disposal *does* include international waste. An applicant wishing to rid itself of waste of international origin might be inclined not to disclose that the waste proposed for importation contains international waste given Texas' complete ban of such materials from inclusion in the wastes disposed at the Texas Compact facility. In the absence of any ability to determine for itself whether the proposed waste is of international origin, the Texas Compact Commission instead proposes to amend its rule to permit it to deny an application for an import agreement if there is a possibility that the waste proposed for disposal contains waste of international origin.

The proposed amendments implement an allotment method of issuing permits and entering into importation agreements. Because the Texas Compact Commission must track the volume and activity of waste disposed in the Texas Compact facility on an operational year basis, it proposes to issue exportation permits and enter into importation agreements that are for operational-year increments and terminate on August 31 of the operational year that they cover. Under the proposed amendments, when the Texas Compact Commission has amended an importation agreement, no shipments may be made under the amended agreement until both the Texas Compact Commission and the generator have executed the agreement and the generator has made any necessary changes to comply with the agreement, as amended.

States and Compacts *continued*

The proposed amendments authorize the Chair or his or her delegate, in consultation with the Texas Compact Commission's Technical Committee, to decide whether applications for certain minor amendments should be granted. The proposed amendments also add new language that expressly provides for the posting of applications for amendments to existing import agreements to the Texas Compact Commission's web site within five business days of their receipt. In addition, the proposed amendments specify the time within which the Texas Compact Commission (or the Chair or his or her delegate, acting in consultation with the Commission's Technical Committee) will act on applications for amendments to existing importation agreements; note that agreements are not assignable or transferrable; and, provide that the Texas Compact Commission's decision on the application is final on the date it is made, and that the applicant does not need to file a motion for rehearing to exhaust its administrative remedies.

The proposed amendments delete language in the current rules that the Texas Compact Commission will continue to consider whether to assess fees for its consideration of applications for agreements to import out-of-compact waste for disposal at the Texas Compact facility. The proposed amendments also remove language related to waste imported for management or processing because 31 TAC §675.23 does not relate to such waste. Finally, the proposed amendments clarify that language in this section relates to small *quantity* generators, not small generators.

Background

Overview of Rules and White Paper 31 TAC §675.21 establishes principles for the exportation of waste to a non-party state for disposal. In particular, the rule states that “[n]o person shall export any low-level radioactive waste generated within a party state for disposal in a non-party state unless the [Texas Compact] Commission has issued an export permit allowing the exportation

of that waste ...” The rule goes on to detail petition requirements and form, as well as associated fees. It also details notice and timing of a petition and review and decision thereon. Among other things, the rule addresses decision by the Texas Compact Commission; imposition of terms and conditions; duration, amendment, revocation, reporting and assignment; agreements to export; and, so forth.

31 TAC §675.22 sets out principles related to the exportation of waste to a non-party state for management or processing and return to the party states for management or disposal in the Texas Compact facility. According to the rule, “[w]here the sole purpose of the exportation is to manage or process the waste for recycling or waste reduction and return it to the party states for disposal in the [Texas] Compact Facility, party state generators are not required to obtain an export permit; however ... [t]he generator shall be required to file a report with the [Texas Compact] Commission no later than 10 days after the shipment of the waste.” Among other things, the rule establishes the process for satisfying the reporting requirements, information that must be included, and filing and certification requirements upon return of the waste to the generator.

31 TAC §675.23 outlines principles related to the exportation and importation of waste including, but not limited to, Vermont's disposal capacity reserve; establishment of the Texas Compact facility's disposal capacity; new party members; import applications, agreements, forms, fees and so forth; the filing of a Quarterly Import Report with the Texas Compact Commission by the Texas Compact facility operator; procedures for small generators; and, so forth. The rule specifically states that the Texas Compact Commission “will not accept the importation of low-level radioactive waste of international origin.”

The White Paper provides guiding principles for answering the question as to who is considered the waste generator when radioactive materials

are to be disposed at the Texas Compact facility. This question is important for three reasons. First, Texas law specifies that waste from non-party states must pay a surcharge when disposed at the Texas Compact facility. Second, Texas law specifies that no waste of international origin may be disposed at the Texas Compact facility. Third, the Texas Compact Commission is charged with protecting the disposal capacity for Texas and Vermont low-level radioactive waste generators. As originally drafted, the White Paper applies a different set of principles for use in determining who the waste generator is for purposes of disposal at the Texas Compact facility, based on whether the radioactive materials were acquired on or after April 27, 2012—the first operational year for the Texas Compact facility. The White Paper does not address when a radioactive material is, or should be, declared waste—as that is a business decision that involves many economic and technical factors.

Review by the Texas Compact Commission At its June 6, 2013 meeting, the Texas Compact Commission Chair established the Rules Committee to review the Texas Compact Commission's existing rules under 31 TAC §675.21, §675.22 and §675.23 and to develop any proposed changes. (See *LLW Notes*, May/June 2013, p. 12.) In addition, the Rules Committee began reviewing the White Paper. The Rules Committee included Commissioners Linda Morris, Richard Saudek and Robert Wilson.

In establishing the Rules Committee, the Texas Compact Commission stated that it was key to the rule development process to seek input to the Rules Committee deliberations prior to the development of a draft rule proposal. Subsequently, the draft was submitted to the full Texas Compact Commission for its action prior to proposal in the *Texas Register*.

On July 18, 2014, the Texas Compact Commission announced the availability for public review and comment of working drafts of proposed revisions to 31 TAC §675.21, §675.22

and §675.23 related to exportation and importation of waste. (See *LLW Notes*, July/August 2014, p. 12.)

For additional information, please contact Texas Compact Commission Executive Director Leigh Ing or Texas Compact Commission Executive Assistant Audrey Ferrell at (512) 305-8941.

Texas Compact Commission Holds May 2015 Meeting

The Texas Low-Level Radioactive Waste Disposal Compact Commission (Texas Compact Commission) held a regularly scheduled meeting on May 28, 2015.

The meeting, which began at 9:30 a.m. CDT, was held in Room E2.014 at the Texas Capital Building located at 1100 Congress Avenue in Austin, Texas.

Meeting Agenda

The following is an abbreviated overview of the agenda for the Texas Compact Commission meeting. Persons interested in additional detail are directed to the formal agenda themselves.

- ◆ call to order;
- ◆ roll call and determination of quorum;
- ◆ introduction of commissioners, elected officials and press;
- ◆ public comment;
- ◆ consideration of and possible action on a request for amendment to an agreement for importation of low-level radioactive waste from Ecology Services, Inc.;

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- ♦ consideration of and possible action on applications and proposed agreements for importation of low-level radioactive waste from American Airlines, Inc. and RAM Services, Inc.;
- ♦ receive reports from Waste Control Specialists LLC (WCS) about recent site operations and any other matter WCS wishes to bring to the attention of the Texas Compact Commission;
- ♦ discussion and possible action to authorize the Chair to execute a contract, not to exceed \$25,000, for accounting services for the Texas Compact Commission in replacement of the Board of Nursing from August 1, 2015 through August 31, 2016;
- ♦ discussion and possible action to authorize the Chair to execute a contract, not to exceed \$25,000, for an auditor to conduct annual audits for 2013 and 2014 as required by the Texas Compact;
- ♦ Chairman's report on Texas Compact Commission activities including reporting on fiscal matters to be taken by Compact;
- ♦ report from Leigh Ing, Consulting Supervisory Director of the Texas Compact Commission, on her activities and questions related to Texas Compact Commission operations;
- ♦ discussion and possible changes of dates and locations of future Texas Compact Commission meetings in 2015 and 2016; and,
- ♦ adjourn.

Texas Compact Commission meeting agendas may be found on the Commission's website at <http://www.tllrwdcc.org/>.

For additional information, please contact Leigh Ing, Consulting Supervisory Director of the Texas Compact Commission, at (512) 217-8045 or at ing.leigh@gmail.com.

Background

The Texas Compact Commission may meet in closed session as authorized by the Texas Open Meetings Act, Chapter 551, Texas Government Code. Texas Compact Commission meetings are open to the public.

Nuclear Power Plants and Other NRC Licensees

News Briefs for Nuclear Power Plants Across the Country

The following news briefs provide updates on recent activities, enforcement actions and general events at nuclear power plants and other licensees around the country. The briefs are organized by compact and state.

For additional information, please contact the referenced facility or licensee.

