

LLW *notes*

Volume 27, Number 2 March/April 2012

Texas Compact/State of Texas

TCEQ Issues Authorization for WCS to Accept Waste

First LLW Shipment Disposed at Compact Facility

By letter dated April 25, 2012, the Texas Commission on Environmental Quality (TCEQ) authorized Waste Control Specialists LLC (WCS) to “accept waste and begin disposal activity as authorized by its amended license R04100 and subject to applicable rules and statutes.”

Subsequently, in a historic milestone on April 27, 2012, WCS announced that the first shipment of low-level radioactive waste had been disposed of in the Texas Compact Waste Disposal Facility (CWDF). The shipment was received from Bionomics, Inc.

TCEQ leadership was at the site overseeing the entire operation along with TCEQ resident inspectors, who are at the site full-time on a daily basis.

TCEQ Authorization

In issuing the April 25 authorization letter, TCEQ noted that the Executive Director, in coordination with consultants, has inspected the constructed Low-Level Radioactive Waste Disposal facility and found as follows:

- the facility is in conformance with the description, design and construction requirements;
- requirements of License Condition 41 relating to ownership and financial assurance have been met;
- in accordance with License Condition 83, the Executive Director staff has reviewed WCS’ final geotechnical report and as-built construction drawings of the facility, which were certified by a registered professional engineer licensed in the State of Texas;
- the Executive Director staff has reviewed information submitted under License Conditions 66 and 75; and,

(Continued on page 17)

In This Issue

Variance Issued for Sealed Source Disposal at Clive Facility—page 7

Southeast Compact Hosts Generator Workshop —page 13

Texas Commission Approves Amendment to Import Rules—page 14

WCS to Acquire New Class B and C Shipping Containers—page 18

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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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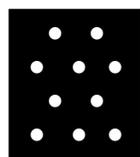
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Table of Contents

States and Compacts (Cover Story)	1
TCEQ Issues Authorization for WCS to Accept Waste	1
Low-Level Radioactive Waste Forum, Inc	4
Register for the Fall 2012 LLW Forum Meeting	4
LLW Forum Holds Spring 2012 LLW Forum Meeting	5
Low-Level Radioactive Waste Forum Meetings	6
States and Compacts (continued)	7
NRC to Issue COLs for Summer Site	7
Variance Approved for Class A Sealed Source Disposal at Clive Facility	7
Utah Approves Energy Solutions' Ground Water Discharge Permit	9
Utah Seeks Public Comment re Mixed Waste Well Network	10
Utah Radiation Control Board Hosts Meeting	10
Utah Radiation Control Board Hosts Telephone Conference Call	12
Southeast Compact Commission Requests that Texas Compact Commission Allocate Capacity for Small Generators	12
Southeast Compact Hosts Generator Workshop and Commission Meetings	13
Southwestern Compact Commission Hosts 64th Meeting	14
Texas Compact Commission Approves Amendment to Import Rules	14
WCS to Acquire New Shipping Containers for Class B and C Waste	18
TCEQ Hosts Meeting re Process for Review of LLW Disposal Contracts	20
TCEQ Announces Appointment of New Executive Director	20
Charles Maguire Named Director of TCEQ's Radioactive Materials Division	21
Susan Jablonski Promoted to TCEQ Area Director for Central Texas	22
Texas State Representative Lon Burnam Raises Issues re WCS Site	22
Michigan Disposal Site Determined to be Safe for Unrestricted Use	24
NRC Issues Final SER and EIS on Proposed Uranium Enrichment Plant	25
Industry	26
News Briefs for Nuclear Power Plants Across the Country	26
NRC Issues Annual Assessment Letters to Nuclear Plants	29
International	31
IAEA's 3rd International Conference on Nuclear Plant Life Management	31
NRC Discusses Long-Term Fukushima-Related Recommendations	31
Implementation of Post-Fukushima Improvements	32
Orders and Info Requests Issued re Fukushima-Related Recommendations	33
Federal Agencies and Committees	34
NRC to Host Meeting re 10 CFR Part 61 Regulatory Management Issues	34
NRC Amends Regulations on Security of Radioactive Materials	34
Comments Sought re Revision of "Station Blackout" Rule	35
Comment Sought re Revision of Onsite Emergency Response Regulations	36
NRC Examines Impact of Upstream Dam Failure to Plant Safety	37
NRC Discusses Upcoming Earthquake Re-Evaluation	38
NRC Discusses Fukushima-Related Order on Containment Vents	38
Information Requests from 11 Plants re Fuel Performance During Accidents	39
Reintegration of Security into Reactor Oversight Process Assessments	40
License Renewals Continue to Move Forward	40
NRC to Host 7th Annual Fuel Cycle Information Exchange	41
NRC to Discuss Emergency Response Rulemaking	42
NRC to Host New Reactor Construction Workshop	42
Obtaining Publications	43



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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.