Appalachian Compact/Commonwealth of Pennsylvania

Bell Bend Nuclear Power Plant On June 4, 2015, staff from the U.S. Army Corps of Engineers (Army Corps) and the U.S. Nuclear Regulatory Commission (NRC) received comments on a Draft Environmental Impact Statement (DEIS) for a new nuclear power plant proposed for Salem Township (Luzerne County), Pennsylvania. The meetings took place from 3:00 to 5:30 p.m. and 7:30 to 10:00 p.m. in Monty's Building of the Upper Campus at Bloomsburg University. Army Corps and NRC staff also held open houses for one hour prior to each meeting at the same location. However, formal comments were only accepted during the meetings. On October 10, 2008, PPL submitted the application for the construction of a new reactor (to be named Bell Bend) on a site adjacent to the Susquehanna nuclear power plant, which the company also owns and operates. The proposal calls for the use of a single U.S. Evolutionary Power Reactor (EPR) at the site. The NRC has not yet approved that design. On April 24, 2015, the Army Corps, Baltimore District, and NRC issued the DEIS. The NRC staff's preliminary environmental recommendation is that a license for the new reactor could be issued. This recommendation is based on the application, including the

environmental report submitted by the company; consultation with federal, state, tribal, and local agencies; the NRC review team's independent evaluations; the consideration of public comments; and, the assessments summarized in the draft environmental report. The NRC's evaluation of the application involves both safety and environmental reviews. The safety review for the application is currently on hold at the request of PPL. Public comments on the DEIS will be accepted through July 7, 2015. A copy of the DEIS is available on the NRC's website. *For additional information, please contact Diane Screnci at (610) 337-5330 or Neil Sheehan at (610) 337-5331.*

Susquehanna Nuclear Power Plant On June 22, 2015, NRC announced that the agency will increase its level of oversight at the Susquehanna nuclear power plant, in Salem Township (Luzerne County), Pennsylvania as a result of the finalization of a "white" (low to moderate safety significance) inspection finding and related violation in the area of emergency preparedness. NRC inspectors, during an in-depth review of plant drill scenarios, identified a concern with how plant personnel would determine the start of a 15-minute clock for emergency assessment and declaration for a scenario involving the potential loss of primary containment. (Both of the plant's units have primary and secondary containments to prevent the release of radioactivity to the environment following an accident.) The inspectors found that Susquehanna's interpretation of the 15-minute assessment and classification period degraded plant personnel's ability to make a timely "Site Area Emergency" declaration in certain cases. (A Site Area Emergency is the third tier of the four levels of emergency classification used by the NRC.) Specifically, the plant's owner, Susquehanna Nuclear LLC, interpreted the requirements as having the 15-minute clock begin when operator actions were, or were expected to be, unsuccessful in halting reactor coolant system leakage rather than when indications of a leak's onset are available to plant operators, signaling that an

emergency action level has been exceeded. Prior to making a final enforcement decision, the NRC offered the company the opportunity to accept the finding without any formal response or provide additional information in a Regulatory Conference or in writing. The company submitted a written response dated May 15, 2015 in which it acknowledged the finding but stated that training and programs already in place prior to the finding would have ensured the impact of the issue would have been relatively minor. The NRC considered the information but determined the finding was appropriately characterized as “white.” The finding also involved a violation of NRC requirements regarding maintaining an emergency plan that meets federal standards. The NRC, in response to the “white” finding, will perform a supplemental inspection at the plant to ensure the company has completed a thorough root-cause evaluation of the issue and put in place effective corrective actions. Subsequent to the issuance of the preliminary “white” finding, the Susquehanna emergency action level basis was revised to correct the declaration timeliness issue. *For additional information, please contact Diane Screnci at (610) 337-5330 or Neil Sheehan at (610) 337-5331.*

Atlantic Compact/States of New Jersey and South Carolina

Oyster Creek Nuclear Power Plant By press release dated April 27, 2015, NRC announced that it will increase its level of oversight at the Oyster Creek nuclear power plant following the finalization of one “yellow” and one “white” inspection finding for the Lacey Township (Ocean County), New Jersey facility. A “yellow” classification indicates substantial safety significance while a “white” connotes low to moderate safety significance. The “yellow” finding involves design aspects of electromechanical relief valves, or EMRVs, for the Exelon-owned and -operated plant. The “white” finding pertains to the maintenance of an emergency diesel generator at the facility. With respect to the “yellow” finding, the EMRVs would be used to

depressurize the reactor during a pipe break to allow coolant to be injected into the reactor core. This is necessary to keep the nuclear fuel in the reactor covered and cooled as the shutdown progresses. During refurbishment work in June 2014 on two EMRVs removed from the plant in 2012, the company found an alignment problem with the valve’s actuator. When the valves were tested, they did not open. Once the issue was identified, Exelon immediately tested five of its then-installed EMRVs. All five actuated successfully. Further, the company installed redesigned actuators for the valves during a refueling and maintenance outage at the plant in October 2014. Even though the violation involving the EMRVs has been classified as “yellow,” the NRC has determined it represents an old design issue. That is, the issue stems from an inspection finding involving a past design-related problem and does not reflect a current performance deficiency associated with existing programs, policies or procedures used by the company. As a result, the finding will not lead to Oyster Creek moving into the Degraded Cornerstone Column of the NRC’s Action Matrix. However, the NRC will carry out a team inspection that will review Exelon’s root-cause evaluation and corrective actions for the issue. On the issue involving one of the plant’s emergency diesel generators, the back-up power source may not have been available to operate because of the degradation of its cooling fan drive shaft. Oyster Creek, like other nuclear power plants, transmits power to the grid but also receives power from the grid for the operation of safety systems. When that off-site power is unavailable, the plant’s emergency diesel generators activate to provide power to key safety systems. On July 28, 2014, during a bi-weekly test of one of the plant’s emergency diesel generators, alarms involving the generator were received. Following the generator’s shutdown, Oyster Creek personnel discovered the belt-driven cooling fan drive shaft had sheared into two pieces, resulting in the generator becoming inoperable. The fan keeps the generator from overheating when operating. Plant personnel

replaced the fan shaft and performed a failure analysis on the damaged shaft. It was determined that fatigue was the cause of the shaft's failure. NRC inspectors learned that in May 2005, Exelon changed the method for tensioning the generator's cooling fan belt but did not adequately verify the acceptance criteria for the change. The company did not detect that the change left the shaft subject to fatigue and, as a result, the failure occurred on July 28, 2014. Further, the period of inoperability for the generator exceeded its allowable outage time in violation of the plant's technical specifications. Unlike the EMRV design issue, the NRC identified the tensioning issue. Exelon took immediate steps to address the issue, including performing a failure analysis on the broken shaft, examining the cooling fan drive shaft for the plant's other emergency diesel generator and correcting the tensioning method. For both issues, the NRC offered Exelon an opportunity to take part in a regulatory conference, to provide additional information in writing or to accept the findings as characterized. The company provided written responses on March 13, 2015 for each issue. The company disagreed with some aspects of the NRC's analysis of the EMRV issue, concluding that the issue was less significant than characterized by the agency. The NRC considered the points raised by Exelon and concluded that the EMRV issue was appropriately characterized as "yellow." For the EDG "white" finding, the company accepted the finding and its significance determination. The NRC will perform team inspections in response to both inspection findings once Exelon notifies the agency of its readiness for the reviews. *The reports regarding the enforcement actions can be found in the NRC's electronic documents system, ADAMS. For additional information, please contact Diane Screnci at (610) 337-5330 or Neil Sheehan at (610) 337-5331.*

Oconee Nuclear Power Plant On May 27, 2015, NRC held a public meeting with Duke Energy officials to discuss the status of major projects at the Oconee nuclear power plant. The Oconee

plant, operated by Duke, is located near Seneca, South Carolina—approximately 30 miles west of Greenville. The public was invited to attend, and NRC officials were available to answer questions after the business portion of the meeting. The projects that were discussed include pending plant improvements designed to prevent or mitigate the effects of floods and tornadoes, the Oconee plant response to changes required after the 2011 Fukushima accident in Japan and the status of a new service water system designed to cool some equipment in the plant. Planned upgrades to the nearby Keowee Hydroelectric Units, which provide backup power to the Oconee plant, were also discussed. *For additional information, please contact Roger Hannah at (404) 997-4417 or Joey Ledford at (404) 997-4416.*

Central Midwest Compact/State of Illinois

Chicago Bridge & Iron The NRC has issued a Severity Level II Notice of Violation and a proposed \$11,200 civil penalty to Chicago Bridge & Iron's Lake Charles, Louisiana facility for actions related to the dropping of a prefabricated building section for a new reactor. The NRC has also issued a Severity Level III Notice of Violation to a former company official. The safety-related building section, for one of the two V.C. Summer new reactors under construction in South Carolina, was dropped and damaged on March 1, 2013 due to improper rigging and lifting practices. The NRC has concluded facility staff took deliberate actions to falsify records regarding the damage and the causes for dropping the section. The NRC concluded a former company official deliberately instructed subordinates to initially provide false statements as to the cause of the drop. The willful actions described in the NRC's notices were significant because they appeared to include an understanding of the nuclear safety implications that resulted from mishandling of and damage to the building section. Despite this understanding, the facility's officials and employees involved in the incident knowingly disregarded quality assurance program requirements designed to promptly identify and

correct a deficient condition. These notices cover events that happened more than two years ago, and reflect facility performance at that time. Recently completed NRC inspections have indicated the Lake Charles facility's safety culture is improving, and that facility staff better understand the importance of conducting work with integrity. NRC staff will continue inspecting work activities at all Chicago Bridge & Iron facilities to further assess the company's implementation of corrective actions imposed by the NRC's September 2014 Confirmatory Order that included actions to address and correct deliberate misconduct at the Lake Charles facility. *For additional information, please contact Scott Burnell at (301) 415-8200.*

Clinton Nuclear Power Plant On June 25, 2015, NRC staff held a regulatory conference with officials of Exelon Generation Co., LLC to discuss a preliminary finding in the mitigating systems area. The plant is located in Clinton, Illinois—approximately 23 miles southeast of Bloomington. During the meeting, NRC and company officials discussed the significance of the inspection finding, which involved the failure of a shutdown cooling water pump during a test. The pump is designed to pass a sufficient amount of water to safety equipment. However, plant staff apparently failed to verify the pump would be able to perform its function without being impacted by mud and silt from lake water, which resulted in the failure of the pump. The finding is not a current safety concern because the plant replaced the pump. The NRC's preliminary evaluation determined that the violation at Clinton was "white," which means it has a low to moderate safety significance. No decisions on the final safety significance or other NRC actions were made at the conference. NRC officials will make those decisions at a later time. The NRC inspection report in which the apparent violation is documented is publicly available. *For additional information, please contact Viktoria Mitlyng at (630) 829-9662 or Prema Chandrathil at (630) 829-9663.*