Register for the Fall 2012 LLW Forum Meeting

Chicago, Illinois on October 11-12, 2012

Optional Zion Decommissioning Site Tour on October 10, 2012

The Low-Level Radioactive Waste Forum will host its Fall 2012 meeting at the Embassy Suites Downtown/Lakefront in Chicago, Illinois. The Central Midwest Interstate Low-Level Radioactive Waste Commission and the State of Illinois are co-sponsoring the one and one-half day meeting — which will be held on Thursday, October 11, and Friday, October 12. (The Executive Committee will meet on Thursday morning.) There will be an optional site tour of the Zion decommissioning site on Wednesday, October 10.

A meeting bulletin and registration form can be found on the LLW Forum's website 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.

Registration

The meeting is free for members of the LLW Forum. Non-member registration is \$500, payable to the “LLW Forum” by check. (*Credit card payments are not accepted.*)

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 to Marcia Marr of the Central Midwest Compact at the address, email or fax number listed at the bottom of the form.

Hotel Reservations

Persons who plan to attend the meeting are encouraged to make their hotel reservations and send in their registration forms as soon as possible, as we have exceeded our block for the last several meetings.

A block of rooms has been reserved for Tuesday (October 9) through Thursday (October 11) for meeting attendees at the Embassy Suites Downtown/Lakefront Hotel at the prevailing federal per diem rate (which is currently \$190/night) plus tax. A limited number of rooms are available at this rate for Friday, October 12, as well as Saturday, October 13.

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. Please reserve by September 11 to receive the special, discounted rate.

Transportation

The Embassy Suites Downtown/Lakefront Hotel is located just one block away from the

Magnificent Mile, two blocks from the Chicago River and three blocks from the Navy Pier.

Super Shuttle offers transportation from both Chicago O'Hare International Airport and Chicago Midway Airport for a minimum charge of \$25. 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 \$51/day.

To access the meeting bulletin and registration form, please go to www.llwforum.org and scroll down to the first bold paragraph on the Home Page. The documents may also be found on the About Page under the header "Meetings."

For additional information, please contact Todd Lovinger, the LLW Forum's Executive Director, at (202) 265-7990 or at LLWForumInc@aol.com.

LLW Forum Holds Spring 2012 LLW Forum Meeting

San Francisco, California on April 23-24, 2012

On April 23-24, 2012, the Low-Level Radioactive Waste Forum hosted its Spring 2012 meeting at the Hyatt Regency San Francisco Airport in Burlingame, California.

The following topics, among others, were presented and discussed at the meeting:

- current and future rulemaking activities associated with comprehensive revisions to 10 CFR Part 61;
- efforts to risk-inform the waste classification scheme;
- revision of the draft Branch Technical Position on Concentration Averaging and Encapsulation;
- updating the Low-Level Radioactive Waste Volume Reduction Policy Statement;

- finalizing interim staff guidance on Alternate Disposal and the Site-Specific Performance Assessments;
- implementation of recommendations by NRC's Japan Task Force;
- development of a strategic vision and options for better incorporating risk management concepts into NRC's regulatory programs;
- DOE's GTCC EIS and comments received thereon and other LLW related issues;
- EPA's revision to the nuclear fuel cycle standards in 40 CFR Part 190;
- Blue Ribbon Commission report on low-level radioactive waste management and disposal in the United States;
- import and export rulemaking by the Texas Compact Commission, development of rate setting and waste acceptance criteria by the Texas Commission on Environmental Quality, and operations at and disposal agreements with Waste Control Specialists;
- Utah's approval of EnergySolutions' variance request for sealed source disposal, as well as the state's review of performance assessment for the proposed disposal of depleted uranium, Class A West license amendment, and disposal of waste using Studsvik's SempraSafe process;
- current radioactive and mixed waste program at URENCO USA;
- EPRI's low-level waste research program; and,
- addressing challenges at the U.S. Army Corps of Engineers' FUSRAP sites.

The Southwestern Low-Level Radioactive Waste Compact Commission and the State of California co-sponsored the one and one-half day meeting.

For additional information, please contact Todd Lovinger, the LLW Forum's Executive Director, at (202) 265-7990 or at LLWForumInc@aol.com.

Low-Level Radioactive Waste Forum Meetings

Fall 2012 and Beyond

The following information on future meetings of the Low-Level Radioactive Waste Forum is provided for planning purposes only. Please note that the information is subject to change.

For the most up-to-date information, please see the LLW Forum's website at www.llwforum.org.

Fall 2012 Meeting

The Central Midwest Interstate Low-Level Radioactive Waste Commission and the State of Illinois have agreed to co-host the LLW Forum's Fall 2012 meeting. This will be the third time that the Commission and Illinois have co-hosted a meeting of the LLW Forum since we began operations as an independent, non-profit organization in 2000. The meeting will be held at the Embassy Suites Lakefront Hotel in downtown Chicago on October 11-12, 2012. There will be an optional site tour of the Zion decommissioning site on October 10, 2012. (*See related story, this issue.*)

2013 Meetings

The Atlantic Interstate Low-Level Radioactive Waste Commission and State of South Carolina will co-host the Spring 2013 meeting of the LLW Forum. The meeting will be held at the Francis Marion Hotel in Charleston, South Carolina on March 25-26, 2013.