Honeywell International, Inc. On April 21, 2015, NRC staff issued a notice of violation to the Honeywell facility in Metropolis, Illinois for the failure to declare an Alert and properly notify the NRC in response to a uranium hexafluoride leak that occurred on October 26, 2014. The NRC staff offered Honeywell the opportunity to address the apparent violation identified by the NRC by either attending a pre-decisional enforcement conference or by providing a written response. In a March 2015 letter, Honeywell officials provided an explanation of the cause of the violation and actions taken to reduce the likelihood of it happening again. Based on an NRC inspection and the Honeywell response, the NRC has determined that there was a violation of NRC requirements. Because the company has not been subject to escalated NRC enforcement action during the past two years and has taken corrective actions, the NRC enforcement policy means the agency will not levy a fine against Honeywell. The company's corrective actions came after a confirmatory action letter issued by the NRC in November 2014 documented Honeywell's commitment to revise procedures for classifying an emergency. Those procedure revisions were successfully demonstrated during an emergency exercise in November 2014. Since Honeywell has already responded to the violation and taken appropriate corrective actions, the NRC requires no further actions from the company. *For additional information, please contact Roger Hannah at (404) 997-4417 or Joey Ledford at (404) 997-4416.*

Zion Nuclear Power Plant By press release dated April 24, 2015, NRC announced that the agency is requesting comments on the license termination plan for the Zion nuclear power plant. Four days later, on April 28, 2015, NRC held a public meeting on the plan in Zion, Illinois. During the meeting, NRC discussed the plan and accepted comments. Written comments were also accepted until May 26, 2015. The plan provides site radiological information, the planned demolition and decommissioning tasks, and the planned final radiological surveys and data

needed to allow termination of the plant's NRC license. ZionSolutions assumed Zion's license from Exelon in 2010 for the purpose of decommissioning. Zion Unit 2 permanently shut down in 1996, followed by Unit 1 in 1997. All spent fuel at the site has been moved into dry storage. Decommissioning is scheduled to be complete in 2018, after which the license will be transferred back to Exelon. ZionSolutions submitted the plan on December 19, 2014, followed by a supplement that was submitted on February 26, 2015. The documents explain how ZionSolutions will meet NRC criteria for unrestricted release of the property. *For additional information, please contact Maureen Conley at (301) 415-8200. Technical questions may be addressed to the project manager, John Hickman, at (301) 415-3017 or at John.Hickman@nrc.gov.*

Midwest Compact/States of Minnesota, Ohio and Wisconsin

Prairie Island Nuclear Power Plant On May 13, 2015, NRC held two public meetings to discuss the Prairie Island nuclear power plant. One meeting encompassed the plant's improvement plan for its corrective action program and the second was an open house to discuss the agency's annual assessment of safety performance for Prairie Island. Northern States Power Company-Minnesota operates the two-unit plant. It is located in Welch, Minnesota—approximately 28 miles southeast of Minneapolis. The public was able to observe the business meeting between the NRC and plant officials and participated in the question and comment period once the business portion concluded. During the open house, attendees were able to discuss with NRC staff the plant's 2014 performance and the agency's oversight of the facility. Overall, the Prairie Island facility operated safely in 2014. All performance indicators and inspection findings for Unit 1 were green, or low safety significance, and the unit remained in Column 1 of the action matrix. Unit 2 had no safety significant findings; however, the unit was in Column 2 for all four

quarters of 2014. This was due to one white or low to moderate performance indicator in the area of mitigating systems. Mitigating systems are made up of key pieces of equipment and specific systems that must be available and reliable when needed. After conducting a supplemental inspection, the NRC found the plant had addressed the issues and placed Unit 2 back in Column 1. As a result, Units 1 and 2 will continue to receive the NRC's normal level of oversight during 2015. Among the areas of performance to be inspected this year by NRC inspectors are activities associated with radiological safety, steam generator replacement, and license renewal. *For additional information, please contact Viktoria Mitlyng at (630) 829-9662 or Prema Chandrathil at (630) 829-9663.*

Davis-Besse Nuclear Power Plant On April 28, 2015, NRC announced that the agency had issued its final supplemental environmental impact statement for the proposed renewal of the operating license for the Davis-Besse nuclear power plant in Ohio. The report concludes there are no environmental impacts that would preclude renewing the plant's license. The Davis-Besse Nuclear Power Station is a single pressurized water reactor located in Oak Harbor—approximately 23 miles east of Toledo. It is licensed to operate through April 22, 2017. On August 30, 2010, FirstEnergy Nuclear Operating Company applied to renew the license for an additional 20 years. The license renewal review process proceeds along two tracks – one for review of safety issues and another for environmental issues. As part of the environmental review of the application, the NRC held public meetings near the plant to discuss the review process and the draft version of the environmental impact statement, which was published in February 2014. Comments were received and considered from members of the public, local officials, and representatives of state and federal agencies. The NRC published its safety evaluation report, with open items, in September 2013. The safety report, the final supplemental environmental impact statement

(NUREG-1437, Supplement 52), the license renewal application and other information on the review, can be found on the NRC website at www.nrc.gov. *For additional information, please contact Scott Burnell or Maureen Conley at (301) 415-8200.*

SHINE Medical Technologies, Inc. By press release dated May 12, 2015, NRC announced that the agency is seeking public comment on a draft study detailing environmental impacts for a proposed medical radioisotope production facility operated by SHINE Medical Technologies, Inc. If approved, the construction permit would give SHINE permission to build a facility for the production of molybdenum-99 and other radioisotopes. The facility would be located in Janesville, Wisconsin—approximately 40 miles southeast of Madison. If the NRC issues a construction permit, then SHINE must submit a separate application for an operating license and must obtain NRC approval before it can operate the facility. On June 10, 2015, NRC staff held two public meetings in Janesville to present the draft study's findings and hear comments from the public on the document. The NRC staff's preliminary environmental recommendation is that the construction permit could be issued. The staff's conclusion is based on several factors, including its independent environmental review; consultation with federal, state and local agencies; consideration of public comments received at the public scoping meetings; and, information in the SHINE application. The construction permit review process includes examination of the potential environmental impacts from construction, operation and decommissioning of the SHINE facility. A separate technical (safety) evaluation of the application is underway. The company submitted the application in two parts in March and May of 2013. More information on the SHINE application is available on the NRC web site at www.nrc.gov. The DEIS is available on the federal rulemaking website, Regulations.gov, under Docket ID NRC-2013-0053. The public can comment on the draft EIS through July 6, 2015. Comments can be

submitted, using Docket ID NRC-2013- 0053, through Regulations.gov or by mailing them to Cindy Bladey, Office of Administration, Mail Stop: OWFN 12 H08, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. *For additional information, please contact Scott Burnell at (301) 415-8200.*

Northwest Compact/State of Washington

Columbia Generating Station On June 15, 2015, NRC staff met with officials from Energy Northwest to discuss a preliminary inspection finding related to Columbia Generating Station's emergency preparedness plan. The plant is located near Richland, Washington. The NRC has preliminarily determined that the inspection finding has low to moderate (white) safety significance, which may require additional inspections, regulatory actions and oversight. During an NRC inspection, inspectors determined that the licensee's emergency response procedures did not include a measure for sheltering in place for the public as a protective action that can be recommended to offsite authorities in the event of a nuclear emergency. Energy Northwest also removed protective action recommendations for planned releases of radioactive material during an accident and inappropriately delegated responsibility for some decision making for protective action recommendations that could have caused delays. The licensee has resolved these issues and put in place measures to prevent recurrence. Licensees recommend protective actions to local and state officials who then make the actual decision about what protective actions the public will take. No decision on the final safety significance of the finding or any additional NRC actions were made at the conference. That decision will be announced at a later time. *For additional information, please contact Victor Dricks at (817) 200-1128 or Lara Uselding at (817) 200-1519.*

Southeast Compact/States of Florida, Georgia and Tennessee

Turkey Point Nuclear Power Plant New Reactors On April 22-23, 2015, NRC staff held meetings in Miami and Homestead to allow the public to comment on its Draft Environmental Impact Statement (draft EIS) for Florida Power & Light's application to build two new nuclear reactors at the Turkey Point site. The site is located near Homestead—approximately 20 miles south of Miami. The three sessions were each preceded by an informal one-hour open house to allow people to talk with NRC and U.S. Army Corps of Engineers staff. FPL submitted an application for a combined license for the two new units in June 2009 seeking NRC approval to build and operate two AP1000 reactors at the site where the company currently operates two nuclear units. The draft EIS includes a preliminary finding that there are no environmental impacts that would preclude the issuance of a combined license to build and operate the new Turkey Point units. The meetings provided the public with opportunities to submit comments on the draft EIS and its conclusions. *For additional information, please contact Roger Hannah at (404) 997-4417 or Joey Ledford at (404) 997-4416.*

Vogtle Nuclear Power Plant Construction On April 23, 2015, NRC held an open house to discuss the safety performance in 2014 of Southern Nuclear Operating Co.'s two-unit Vogtle nuclear plant, near Waynesboro, Georgia—approximately 26 miles southeast of Augusta. A separate meeting followed to cover the NRC inspections and the 2014 assessment for the two new units that are under construction at the same site. The NRC found that the two operating Vogtle units met all NRC safety objectives in 2014. That performance means the plant will continue to receive the normal detailed NRC inspections this year. However, an apparent violation related to a shipment of radioactive waste has not been finalized and could affect the level of NRC oversight at the plant. The NRC

staff found that the two new units are being constructed in a manner that protects public health and safety and meets all regulatory objectives. *Additional information on the NRC construction reactor oversight process can be found on the agency's web site at www.nrc.gov. For additional information, please contact Roger Hannah at (404) 997-4417 or Joey Ledford at (404) 997-4416.*

Tennessee Valley Authority On May 5, 2015, NRC staff met with Tennessee Valley Authority (TVA) representatives in Rockville, Maryland to discuss parts of TVA's proposed application for an Early Site Permit (ESP) at TVA's Clinch River, Tennessee site. The meeting covered TVA's proposed approach to emergency planning for the permit application. The permit would cover environmental and some site safety aspects of the utility's plans for small modular reactors at the site, which is located approximately 15 miles west of Knoxville, Tennessee. TVA's emergency planning approach for the ESP could involve requesting exemptions to the NRC's emergency preparedness regulations. If approved, the exemptions would allow TVA to use a smaller planning zone than currently considered for nuclear power plants. If the NRC ultimately issues an ESP for the site, TVA would have to apply for a separate license to build and operate a reactor at the site. *For additional information, please contact Scott Burnell at (301) 415-8200.*

Southwestern Compact/State of California

Diablo Canyon Nuclear Power Plant On July 19, 2015, the NRC's Atomic Safety and Licensing Board will hold two oral argument sessions in Rockville, Maryland concerning separate legal issues regarding the Diablo Canyon nuclear power plant in California. The Board is the independent body within the NRC that conducts adjudicatory hearings and renders decisions on legal challenges to licensing actions. Both sessions will be held in the Board's hearing room on the third floor of the NRC's Two White Flint North building at 11555 Rockville Pike in Rockville. The first session,

starting at 9:00 a.m. EDT, covers the license renewal process for Diablo Canyon—which is located near San Luis Obispo, California. The oral arguments will address four new contentions filed by the San Luis Obispo Mothers for Peace. The second session will follow the first, and is expected to start at approximately 1:00 p.m. EDT. It concerns a Commission referral of a Friends of the Earth petition. The oral arguments will address the group's assertion the NRC issued a "de facto" license amendment to Diablo Canyon. Members of the public and media can observe both oral arguments, but participation will be limited to lawyers for Mothers for Peace, Friends of the Earth, plant owner Pacific Gas & Electric, and the NRC staff. To view the proceedings via webstreaming, or listen by telephone, please contact the Board's law clerk, Alana Wase at alana.wase@nrc.gov or at (301) 415-6693 no later than July 2, 2015. *For additional information, please contact Scott Burnell at (301) 415-8200.*

San Onofre Nuclear Power Plant By press release dated June 5, 2015, NRC announced that the agency has granted Southern California Edison's request to alter the emergency preparedness plan for the San Onofre Nuclear Generating Station (SONGS) in San Clemente, California to reflect the plant's decommissioning status. The changes come in the form of exemptions from certain NRC requirements that may not be appropriate for a plant that has permanently ceased operations. Once the licensee implements the exemptions, state and local governments may rely on comprehensive emergency management ("all hazard") planning for off-site emergency response to events at SONGS, rather than having a dedicated offsite radiological emergency response plan approved by the Federal Emergency Management Agency (FEMA). As a result, there will not be a 10-mile emergency-planning zone identified in the license for SONGS. The plant will maintain an onsite emergency plan and response capabilities, including the continued notification of state and local government officials for an emergency declaration. Southern California Edison provided

analyses to show the exemptions are warranted because when compared to an operating power reactor, the risk of an offsite radiological release is significantly lower and the types of possible accidents significantly fewer at a nuclear power reactor that has permanently ceased operations and removed fuel from the reactor vessel. The NRC staff evaluated and confirmed these analyses. Based on the NRC staff's evaluation and recommendation, the Commission approved the exemptions on March 2, 2015. The exemption package, including a safety evaluation, was issued June 4, 2015. SONGS is a multi-unit pressurized-water reactor site located in San Diego County. Unit 1 was permanently shut down on March 6, 1993 and is currently in the decommissioning phase. Units 2 and 3 have been shut down since January 2012. All spent fuel has been permanently moved from the reactor vessels into the spent fuel pools for storage. The exemptions from certain emergency preparedness requirements are part of several changes to the plant's licensing basis and technical specifications the licensee requested to reflect the SONGS site's decommissioning status. *For additional information, please contact Maureen Conley at (301) 415-8200.*

Texas Compact/State of Texas

Comanche Peake Nuclear Power Plant By press release dated April 29, 2015, NRC announced that the agency will increase its level of oversight at the Comanche Peak nuclear power plant following the finalization of a security-related inspection finding classified as "greater than green." Luminant Generation Company owns the plant, which has two operating reactors and is located near Glen Rose, Texas. In the case of security-related inspection findings or performance indicators, the NRC notifies the public when the "greater than green" threshold has been crossed. However, the agency does not provide specifics because of the sensitive nature of the information associated with such findings and indicators. NRC inspectors identified the finding during a security baseline inspection at the

plant that concluded on January 26, 2015. On April 2, 2015, Luminant Generation Company provided the NRC a letter that described the reason for the violation and the corrective actions taken. The finding was documented in an inspection report issued on March 6, 2015. After considering the information presented by the company, and the information developed during the inspection, the NRC has determined the finding is appropriately characterized as “greater than green.” *For additional information, please contact Victor Dricks at (817) 200-1128 or Lara Uselding at (817) 200-1519.*

State of Michigan

Fermi Nuclear Power Plant By press release dated April 30, 2015, NRC announced that the agency has concluded its mandatory hearing on DTE Electric Company’s (DTE) application for a Combined License (COL) at the Fermi site in Michigan. The Commission found the staff’s review adequate to make the necessary regulatory safety and environmental findings, clearing the way for the NRC’s Office of New Reactors to issue the license. The NRC staff will work to issue the COL promptly. The license will authorize DTE to build and operate an Economic Simplified Boiling-Water Reactor (ESBWR) at the Fermi site, adjacent to the company’s existing reactor near Newport, Michigan. The Commission imposed several conditions on the license, including specific actions associated with the agency’s post-Fukushima requirements for Mitigation Strategies and Spent Fuel Instrumentation; requiring monitoring and analysis of the reactor’s steam dryer during initial plant startup, in line with current procedures for existing boiling-water reactors approved to operate at increased power levels; and, setting a pre-startup schedule for post-Fukushima aspects of the new reactor’s emergency preparedness plans and procedures. DTE submitted its COL application on September 18, 2008. The NRC’s Advisory Committee on Reactor Safeguards independently reviewed aspects of the application that concern safety, as well as the staff’s final

safety evaluation report (FSER). The committee provided the results of its review to the Commission on September 22, 2014. The NRC completed its environmental review and issued the final impact statement for the proposed Fermi reactor in January 2013. The NRC completed and issued the FSER on November 18, 2014. The NRC completed the COL review after the agency certified the ESBWR design following a Commission vote in September 2014. The ESBWR is a 1,600-megawatt electric reactor that includes passive safety features to cool down the reactor after an accident without the need for electricity or human intervention. *For additional information, please contact Scott Burnell at (301) 415-8200.*

State of New York

Indian Point Nuclear Power Plant On May 19, 2015, a three-member NRC Special Inspection Team reported to the Indian Point nuclear power plant in Buchanan (Westchester County), New York facility to review the presence of water in an electrical supply room at the Unit 3 reactor following a main transformer failure event at the site on May 9, 2015. The room in question contains electrical equipment that provides power to plant safety systems. At 5:50 p.m. on May 9, 2015, with the plant operating at 100-percent power, one of its two main transformers experienced a failure, the cause of which is not yet known. The failure resulted in an automatic shutdown of the reactor that occurred without any complications. Plant operators declared an “Unusual Event”—the lowest of four levels of emergency classification used by the NRC—at 6:01 p.m. because of the fire that erupted following the transformer failure. The Unusual Event was terminated at 9:03 p.m. after the fire was fully extinguished. A fire suppression system for the transformer automatically doused the fire. In addition, the plant’s on-site fire brigade and off-site firefighters sprayed water and foam onto the transformer to help put out the fire. Among other things, the NRC inspectors will be reviewing whether those sources account for the

water observed in the electrical equipment room. A report summarizing the findings of the Special Inspection Team will be issued within 45 days after the conclusion of the inspection. Indian Point 3 remains offline while work to replace the transformer continues. *For additional information, please contact Diane Screnci at (610) 337-5330 or Neil Sheehan at (610) 337-5331.*

Congress

Annual Report to Congress on Nuclear Security Inspections Published

On June 30, 2015, an unclassified version of the U.S. Nuclear Regulatory Commission's annual report to Congress was made available to the public. The report, which is required under the Energy Policy Act of 2005, details the previous year's security inspection program.

The annual "Report to Congress on the Security Inspection Program for Commercial Power Reactors and Category I Fuel Cycle Facilities: Results and Status Update" covers the NRC's security inspection program, including force-on-force exercises, for commercial nuclear power reactors and Category I fuel cycle facilities for calendar year 2014.

"The NRC files this report to inform Congress on our efforts to oversee the protection of the nation's civilian nuclear power infrastructure," said NRC Chairman Stephen Burns. "The NRC is committed to ensuring licensees maintain robust and rigorous physical and cyber security programs to protect the facilities we regulate and the materials managed within them."