The State of Utah and EnergySolutions have agreed to co-host the Fall 2013 meeting of the LLW Forum. There will be an optional site tour of the EnergySolutions' Clive facility for interested attendees as well. The state is currently looking at various facilities in both Salt Lake City and Park City, Utah. Once completed, we will provide additional information regarding specific dates and other details.

2014 Meetings

The State of Texas and Waste Control Specialists LLC (WCS) have agreed to co-host the spring 2014 meeting in Austin, Texas. There will be an optional site tour of the WCS facility for interested attendees as well. The co-hosts are currently making facility arrangements. Once completed, we will provide additional information regarding specific dates and other details.

Search for Volunteer Hosts for Fall 2014 and 2015 Meetings

The LLW Forum is currently seeking volunteers to host the Fall 2014 meeting, as well as both the spring and Fall 2015 meetings and those thereafter. Although it may seem far off, substantial lead-time is needed to locate appropriate facilities.

If your state or compact has not hosted a meeting in the past two years, we ask that you consider doing so. If necessary, we may be able to assist you in finding a co-host.

Non-state and non-compact entities are eligible to co-host LLW Forum meetings, so please let us know if your company or organization is interested in doing so.

Anyone interested in potentially hosting or sponsoring a meeting should contact one of the officers or Todd D. Lovinger, the organization's Executive Director, at (202) 265-7990 or at LLWForumInc@aol.com.

Atlantic Compact/State of South Carolina

NRC to Issue COLs for Summer Site

In late March 2012, the U.S. Nuclear Regulatory Commission concluded its mandatory hearing on the South Carolina Electric & Gas (SCE&G) and Santee Cooper application for two Combined Licenses (COLs) at the Summer site in the State of South Carolina. In a 4 to 1 vote, the Commission found the NRC staff's review adequate to make the necessary regulatory safety and environmental findings, clearing the way for the agency's Office of New Reactors (NRO) to issue the COLs.

The Commission's findings impose two conditions on the COLs. The first requires inspection and testing of squib valves, important components of the new reactors' passive cooling system. The second requires the development of strategies to respond to extreme natural events resulting in the loss of power at the new reactors. In addition, the Commission directed NRO to issue to SCE&G and Santee Cooper, simultaneously with the COLs, an Order that will require enhanced, reliable spent fuel pool instrumentation, as well as a request for information related to emergency plant staffing.

Within 10 business days of the conclusion of the hearing, NRS staff issued the COLs. The COLs authorize SCE&G and Santee Cooper to build and operate two AP1000 reactors at the Summer site, adjacent to the company's existing reactor. An NRC construction inspector has been on-site since October 2011, examining SCE&G's activities to prepare the site. The Summer site is located approximately 26 miles northwest of Columbia, South Carolina.

SCE&G and Santee Cooper submitted the COL application on March 27, 2008. The NRC's

Advisory Committee on Reactor Safeguards (ACRS) independently reviewed aspects of the application that concern safety, as well as a draft of the staff's Final Safety Evaluation Report (FSER). In a report dated February 17, 2011, the ACRS provided the results of its review to the Commission. On April 15, 2011, NRC completed its environmental review and issued a Final Environmental Impact Statement (FEIS) for the Summer COLs. On August 17, 2011, NRC completed and issued the FSER.

NRC certified Westinghouse's amended AP1000 design on December 30, 2011. The AP1000 is a 1,100 megawatt electric pressurized-water reactor that includes passive safety features that would cool down the reactor after an accident without the need for electricity or human intervention.

Northwest Compact/State of Utah

Variance Approved for Class A Sealed Source Disposal at Clive Facility

By letter dated April 11, 2012, the Executive Secretary of the State of Utah's Radiation Control Board approved a variance request for the disposal of Class A sealed sources at the EnergySolution's low-level radioactive waste disposal facility in Clive, Utah.

The variance will last for one year (365 days), starting from receipt of the first shipment at the facility. Only Class A sealed sources recovered as part of a round-up coordinated by the Conference of Radiation Control Program Directors' (CRCPD) "Source Collection and Threat Reduction" (SCATR) Program are authorized for disposal under the variance.

The Variance

States and Compacts *continued*

Based on the below-identified commitments and conditions, the Executive Secretary has granted a variance to License Condition 16A. The variance shall be for one year (365 days) starting from the receipt of the first shipment at the Clive facility, and as long as the commitments and additional conditions outlined below are followed. If any commitment or condition is not followed, the variance shall be suspended or terminated. For disposal of sealed sources beyond the 12 month variance, EnergySolutions will need to obtain approval through a license amendment of RML UT2300249.

Commitments In the variance request, EnergySolutions proposed certain commitments with which the Division of Radiation Control (DRC) concurred as amended:

- Each individual source shall not exceed Class A low-level radioactive waste limits as defined in UAC R313-15-1009 (10 CFR 61). Packages disposed under the variance will also not exceed Class A low-level radioactive waste limits as defined in UAC R313-15-1009 (10 CFR 61).
- EnergySolutions will not seek NRC approval to import foreign sources and will only manage and dispose of domestic sources.
- Shipments shall be certified in accordance with the EnergySolutions' Waste Characterization Plan Exhibit 2. Sources will be packaged in accordance with the 1995 NRC Branch Technical Position paper on encapsulation (1995 BTP).
- Sources will be disposed in the CWF in accordance with the most currently approved Construction Quality Assurance/Quality Control Manual requirements for CWF disposal and other applicable CWF criteria for disposal.