Overview

In 2014, the NRC updated its force-on-force inspection procedure and continued efforts to review and enhance security inspections at nuclear power plants entering the decommissioning process. Overall, the NRC conducted 233 security inspections, including 23 force-on-force inspections, during 2014. The security program and publicly available results of the inspections are discussed in the report.

Whenever a finding is identified during a security inspection, the NRC ensures the issue is corrected immediately or compensatory measures are put in place, if necessary. Details of security findings are considered sensitive and not released to the public.

Conducting force-on-force exercises and implementing the security inspection program are just two of many regulatory activities that the NRC performs to ensure the secure and safe use and management of radioactive and nuclear materials by the commercial nuclear power industry and Category I fuel cycle facilities. In support of these activities, the NRC evaluates relevant intelligence information and vulnerability analyses to determine realistic and practical security requirements and mitigative strategies. The NRC takes a risk-informed, graded approach to establish appropriate regulatory controls, to enhance its inspection efforts, to assess the significance of security issues, and to require timely and effective corrective action for identified deficiencies by licensees of commercial nuclear power reactors and Category I fuel cycle facilities. The NRC also relies on interagency cooperation to develop an integrated approach to the security of nuclear facilities and to contribute to the NRC's comprehensive evaluation of licensee security performance.

The report provides both an overview of the NRC's security inspection and force-on-force programs and summaries of the results of those inspections. It describes the NRC's

communications and outreach activities with the public and other stakeholders (including other federal agencies). Unless otherwise noted, the report does not include the security activities or initiatives of any class of licensee other than commercial nuclear power reactors or Category I fuel cycle facilities. Category I fuel cycle facilities are those that use or possess at least a formula quantity of strategic special nuclear material (SSNM), which is defined in Title 10, “Energy,” of the Code of Federal Regulations (10 CFR) 70.4, “Definitions,” as SSNM in any combination in a quantity of 5,000 grams or more computed by the formula, $\text{grams} = (\text{grams contained U-235}) + 2.5 (\text{grams U-233} + \text{grams plutonium})$. This class of material is sometimes referred to as a Category I quantity of material.

Background

The NRC’s annual report to Congress fulfills the requirements of Section 170D.e of Chapter 14 of the Atomic Energy Act of 1954 (42 U.S.C. §2210d.e), as amended, which states, “[n]ot less often than once each year, the Commission shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives a report, in classified form and unclassified form, that describes the results of each security response evaluation conducted and any relevant corrective action taken by a licensee during the previous year.”

This is the tenth annual report, which covers calendar year 2014. In addition to information on the security response evaluation program (force-on-force inspections), NRC’s report provided additional information regarding the overall security performance of the commercial nuclear power industry and Category I fuel cycle facilities to keep Congress and the public informed of the NRC’s efforts to protect public health and safety, the common defense and security, and the environment through the effective regulation of the Nation’s commercial

nuclear power facilities and strategic special nuclear material.

The “Report to Congress on the Security Inspection Program for Commercial Power Reactors and Category I Fuel Cycle Facilities: Results and Status Update” can be found online at <http://pbadupws.nrc.gov/docs/ml1508/ML15086A083.pdf>.

Cybersecurity Forum

Cybersecurity Forum Meets re Cyber Risk Assessment and Management

On May 20, 2015, the Cybersecurity Forum for Independent and Executive Branch Regulators met with leaders discussing the first of four topics the group was tasked with addressing to strengthen cybersecurity in the private sector.

Representatives of 13 agencies and state insurance regulators discussed findings related to proactive business-driven cyber risk assessment and management. Cybersecurity forum principals will encourage all businesses within their sectors of responsibility to incorporate cyber risk management into their operations.

In addition, Cybersecurity Forum executives discussed support for industry efforts to build cybersecurity into corporate processes at the outset and noted the vulnerability vendors, suppliers or business partners can pose to enterprises. Presidential Special Assistant and Cybersecurity Coordinator Michael Daniel provided an update on administration activities.

The May 20 meeting was the latest in a process that began last fall when the group tasked Cybersecurity Forum staff to examine the following four topics covering various aspects of cybersecurity:

- ◆ proactive risk assessment and management;
- ◆ information sharing;
- ◆ voluntary approaches; and,
- ◆ regulatory approaches.

As part of the preparation for the May 20 meeting, the Federal Communications Commission in January hosted a day-long workshop for Cybersecurity Forum members on risk

management. Ten private sector and government entities presented strategies and tactics for effective cyber risk management practices. They endorsed the importance of companies fully integrating proactive cyber risk management into business plans and investments.

The Cybersecurity Forum will immediately begin looking at the next area of review—information sharing. The Cybersecurity Forum's objectives are to enhance communication and lessons learned, as well as to develop a common understanding of cybersecurity activities by sharing best practices and exploring approaches to enhance cybersecurity protections.

Stephen Burns, Chairman of the U.S. Nuclear Regulatory Commission, chaired the May 20 meeting. Others participating in the meeting included:

- ◆ Chairman Tom Wheeler of the Federal Communications Commission;
- ◆ Chairman Norman Bay of the Federal Energy Regulatory Commission;
- ◆ David Glockner from the Securities and Exchange Commission;
- ◆ Jessica Rich of the Federal Trade Commission;
- ◆ North Dakota Insurance Commissioner Adam Hamm representing the National Association of Insurance Commissioners;
- ◆ Deputy Secretary Alejandro Mayorkas from the Department of Homeland Security;
- ◆ Acting Assistant Secretary Amias Gerety of the Department of the Treasury; and,
- ◆ representatives from the Federal Reserve Board, the Food and Drug Administration, the Federal Aviation Administration, the U.S. Coast Guard and the National Institute of Standards and Technology.

For additional information, please contact Holly Harrington of the NRC at (301) 415-8200.

Federal Emergency Management Agency (FEMA) U.S. Nuclear Regulatory Commission (NRC)

Draft Update to Guidance for Nuclear Power Plant Emergency Preparedness

Comments Due August 27, 2015

Staffs from the Federal Emergency Management Agency (FEMA) and U.S. Nuclear Regulatory Commission (NRC) are seeking public comment on a draft revision to the joint NRC/FEMA document on emergency planning for nuclear power plants.

Since 2012, the agencies have worked together on Revision 2 of “Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants.” This multiyear process is incorporating what’s been learned since the guidance was published in 1980.

Background

The agencies held public meetings in August and September 2012, October 2013 and June 2014 to describe the process and obtain public input throughout the revision process. Both the draft Revision 2 and information from these public meetings are available on the federal government’s regulations.gov website using Docket ID FEMA-2012-0026.

Comments

Comments should be submitted by August 27, 2015. Comments will be considered after the deadline only if it is practical to do so. Comments can be submitted on the regulations.gov website, using Docket ID FEMA- 2012-0026, or by mailing them to Cindy Bladey, Office of Administration, Mail Stop: OWFN 12 H8,

U.S. Nuclear Regulatory Commission,
Washington, DC 20555-0001.

For additional information on the revised guidance’s technical material, please contact the NRC’s Don Tailleart at (301) 287-9257 or at don.tailleart@nrc.gov or FEMA’s William Eberst at (202) 341-4917 or at william.eberst@fema.dhs.gov.

U.S. Nuclear Regulatory Commission (NRC)

NRC Holds Commission Briefing re Proposed Revisions to 10 CFR Part 61

On June 25, 2015, from 9:00 a.m. - 12:00 pm EDT, the U.S. Nuclear Regulatory Commission conducted a public meeting to brief the Commissioner’s on proposed revisions to 10 CFR Part 61, “Licensing Requirements for Land Disposal of Radioactive Waste,” and low-level radioactive waste disposal.

The meeting was held in the Commission Hearing Room at the NRC headquarters One White Flint North building, which is located at 11555 Rockville Pike in Bethesda, Maryland.

The meeting announcement for the Commissioner briefing on June 25, 2015 can be found at <http://meetings.nrc.gov/pmns/mtg?do=details&Code=20150802>.

For additional information, please contact Gregory Suber of the NRC at (301) 415-8087 or at Gregory.Suber@nrc.gov.

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Agenda and Advance Slides

Agenda The following items were on the draft agenda for the Commission briefing:

Panel 1 - External Stakeholders

- ◆ Mike Garner—Executive Director, Northwest Interstate Compact
- ◆ Ralph Andersen—Senior Director, Radiation Safety and Environmental Protection, Nuclear Energy Institute
- ◆ Dan Shrum—Senior Vice President of Regulatory Affairs, EnergySolutions
- ◆ Scott Kirk—Executive Vice President, Licensing and Regulatory Affairs, Waste Control Specialists
- ◆ Perry Robinson—General Counsel, Louisiana Energy Services (URENCO USA)
- ◆ Matt Pacenza—HEAL Utah

Topic:

- Site-Specific Analysis Rulemaking Commission Q & A

Break

Panel 2 - Regulators (NRC and Agreement States)

- ◆ Mark Satorius—Executive Director for Operations
- ◆ Scott Moore—Deputy Director, Office of Nuclear Material Safety and Safeguards (NMSS)
- ◆ Larry W. Camper—Director, Division of Decommissioning, Uranium Recovery and Waste Programs, NMSS
- ◆ Rusty Lundberg—Director, Utah Division of Radiation Control and Organization of Agreement States

- ◆ Charles Maguire—Director, Radioactive Materials Division, Texas Commission on Environmental Quality

Topics:

Site-Specific Analysis Rulemaking

- Historical Perspective
- Proposed technical revisions
- Challenges
- Guidance

Overview of Low-Level Waste Program

- Highlight programmatic successes
- Ongoing Activities

- ◆ Commission Questions & Answers
- ◆ Discussion—Wrap-Up

The full agenda for the meeting can be found at <http://www.nrc.gov/reading-rm/doc-collections/commission/agenda/2015/agenda-20150625.pdf>.