- EnergySolutions will review and approve each shipment before it is transported from the generator's or processor's facility.
- DRC will be notified at least seven (7) calendar days prior to scheduled receipt of the first shipment under the variance.
- The variance will have a term of one year (365 days) from the date the first shipment is received under the variance.
- EnergySolutions will track and report the total number, volume, and activity of sources received and the serial numbers or other unique identification number of each source disposed under the variance. A report will be due no later than three (3) months after the variance expiration date.

Additional Conditions After evaluation of EnergySolutions' request, the DRC determined to grant the variance to License Condition 164 with the following additional conditions:

- The sealed source or sources must be encased within the disposal containers with grout or concrete.
- Only sealed sources recovered as part of a round-up coordinated by the CRCPD's SCATR Program are authorized for disposal under the variance.
- The half-lives of the isotopes in the sources to be disposed are equal to the half-life of Cs-137 or less.
- The total number of curies shall be limited to 708,678 curies—which is equivalent to 1% of the calculated total source term limit of the Class A North Embankment.

Background

Currently, License Condition 16A prohibits the disposal of sealed sources at the Clive facility.

States and Compacts *continued*

On August 2, 2011, however, *EnergySolutions* submitted to the DRC variance request (CDI I-0216) to RML UT 2300249.

In a meeting on August 18, 2011, *EnergySolutions* presented their request to DRC staff. The request was made in support of the U.S. Department of Energy's (DOE) National Nuclear Security Administration (NNSA) Global Threat Reduction Initiative (GTRI). The GTRI's Off-Site Source Recovery Program (OSRP) recovers and disposes of certain unused sealed sources from civilian sites. The GTRI's OSRP has requested that certain sealed sources be authorized for disposal at *EnergySolutions'* Clive, Utah facility.

By letter dated October 13, 2011, the Executive Secretary requested additional information from the licensee. In particular, *EnergySolutions* was asked to provide information demonstrating that the requested variance complies with all requirements stated in Utah Administrative Code (UAC) R313-25-8(1). By letter dated November 7, 2011, the licensee provided information to address each individual requirement in UAC R313-25-8(1).

DRC staff evaluated *EnergySolutions* response and provided the following comments:

- UAC R313-25-8(1)(a): The DRC agrees that sealed sources were considered by the Nuclear Regulatory Commission (NRC) when developing radioactive waste classification criteria in 10 CFR 61 and therefore is not a unique waste stream. The variance request complies with this requirement.
- UAC R313-25-8(1)(b): The half-lives of the isotopes in the sources to be disposed is equal to the half-life of Cs-137 or less. Therefore the dose limits will not be reached. The variance request complies with this requirement.
- UAC R313-25-8(1)(c): To comply with this requirement, the DRC will allow 1% of the

calculated total source term limit (which equals 708,678 curies) of the Class A North Embankment CWF Cell, which will ensure compliance with the requirement.

- UAC R313-25-8(1)(d): Sealed sources were considered by the NRC in developing 10 CFR 61. Additionally, sealed sources have been evaluated in the NRC's Branch Technical Position paper on Concentration Averaging and Encapsulation (BTP). Therefore, the form of the waste (i.e., sealed sources verses bulk waste) does not constitute an unanalyzed condition. The variance request complies with this requirement.

The Utah Division of Radiation Control has posted the revised Approval Letter and the Public Participation Summary on the EnergySolutions' issues page at <http://www.radiationcontrol.utah.gov/EnSolutions/currentactivities.htm#rpcgwdp0312>.

For additional information, please contact Rusty Lundberg at (801) 535-4257 or at rlundberg@utah.gov or John Lundquist at (801) 536-4250 or at jlundquist@utah.gov.

Utah Approves *EnergySolutions'* Ground Water Discharge Permit

On April 27, 2012, the State of Utah announced the approval of proposed changes by the Co-Executive Secretary of the Utah Water Quality Board to the existing *EnergySolutions'* Ground Water Quality Discharge Permit UGW450005 for a low-level radioactive waste and 11e.(2) waste disposal facility in Clive, Utah. The modified permit amends and supersedes all other Ground

Water Discharge permits that were previously issued for this facility.

The facility currently consists of five separate operable units: a low-activity radioactive waste (LARW) cell, an 11e.(2) cell, a mixed waste cell, a Class A cell, and a Class A North cell.

A public comment period on the proposed changes was open from March 20, 2012 through April 20, 2012. Written comments were to be directed to the Utah Division of Radiation Control (DRC), 195 North 1950 West, P.O. Box 144850, Salt Lake City, UT 84114-4850, or by email to radpublic@utah.gov.

A review of the DRC mail and the radpublic email box indicated no comments were received.