Slides Speaker and staff slides were available via the NRC web site in advance of the meeting.

Speaker and staff slides from the meeting can be found at <http://www.nrc.gov/reading-rm/doc-collections/commission/slides/2015/20150625/>.

Background

Draft Proposed Rule NRC is proposing to amend its regulations that govern low-level radioactive waste disposal facilities to require new and revised site-specific technical analyses, to permit the development of site-specific criteria for low-level radioactive waste acceptance based on the results of these analyses, to facilitate implementation, and to better align the requirements with current health and safety standards. The proposed rule would affect low-level radioactive waste disposal licensees or

Federal Agencies and Committees *continued*

license applicants that are regulated by the NRC or the Agreement States.

Major provisions of the proposed rule include changes to:

- ◆ revise the existing technical analysis for protection of the general population to include a 1,000-year compliance period;
- ◆ add a new site-specific technical analysis for the protection of inadvertent intruders that would include a 1,000-year compliance period and a dose limit;
- ◆ add new analyses that would include a 10,000-year protective assurance period and annual dose minimization target;
- ◆ add a new analysis for certain long-lived low-level radioactive waste that would include a post-10,000-year performance period;
- ◆ add new analyses that would identify and describe the features of the design and site characteristics that provide defense-in-depth protections;
- ◆ add a new requirement to update the technical analyses at closure; and,
- ◆ add a new requirement to develop site-specific criteria for the future acceptance of low-level radioactive waste for disposal based on either the results of these technical analyses or the existing low-level radioactive waste classification requirements.

The proposed rule anticipates a need to dispose of large quantities of depleted uranium from newly licensed uranium enrichment facilities. "Depleted uranium actually becomes more radioactive as it decays over centuries, and the current regulations did not anticipate large quantities of it being disposed of commercially as Class A low-level waste (the least radioactive classification)," states NRC. "In addition, the industry anticipates blending some Class A waste with more-radioactive Class B and Class C wastes that currently lack a disposal path. Blending could

create large quantities of Class A waste near the upper classification limit of radioactivity. The current regulations anticipated only a small amount of waste near the upper limit."

According to NRC, the proposed amendments would ensure that low-level radioactive waste streams that are significantly different from those considered during the development of the current regulations (i.e., depleted uranium and other unanalyzed waste streams) can be disposed of safely and meet the performance objectives for land disposal of low-level radioactive waste. NRC believes that the proposed amendments would also increase the use of site-specific information to ensure performance objectives are met that are designed to provide protection of public health and safety.

Submitting Comments Public comments on the draft proposed rule will be accepted until July 24, 2015. They may be submitted using any of the following methods:

- ◆ via the federal government's rulemaking web site at www.regulations.gov using Docket ID NRC-2011-0012;
- ◆ via facsimile to (301) 415-1101;
- ◆ via email to Rulemaking.Comments@nrc.gov; or,
- ◆ via mail to Secretary, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, ATTN: Rulemaking and Adjudications Staff.

Public comments on the associated technical guidance will also be accepted until July 24, 2015. They may be submitted by either of the following methods:

- ◆ via the federal government's rulemaking web site at www.regulations.gov using Docket ID NRC-2015-0013; or,
- ◆ via mail to Cindy Bladey, Office of Administration, Mail Stop 3WFN-06-A44M,

Federal Agencies and Committees *continued*

U.S. Nuclear Regulatory Commission,
Washington, D.C. 20555-0001.

Public Meetings To date, NRC has conducted a series of public meetings on the agency's proposed rule to amend 10 CFR Parts 20 and 61 and associated technical guidance including in Phoenix, Arizona on March 20, 2015; in Bethesda, Maryland on April 28, 2015; in Austin, Texas on May 12, 2015; in Columbia, South Carolina on June 2, 2015; in Richland, Washington on June 9, 2015; and, in Salt Lake City, Utah on June 10, 2015.

The purpose of the meetings was to initiate a discussion on the Part 61 technical rulemaking, answer questions and solicit comments from the public, and encourage the submittal of formal comments on the proposed rulemaking.

These are Category 3 meetings in which public participation is actively sought to fully engage the public in a discussion of regulatory issues.

The draft proposed rule to amend 10 CFR Parts 20 and 61, "Licensing Requirements for Land Disposal of Radioactive Waste," was published in the Federal Register (80 Federal Register 16,081) for public comment on May 26, 2015. NRC also published a notice of availability of associated guidance, "Guidance for Conducting Technical Analyses for Low-Level Radioactive Waste Disposal," for public comment in the Federal Register (80 Federal Register 15,930) for public comment on May 26, 2015. Links to both documents were distributed to LLW Forum members via email from the LLW Forum dated March 26, 2015.

For additional information on the 10 CFR Parts 20 and 61 proposed rule, please contact either Gary Comfort at (301) 415-8106 or at Gary.Comfort@nrc.gov or Andrew Carrera at (301) 415-1078 or at Andrew.Carrera@nrc.gov.

For additional information on the associated technical guidance document, please contact

either Priya Yadav at (301) 415-6667 or at Priya.Yadav@nrc.gov or Stephen Dembek at (301) 415-2342 or at Stephen.Dembek@nrc.gov.

NRC Publishes RIS re FY 2017 Review of New Licensing Applications for Large Light-Water Reactors and Small Modular Reactors

On May 11, 2015, the U.S. Nuclear Regulatory Commission (NRC) published Regulatory Issue Summary (RIS) 2015-07, "Process for Scheduling and Allocating Resources in FY 2017 for the Review of New Licensing Applications for Large Light-Water Reactors and Small Modular Reactors."

The document (ML14101A166) has been posted to the NRC Generic Communications Web, along with the URL for web access to generic communications files on the NRC homepage, at <http://www.nrc.gov/reading-rm/doc-collections/gen-comm/reg-issues/2015/>.

Intent

NRC issued RIS 2015-07 for the following purposes:

- ◆ to assist the NRC in determining fiscal year (FY) 2017 resource and budget needs with respect to future construction-related activities and other anticipated 10 CFR Part 52 and 10 CFR Part 50 licensing and design certification rulemaking actions for both large and small reactors;
- ◆ to communicate to stakeholders the agency's process for scheduling its acceptance reviews;

Federal Agencies and Committees *continued*

- ♦ to inform stakeholders that the NRC has expanded its scheduling process to include all potential 10 CFR Part 50 and Part 52 licensing actions and related activities including new license applications, license amendments (LA), topical report submissions, revisions to applications, and license-transfer requests; and,
- ♦ to request that addressees consider submitting their construction plans and schedules for fabrication of large components and modules to the NRC when these plans and schedules are available.

RIS 2015-07 is intended to promote early communication between the NRC and potential applicants regarding 10 CFR Parts 50 and 52 planned licensing and construction activities. This information will assist the NRC in allocating its FY 2017 resources for acceptance reviews, licensing reviews, and inspection support.

RIS 2015-07 is consistent with the NRC policy on standardization as described in the Statement of Considerations for the original proposed rule in 10 CFR Part 52, which was published at 53 *Federal Register* 32,060 on August 23, 1988. This policy applies to ESP, DC, SDA, ML, COL, LA and all other applications submitted to the NRC. RIS 2015-07 does not transmit or imply any new or changed requirements or staff positions. Although no specific action or written response is required, submission of the requested information will enable the NRC to more efficiently and effectively plan its licensing and inspection activities.

Summary

The NRC encourages potential applicants to submit design, licensing, construction, and pre-application plans early. The information provided will allow the NRC to coordinate pre-application activities and take action as appropriate (such as by conducting vendor audits, if necessary) before submission of the actual application. This will result in more efficient review of the applications.

In SECY-11-0024, “Use of Risk Insights To Enhance the Safety Focus of Small Modular Reactor Reviews,” dated May 11, 2011 (ADAMS Accession No. ML111320551), the Commission directed the staff to use the risk-informed and integrated review framework for pre-application and application review activities related to design applications for integral pressurized-water reactors. The NRC staff has taken advantage of lessons learned from recently completed reactor design reviews to expand the scope of pre-application activities. Information submitted in response to the questions related to white papers and technical or topical reports will be especially useful in helping the NRC plan and schedule staff activities during the early stages of these projects.

The advance notification of application submission dates, in conjunction with pre-application activities, will facilitate the likelihood of acceptance reviews requiring no more than 60 calendar days. The staff’s goal is to identify and obligate resources 45 days before the date it expects to receive an application. RIS 2010-10, “Process for Scheduling Acceptance Reviews of New Reactor Licensing Applications and Process for Determining Budget Needs for Fiscal Year 2013,” dated November 15, 2010, presented the staff’s process for scheduling application reviews with respect to expected submission dates and other pertinent information related to the commencement of the staff’s review. The process is reiterated in RIS 2015-07 to remind addressees of its steps and to emphasize its importance to the NRC’s project planning and budgeting process for 10 CFR Part 52 and Part 50 application reviews.

Declaration of the Expected Application

Submission Date The NRC encourages applicants to declare in writing their anticipated application submission date no later than 90 days in advance of the arrival of its submission. This expectation is consistent with the information the staff communicated to the design-centered working groups. Based on this expectation, the following criteria will apply:

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- ♦ the NRC will schedule its acceptance review to start on the next business day following the future applicant's expected application submission date (month, day, and year); and,
- ♦ when future applicants specify a month rather than a specific date, the NRC will assume that the application will arrive on the last day of the month, and the review will begin on the next business day.