The previous date of the permit was February 14, 2012. The modified permit became effective on April 25, 2012.

The modified permit and statement of basis may be found at <http://www.radiationcontrol.utah.gov/EnSolutions/licenses.htm>.

For additional information, please contact 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.

Utah Seeks Public Comment re Mixed Waste Well Network

On March 21, 2012, the Division of Radiation Control of the State of Utah announced that it is seeking public comments regarding proposed changes by the Co-Executive Secretary of the Utah Water Quality Board to the existing EnergySolutions' Ground Water Quality Discharge Permit UGW450005.

The changes associated with this Permit modification include a mixed waste embankment compliance monitoring well network revision. The public comment period commenced on Tuesday, March 20, 2012 and closed at the end of business on April 20, 2012.

The Statement of Basis, which includes the modified draft Permit, is available at <http://www.radiationcontrol.utah.gov/EnSolutions/currentactivities.htm#rpcgwdp0312>.

For additional information, please contact Charles Bishop at (801)536-4234.

Utah Radiation Control Board Hosts Meeting March 13, 2012

The Utah Radiation Control Board held a regularly scheduled meeting on March 13, 2012. The meeting— which was open to the public— was held in Conference Room 1015 of the Multi Agency State Office Building at 195 North 1950 West in Salt Lake City, Utah. It was scheduled from 3:00 pm to 5:00 pm.

The following items, among others, were on the March 2012 meeting agenda:

- I. Minutes (Board Action)
 - a. Approval of the Minutes from the January 10, 2012 Board Meeting
- II. Administrative Rules (Board Action)
 - a. Final adoption of changes to R313-17, Administrative Procedures (Utah State Bulletin, Vol. 2011, No. 23.)
- III. Radioactive Materials Licensing/Inspection

States and Compacts *continued*

IV. X-Ray Registration/Inspection

V. Radioactive Waste Disposal (Board Information—Update)

- a. EnergySolutions—Update
 - i. Class A West
 - ii. Sealed Sources
 - iii. SempraSafe—Comment Period Status

VI. Uranium Mill Licensing and Inspection (Board Information—Update)

- a. Denison Mines—License Renewal
- b. Rio Algom—License Amendment

VII. Other Division Issues (Board Information)

- a. Department of Environmental Quality Boards—Legislation Status
 - i. Senate Bill 11—Adjudicative Proceedings
 - ii. Senate Bill 21 (1st Sub.)—DEQ Board Revisions
- b. Nuclear Regulatory Commission—Activity Update
 - i. Revised Branch Technical Position on Concentration Averaging and Encapsulation
 - ii. Draft Branch Technical Position on the Import of Non-U.S. Origin Radioactive Sources
 - iii. NRC Commissioners—Staff Requirements Memorandum (January 9, 2012) regarding revised scope of 10 CFR Part 61 rulemaking
- c. Lean Six Sigma Implementation Update

VIII. Public Comment

IX. Next Scheduled Board Meeting: April 10, 2012 (Tuesday), 3:00 P.M.

The Board subsequently canceled its next meeting, which was previously scheduled for April 10, 2012.

The Board's next meeting is scheduled to take place from 3:00 pm to 5:00 pm on May 8, 2012. The meeting will be held in Conference Room 1015 of the Multi Agency State Office Building at 195 North 1950 West in Salt Lake City, Utah.

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.radiationcontrol.utah.gov/Board/minagd/agenda.pdf>.

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.

Utah Radiation Control Board Hosts Telephone Conference Call

March 15, 2012

The Utah Radiation Control Board held a meeting on Thursday, March 15, 2012. The meeting—which began at 4:00 pm—was conducted through a conference call.

The agenda for the meeting was as follows:

- I. Roll Call
- II. Board Letter Regarding Senate Bill 21 (Board Action)
 - a. Approval of a letter from the Radiation Control Board to Governor Herbert regarding Senate Bill 21 (DEQ Revisions)
- III. Other Business
- IV. Next Scheduled Board Meeting: April 10, 2012 (Tuesday) at 3:00 pm

The public was allowed to participate through a telephone bridge number or by their presence in Conference Room 1015 of the Multi Agency State Office Building at 195 North 1950 West, Salt Lake City, Utah.

Southeast Compact

Southeast Compact Commission Requests that Texas Compact Commission Allocate Capacity for Small Generators

By letter dated March 15, 2012, the Southeast Compact Commission for Low-Level Radioactive Waste Management requested that the Texas Low-Level Radioactive Waste Compact Commission, “in its development of a process for

review of proposed import agreements, set aside 2,000 cubic feet and 2,000 curies of the annual capacity for non-party states for the disposal of radioactive waste from small generators.”

Background

On November 18, 2011, the Southeast Compact Commission submitted comments related to the development of the Texas Compact Commission’s process to amend 31 Texas Administrative Code 675.23, *Importation of Waste from a Non-Compact Generator for Disposal*.

According to the Southeast Compact Commission’s March 2012 letter, the draft rules have addressed several of the key concerns expressed in the comments submitted in November 2011, including “that application fees may serve as an insurmountable barrier to disposal of extremely small quantities of waste and/or for very small organizations.”