Schedule Changes The NRC will allocate resources to accomplish an acceptance review based on the future applicant's declaration of an expected submission date. Therefore, given the workload, the staff will be unable to readily accommodate a late notice of schedule changes. The following will result from schedule changes:

- ♦ if the applicant submits an application early, the start and completion dates for the acceptance review will not change; however, if resources are available, the staff will begin its review of the application ahead of the scheduled start date;
- ♦ if the applicant is late in submitting its application, the staff will discuss the start date with the applicant based on the availability of staff resources needed to perform the review; and,
- ♦ if a future applicant has projected a submission date beyond FY 2017, the NRC requests that it revisit its estimated projected submission date on an annual basis and inform the NRC, in writing, of the projected application submission date.

Advance Issuance of Acceptance Review Schedule and Start of Application Review The staff will make its schedule for acceptance reviews publicly available approximately 30 days before the projected start date. The NRC will not project any delays in scheduling review completions. There may be a delay between the scheduled completion of the acceptance review and the scheduled start of the application review

to accommodate potential minor delays in the acceptance review schedule in a manner that does not result in rescheduling extensive resources. Furthermore, for COL applications, it should be understood that the start of a detailed review depends on docketing and other considerations, such as the applicant's intended construction and operation plans and whether the NRC staff or NRC contractors will conduct the review. The NRC's goal is to focus on those COL applications with plans for construction and operation designated for completion by FY 2023 or sooner if a COL is issued.

Electronic submissions Applicants and licensees are strongly encouraged to test the ability of NRC systems to automatically upload their applications for distribution before actual submission. Failure to pretest this feature could delay the start date of the acceptance review if problems are encountered that prevent the NRC from electronically distributing the application to the technical reviewers.

Voluntary Response

The NRC is developing pre-application, licensing, and project plans for its new reactor licensing program. To support this effort, the NRC is seeking new or updated information on schedules for submitting an application for CP, ESP, LA, COL, DC, SDA, and ML applications and on the status of a variety of design-related activities for large and small reactors.

The NRC may share the planned application schedules with other federal agencies to support its planning efforts on the licensing of new plants. If a prospective applicant deems this information proprietary, a request to withhold information from public disclosure in accordance with 10 CFR 2.390, "Public inspections, exemptions, request for withholding," must accompany the information.

If an addressee chooses to provide a voluntary response, the NRC would like to obtain the

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information within 45 days of the date of RIS 2015-07. Respondents should provide answers to the following questions to the best of their ability, providing as much detail as possible.

Questions for all potential/future applicants:

- ◆ In which month and year do you expect to submit your application?
- ◆ What type of permit, license, approval, amendment, or certification (CP, DC, ESP, COL, SDA, ML, LA request, or purchasing-approval request) would you be seeking?

Questions for COL license holders:

- ◆ How many licensing actions, e.g., license-amendment requests, exemption requests, and relief requests, would you expect to submit to the NRC?

Questions for potential/future nuclear power plant applicants:

- ◆ Which designs will you be using?
- ◆ Where will the plant be located?
- ◆ How many units will the plant contain?
- ◆ What is the current status of the development of the plant design (i.e., conceptual, preliminary, or final)?
- ◆ Have you established a schedule for completing the design? If so, please describe the schedule.
- ◆ Will you be part of an organized Design-Center Working Group (DCWG)?
- ◆ Who are the other members of the DCWG?
- ◆ Who will be the primary point of contact for each DCWG?
- ◆ Have you developed protocols to provide coordinated responses to the NRC's requests for additional information with generic applicability to a design center?

- ◆ Who will be designated as the reference COL applicant? In what order would you like the NRC to review the subsequent applications?
- ◆ Are vendors or consultants assisting you in preparing the application(s)? If so, please describe their roles and responsibilities for the design and licensing activities.
- ◆ Have you established a schedule for qualifying fuel and other major systems and components?
- ◆ Have you developed computer codes and models to perform design and licensing analyses?
- ◆ Have you defined principal design criteria, licensing-basis events, and other fundamental design and licensing relationships?
- ◆ Have you established a schedule for completing the design and licensing analyses?
- ◆ Have you developed procedures regarding the use of thermal fluidic testing facilities and regarding the use of the results of their tests to validate computer models? Have you established a schedule for the construction of testing facilities? Have you established a schedule for completing the thermal fluidic testing?
- ◆ Have you identified system and component suppliers (including fuel suppliers), manufacturing processes, and other major factors that could influence design decisions? Have you established a schedule for identifying suppliers and key contractors?
- ◆ Do you have a quality-assurance program?
- ◆ Have you developed probabilistic risk assessment (PRA) models needed to support your applications, including the information needed to support risk-informed licensing approaches (for Chapter 19)? Do you plan to use the PRA for any risk-informed applications (e.g., risk-informed technical specifications, risk-informed in-service inspection, risk-informed categorization and

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treatment, risk-informed in-service testing, etc.)? Do you plan to use the PRA models in the development of the design? At what level will the PRA be prepared, and at what point during the application process will it be submitted?

- ◆ Have you developed the plans for the construction and use of a control-room simulator?
- ◆ Do you have a staffing plan?
- ◆ What is your current staffing level for the execution and testing of the reactor design?
- ◆ Do you plan to increase staffing?
- ◆ Do you plan to submit white papers or technical and topical reports related to the features of your design or for the resolution of policy or technical issues? Do you have a schedule for submitting such reports?
- ◆ Do you plan to request an ESP? If so, will you seek approval of either proposed major features of the emergency plans in accordance with 10 CFR 52.17(b)(2)(i) or with 10 CFR 52.17(b)(2)(ii)?
- ◆ Will you use the provisions in Subpart F, “Manufacturing Licenses,” of 10 CFR Part 52, instead of, or in combination with, other licensing approaches (e.g., a DC or SDA)?
- ◆ What is the desired scope of your possible ML?
- ◆ What design or licensing process would address the remainder of the proposed nuclear power plant? For example, would the ML address an essentially complete plant or would it be limited to the primary coolant system that basically comprises the integral reactor vessel and internals?
- ◆ Which systems, structures, and components are being fabricated and delivered for the manufacturing, fabrication, and site construction of a completed operational nuclear power plant?

- ◆ What is being assembled and constructed on site?

To ensure that the NRC can effectively schedule resources and facilitate the achievement of an acceptance review in 60 calendar days, the staff requests that 90 days before the expected submission date, an applicant or licensee (as applicable) declare the expected submission date (month, day, and year) and the degree of complexity of each of its submittals to the NRC. In addition, the NRC staff is requesting the voluntary submission to the NRC of addressee construction plans and schedules for the fabrication of large components and modules when these are available. Addressees that choose to provide a voluntary response should send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001.

Background

The information gained as a result of RIS 2015-07 will be used for scheduling and resource allocation efforts, which the NRC refers to as the design-centered review approach (DCRA). DCRA is the NRC’s strategy for reviewing many licensing applications simultaneously. The NRC outlined the DCRA in RIS 2006-06, “New Reactor Standardization Needed to Support the Design Centered Licensing Review Approach,” dated May 31, 2006. The DCRA is predicated on a consistent level of standardization in design, licensing, construction, and pre-application planning documents. DCRA requires that the staff conduct a review of a subject area for the referenced application. Once the staff has reached a conclusion about the subject area, that conclusion can be applied to subsequent applications and incorporated by reference, negating the need to re-review subject areas about which the staff has already come to a conclusion. DCRA is used for both large light-water and small modular reactor applications.

Following the issuance of combined licenses for Vogtle Electric Generating Plant, Units 3 and 4, and V.C. Summer, Units 2 and 3, the NRC initiated a lessons learned review to identify potential enhancements to 10 CFR Part 52 licensing process and contribute to more effective and efficient reviews of future applications. After extensive outreach to external and internal stakeholders, in April 2013 the NRC issued the “New Reactor Licensing Process Lessons Learned Report” (ML13059A239). In the report the NRC identified pre-application interactions and submittal of a complete and high-quality application as important factors in the success of the licensing process and efficiency of the review.

The NRC formulates its budget by projecting two years beyond the current fiscal year in which it is operating. To help the NRC plan its resources appropriately, anyone intending to submit an application for review by the NRC should consider initiating interactions with the staff as early as possible. Early notification of future applicant intent will allow the staff to engage in pre-application activities with the future applicant. These pre-application interactions permit the staff to become familiar with the proposed design and approaches to be used by the potential applicant and to assist the NRC in planning the necessary resources and schedules in preparation for the review once the application is formally submitted.

For additional information, please contact Tanya Ford of the DNRL at (301) 415-1194 or at Tanya.Ford@nrc.gov or Omid Tabatabai of the DARR at (301) 415-6616 or at Omid.Tabatabai@nrc.gov.

Additional Earthquake Risk Analysis Required for Two Western Reactors

The U.S. Nuclear Regulatory Commission has set a June 2017 deadline for two of three Western U.S. operating nuclear power plants to conduct in-depth analyses of their updated earthquake risk.

The NRC is requiring Columbia (Benton County, Washington) and Diablo Canyon (Avila Beach, California) to submit their detailed risk analysis by June 30, 2017. The NRC also continues to examine information from Palo Verde (Wintersburg, Arizona). If the agency concludes the plant needs the in-depth risk analysis it must complete the work by December 31, 2020. The agency established these due dates after reviewing updated earthquake hazard information from the plants.