Another of the earlier comments, however, included a request that the Texas Compact Commission “consider setting aside an amount of disposal capacity, either by activity, volume, or both for small generators and sealed sources from non-party states.”

In the March 2012 letter, the Southeast Compact Commission once again raises this issue for consideration by the Texas Compact Commission as it proceeds with decisions related to the processing of import applications at its upcoming meeting on March 23, 2012.

Explanation of Issues

“Although the amount of low-level radioactive waste that each small generator stores is generally very small, the thousands of small generators storing waste across the country pose a significant threat to public health and safety and to national security because the waste stored is small, portable, and stored in relatively non-secure

environments,” states the Southeast Compact Commission in its letter. “It would be a great service to the country if these wastes were accepted for disposal at the Texas Compact Disposal Facility.”

The Southeast Compact Commission expresses concern, however, that the volume and curie limits may be filled by waste from one or more large generators if the Texas Compact Commission does not act to provide a set-aside or some other mechanism to specifically provide for the disposal needs of the small generators.

“The draft rule for importation of waste from a non-compact generator provides that the [Texas Compact] Commission utilize numerous factors in its review of proposed import agreements, including the policy and purpose of the [Texas] Compact and relevant comments from the public,” states the letter. In this regard, the Southeast Compact Commission submits “that protection of health, safety and national security falls within the policy and purpose of the [Texas] Compact.”

Based on the foregoing, the Southeast Compact Commission is requesting the set-aside of 2,000 cubic feet and 2,000 curies of the annual capacity for non-party states for the disposal of radioactive waste from small generators.

For additional information, please contact Kathryn Haynes—Executive Director of the Southeast Compact Commission—at (919) 380-7780 or at khaynes@secompact.org.

Southeast Compact Hosts Generator Workshop and Commission Meetings

On March 20-21, 2012, the Southeast Compact Commission for Low-Level Radioactive Waste Management hosted a workshop for generators and meeting of the compact commission at the Perdido Beach Resort in Orange Beach, Alabama.

Generator Workshop

On the morning of March 20, 2012, a generator workshop was co-hosted by the Southeast Compact Commission and Waste Control Specialists LLC (WCS). During the workshop, WCS representatives provided an orientation about the upcoming opening of the Texas Compact Waste Disposal Facility (CWDF) in Andrews County, Texas. (*See related story, this issue.*) The workshop was intended to provide the resources necessary to understand the multiple requirements for access to that facility for generators outside of the Texas Compact region. Brokers and processors who may be able to assist generators with fulfilling the requirements for access to the Texas CWDF were also available at the workshop for networking purposes.

Southeast Compact Commission Meeting

On the afternoon of March 20, 2012, the Southeast Compact Commission’s Administrative Committee met to consider amendments to the Statement of Investment Objectives. Later that same afternoon, the Policy and Planning Committee met to (1) consider amendments to the “Southeast Compact Commission Policy Statement on Management of Low-Level Radioactive Waste,” adopted June 17, 2009; and, (2) to discuss and propose actions to address issues related to access to the Texas CWDF for waste generators in the Southeast Compact region.

States and Compacts *continued*

On the morning of March 21, 2012, the Southeast Compact Commission held its 99th business meeting. During the meeting, the commission received committee reports and conducted other business that came before it. The commission also heard presentations from the U.S. Nuclear Regulatory Commission and Babcock & Wilcox regarding the development of the B&W reactor.

All 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.

Southwestern Compact

Southwestern Compact Commission Hosts 64th Meeting

On April 24, 2012, the Southwestern Low-Level Radioactive Waste Commission hosted its 64th meeting in San Francisco, California immediately following the conclusion of the Low-Level Radioactive Waste Forum's spring 2012 meeting. (*See related story, this issue.*)

The following topics, among others, were on the meeting agenda:

- call to order
- roll call
- welcome and introductions
- statement regarding due notice of meeting
- reports: Commission Chair, Executive Director, licensing agency, and party states
- exportation: ratification of approved petitions, amend export policy document to reflect flat rate fee for Class B and Class C waste
- follow-up on incompatibility issues—NRC response
- update of sealed source issues

- amend approved budget
- public comment
- future agenda items
- next meeting: October 5, 2012 at Hyatt in Sacramento, California
- adjournment

Members of the public were invited to attend the meeting and comment on specific agenda items as the Commission considered them. The total public comment time on each agenda item was limited to 15 minutes. Written material was also accepted. A 15-minute public comment period was provided near the end of the meeting at which time members of the public were invited to bring before the Commission issues relating to low-level radioactive waste but which were not on the agenda.

For additional information, please contact Kathy Davis, Executive Director of the Southwestern Compact Commission, at (916) 448-2390 or at swllrwcc@swllrwcc.org.

Texas Compact

Texas Compact Commission Approves Amendment to Import Rules

At a public meeting on March 23, 2012, the Texas Low-Level Radioactive Waste Disposal Compact Commission (TLLRWDC) approved proposed amendments to its rule related to the importation of low-level radioactive waste from non-compact generators for disposal at the Texas Compact Waste Disposal Facility (CWF) operated by Waste Control Specialists LLC (WCS).

Among other things, the amended rule—which was developed to meet requirements established

States and Compacts *continued*

criteria for an application form and an agreement form to be used in the import petition process.

The proposed rules were published in the *Texas Register* on January 20, 2012.

Actions Taken by TLLRWDC

At the March 23 meeting, the TLLRWDC received and discussed the report of its Rules Committee on proposed amendments to Rule 675.23 (Importation of Waste from a Non-Compact Generator for Disposal). In addition, the TLLRWDC heard public comment on the proposed rules from officials representing various states, compacts, environmental organizations, the site operator, and other interested stakeholders. After consideration of the Rules Committee's recommendations and the public comments, seven members of the TLLRWDC voted to approve the proposed amendments to the import rule. Following common practice when there is no tie, Commission Chair Robert Wilson did not vote.

In addition, the TLLRWDC considered petitions for exportation of low-level radioactive waste to the EnergySolutions' facility in Clive, Utah from the South Texas Project, Vermont Yankee and Luminant. Following discussion and consideration of public comment, a majority of the Commissioners voted to allow each of the utilities to continue exporting waste to the Clive facility for four additional months, after which it will revisit the issue. In-compact generators must submit a petition to the TLLRWDC prior to exporting waste to an out-of-compact disposal facility.

During the course of the meeting, the TLLRWDC discussed methods of processing and evaluating applications for Agreements for importation of waste for disposal in accordance with TLLRWDC rules and Texas requirements expressed in Chapter 401 of the Texas Health and Safety Code, including quantities and revenue expectations. The TLLRWDC also received a site status report from WCS. The TLLRWDC

committee on the commingling rule reported on their actions and the status of the rule process. The TCEQ also made a presentation at the meeting on the agency's plans for actions on its commingling rule change effort, as well as actions on site licensing and disposal site rate case actions.

Next Steps

Although approval of the amendments to the import rule moved the WCS site one step closer toward the acceptance of waste and commencement of disposal operations at the state-owned CWF, additional action needed to be taken by TCEQ before the site would be authorized to receive waste, even from regional generators.

Specifically, the following two pending license amendments still needed to be issued prior to the acceptance of waste at the CWF:

- Amendment 13 would include consideration of amendment to the environmental monitoring program, and would put in place the monitoring program for the operational phase of the CWF.
- Amendment 14 would include consideration of amendment to the final CWF design and specifications, and would reflect the final approved CWF for the beginning of operations.

The above two amendments were issued in late April 2012, after which the TCEQ's Executive Director signed off on the CWF certification and provided written approval for acceptance of commercial waste from Texas and Vermont generators into the Texas' CWF. WCS received the first shipment of such waste on April 27, 2012. (*See related story, this issue.*)

Prior to the shipment of non-compact waste to the CWF, however, TCEQ still needs to issue a license amendment that specifically authorizes the acceptance of out-of-region waste. WCS has

States and Compacts *continued*

submitted the proposed license amendment, which is currently under review by the TCEQ.

In addition, there are several steps that an out-of-compact generator must complete before shipping waste to the Texas CWF. The generator must apply to the TLLRWDC for an import agreement, must obtain certification for transport from the Texas Department of State Health Services (DSHS), and must learn how to use a WCS on-line program to develop waste profiles in accordance with the Waste Acceptance Criteria.

Some generators may choose to contact a broker for assistance with completing these requirements. As of late January 2012, three brokers had a low-level radioactive waste disposal contract with WCS and other companies were in the process of contract negotiations with WCS. At least ten transporters have been approved by the DSHS to transport low-level radioactive waste to the Texas CWF.

Background

On January 5, 2012, the TLLRWDC proposed amendments to its rules related to the import of waste from a non-compact generator. The proposed rules were published in the *Texas Register* on January 20, 2012. The Rules Committee held a series of meetings over the past three months to discuss the proposed amendments and consider comments thereon. The Rules Committee's primary focus was on continuation of work on drafting changes and additions to the TLLRWDC's existing rules that are necessary or appropriate with respect to actions of the 82nd Texas Legislature. The TLLRWDC's existing rules may be found in Title 31, Part 21, Chapter 675 of the Texas Administrative Code. Prior to the March 23 meeting, the TLLRWDC released the Rules Committee's draft response to comments received during the comment period. In a letter dated March 19, 2012 and sent the next day, various stakeholders—including the Sustainable Energy and Economic Development Coalition (SEED)—submitted additional

comments on the proposed amendments to the import rule for consideration by the TLLRWDC. SEED argued that it is premature for the TLLRWDC to approve the proposed amendments because, among other things, the TLLRWDC "lacks a basic administrative structure." SEED also proposed various changes to the proposed amendments to improve oversight via, among other things, onsite audits, enforcement of limitations on volumes and curies, strengthening of import application disclosure requirements, prohibition of international waste, consideration of Texas' liability, assessment of transportation requirements, and enhancement of public participation.