The seismic submittals showed all three Western plants’ engineering and construction methods added safety margin beyond their original designs’ anticipated hazards. Should the plants’ additional analysis indicate more permanent actions are necessary, the NRC will ensure the plants respond appropriately.

“This information shows us how the plants’ new earthquake hazard compares to the ground movement considered in the plants’ original designs,” said Bill Dean, Director of the NRC’s Office of Nuclear Reactor Regulation. “The evidence we’ve seen so far leaves us confident the plants are safe to continue operating while they do more analysis. If a plant’s new hazard exceeds the original design, that additional analysis will determine if there are any changes in accident risk from an earthquake. Plants must also do shorter-term work to see if they should enhance key safety equipment while the more substantial analysis is being done.”

The sites submitted the earthquake hazard information in March 2015 as part of the NRC's response to the 2011 Fukushima nuclear accident. All three plants are already working to comply with the NRC's March 2012 Orders for additional safety equipment and enhanced spent fuel pool monitoring. Columbia is working to comply with a third March 2012 Order, updated in 2013, that requires hardened venting systems to safely relieve pressure if an accident occurs.

With limited technical expertise available to the industry to complete this effort, the NRC has prioritized the follow-on work. The priority list is based on several factors that deal with how a site's earthquake hazard transmits energy at frequencies that can affect a plant's structures, pipes, pumps and related safety systems. A large change between a plant's original and new seismic hazards at those frequencies was a key consideration in determining a plant's priority. The agency also considered available information from earlier seismic risk evaluations.

Columbia will complete its review of potential short-term enhancements by January 2016. The NRC continues to assess Diablo Canyon's and Palo Verde's existing information to determine if the plants meet the criteria for the short-term review.

For additional information, please contact Scott Burnell of the NRC at (301) 415-8200.

NRC Holds 10th Annual Fuel Cycle Information Exchange

On June 9-10, 2015, the U.S. Nuclear Regulatory Commission hosted its 10th annual Fuel Cycle Information Exchange at the agency's headquarters in Rockville, Maryland. This event allows NRC staff, licensees, international counterparts, members of the public and other

stakeholders to discuss issues related to uranium enrichment and conversion, nuclear fuel fabrication, and the deconversion of depleted uranium tails.

The conference included discussions and presentations on safety culture, licensing and inspection, operating experience, and security and safeguards. NRC Commissioners William Ostendorff and Jeff Baran and Executive Director for Operations Mark Satorius delivered remarks. Eileen Supko, Principal of Energy Resources International, gave a keynote address on the morning of June 9, 2015.

For additional information, please contact Maureen Conley of the NRC at (301) 415-8200.

NRC Approves Measures to Reposition Agency for the Future

In June 2015, the U.S. Nuclear Regulatory Commission approved several measures to improve efficiency and meet the challenges of an evolving workload while maintaining its ability to protect public health and safety.

SRM Details

In a Staff Requirements Memorandum (SRM) issued on June 8, 2015, the Commission accepted many of the recommendations presented by the staff's Project Aim 2020 report, which was provided to the Commission in February 2015. The Project Aim report recommended 17 strategies related to planning, processes and the workforce to "re-baseline" the agency and to prepare it for the future. The report concluded that the NRC needs to right-size while retaining appropriate skill sets to accomplish its mission and streamline processes to use resources more

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wisely and improve timeliness of regulatory decision making. The report's strategies also addressed the agency's need to be able to respond quickly to changing industry and workload conditions in the future.

"I am pleased that the NRC is now moving forward with a set of sound, common-sense steps. The time has come for the agency to take stock of itself," said NRC Chairman Stephen Burns. "The measures the agency will be implementing through Project AIM will better prepare us to meet the challenges of 2020 and beyond, while ensuring we have the right staff in the right places to accomplish our critical mission."

In its SRM, the Commission directed the staff to review the agency workload, which has evolved over the past decade, and develop a list of tasks that could be shed as no longer needed or justified, or able to be performed at a reduced level. The goal of this "re-baselining" is to make the NRC more efficient. The Commission also approved a staffing target of 3,600 employees ("full-time equivalents") by September 30, 2016, but deferred setting a 2020 target until after the re-baselining review is completed. For fiscal year 2015, the NRC budgeted for 3,778 employees, including the Office of the Inspector General.

Commissioners directed the staff to develop a plan within a year to merge the Office of Nuclear Reactor Regulation and the Office of New Reactors—with the caveat that any merger would be subject to Commission approval. The Commission specified that the merger plan should include a business case justifying the consolidation, and said the timing should not impact ongoing and projected work.

In its direction to staff, the Commission also supported improving the licensing process to enhance the predictability and efficiency of reviews while maintaining their effectiveness and quality. In addition, agency leaders were told to continue to improve the transparency of how NRC fees are calculated and the timeliness of

communicating fee changes. Further, Commissioners directed the staff to look at the possibility of further consolidating the materials programs within the regions.

Background

A small team of staff experts, senior staff and managers—who sought input from stakeholders, other federal agencies, the National Academy of Public Administration, and Chapter 208 of the National Treasury Employees Union—developed the Project Aim report. The report's analysis was also based on interviews with senior NRC managers and 23 focus groups of staff members. The team received more than 2,000 suggestions, strategies and observations for use in formulating its report.

For additional information, please contact Maureen Conley of the NRC at (301) 415-8200.

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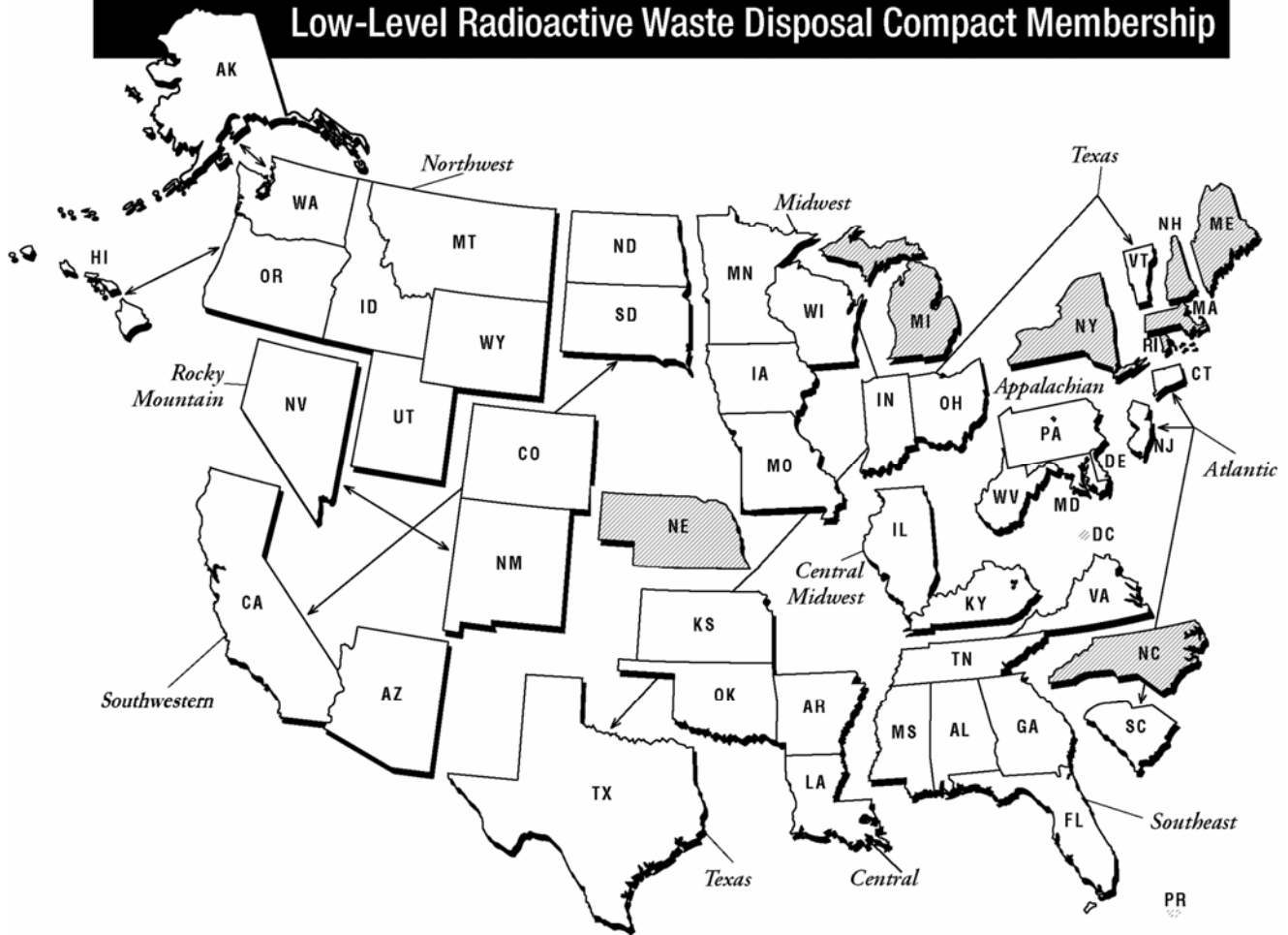
To access a variety of documents through numerous links, visit the website for the LLW Forum, Inc. at www.llwforum.org

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Washington
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Missouri
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Rocky Mountain Compact

Colorado
Nevada
New Mexico

Northwest accepts Rocky Mountain waste as agreed between compacts

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Florida
Georgia
Mississippi
Tennessee
Virginia

Southwestern Compact

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California
North Dakota
South Dakota

Texas Compact

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