In addition, on March 21, 2012, WCS sent a letter to Chairman Wilson regarding the pending export petitions for consideration at the March 23 meeting. In the letter, WCS states that the company "adamantly opposes the continued exportation of low-level radioactive waste generated in the Texas Compact that is eligible for disposal in the Compact facility unless there are compelling safety and health reasons." Among other things, WCS' letter disputes concerns raised by the petitioners with regard to compliance with the Waste Acceptance Criteria (WAC), costs of disposal at the CWF, and status of rules relating to processing and commingling.

For additional information on activities of the TLLRWDC (including the recently passed import rule amendment and policies and procedures related to waste import), please contact Robert Wilson, Chairman of the Commission, at (512) 217-2106 or at bob.wilson@tllrwdc.org.

For additional information on TCEQ activities (including licensing, rate setting, and commingling rules), please contact Susan Jablonski of the TCEQ at (512) 239-6466 or at sjablons@tceq.state.tx.us.

For more information on the status of the WCS facility (including brokers and transporters authorized to ship waste thereto), please contact Rod Baltzer of WCS at (972) 450-4235 or at rbaltzer@valhi.net.

States and Compacts *continued*

(Continued from page 1)

- other applicable submittals and approvals relating to receipt and acceptance of low-level radioactive waste—such as waste acceptance, safety and inspection procedures—have also been processed.

“Please be aware, however, that Executive Director staff is closely monitoring activities associated with wells OAG-21, OAG-22, OW-1, and OW-2,” stated the April 25 letter. “It is important to ensure that saturated conditions do not exist within 100 feet of the disposed waste.”

The letter also notes that, in accordance with the license, prior agency approval is required for any future expansion of the currently constructed disposal unit.

WCS Statements

“I am pleased to announce that medical researchers and universities that use radioactive materials every day to save lives, and nuclear power plants that produce much of our country’s energy needs, are now using a facility specifically designed, engineered and constructed to permanently dispose of the low-level radioactive waste (LLRW) that is currently in temporary storage, much of it in urban centers,” said WCS Chief Executive Officer William Lindquist, in announcing receipt of the first waste shipment at the CWDF. “We’re happy that the first LLRW disposal contract we signed almost a year ago with Bionomics has resulted in the first disposal of LLRW at the Texas Compact Facility.”

Lindquist added as follows:

We have finally completed what we set out to do almost 17 years ago which is to provide the industry with a ‘one-stop shop’ for its hazardous, toxic and radioactive waste needs. Although it was a bold vision at the time, we believe our Texas Solution provides the broadest range of capabilities of any commercial

enterprise in the United States for the storage, treatment and permanent disposal of hazardous, toxic, low-level and mixed LLRW and radioactive byproduct material. We also believe that the robustness of our facility combined with the certainty provided by the state of Texas’ ownership gives WCS a significant advantage over its competitors in this multi-billion dollar industry.

The CWDF is owned and licensed by the state of Texas, operated by WCS and hosted and supported by Andrews County, Texas. WCS is licensed by the TCEQ to dispose of Class A, B and C LLRW.

“From the beginning, WCS’ objective has been to license and construct the most comprehensive site in the U.S. for the disposal of radioactive material,” said Steven Watson, President and Chief Executive Officer of Valhi, Inc.—WCS parent company. “Valhi has always believed that such a site would result in a successful commercial enterprise because of the shortage and uncertainty with respect to the availability of Federal and commercial disposal alternatives.”

Watson added as follows:

Valhi is proud that WCS has reached this important milestone and has now established itself as a leader and innovator within the industry. We believe the prospects for this business are extraordinary, due to the unique characteristics of the industry and WCS’ experience and extensive disposal and treatment capabilities. We are equally pleased with the strong, ongoing support of the citizens of Andrews and Lea counties, as well as all of the Permian Basin, all of which have contributed immeasurably to WCS’ success. We look forward to continuing our mutually beneficial partnership with the local

community and the state of Texas, while WCS grows its business.

About WCS

The WCS facility in western Andrews County is a commercial facility licensed to dispose of Class A, B and C low-level radioactive waste. It is also licensed for the treatment and storage of low-level radioactive waste and has served as a temporary storage facility for past U.S. Department of Energy projects.

The WCS facility is the site of the disposal facility for the Texas Low-Level Radioactive Waste Disposal Compact, and most recently was the site of the storage and disposal of byproduct material from the cleanup of the DOE Fernald site in Ohio.

WCS has been processing and storing LLRW at its facility since 1998.

WCS is a wholly-owned subsidiary of Valhi, which is engaged in the titanium dioxide products, component products (security products, furniture components and performance marine components) and waste management industries.

For additional information on TCEQ licensing activities, please contact Charles Maguire of the TCEQ at (512) 239-5308 or at Charles.Maguire@tceq.texas.gov.

For additional information on WCS management and disposal services, please contact WCS President Rodney Baltzer at (972) 450-4235 or at rbaltzer@valhi.net.

WCS to Acquire New Shipping Containers for Class B and C Waste

On April 12, 2012, Waste Control Specialists LLC (WCS) announced that the company plans to acquire at least two, federally certified shipping casks to facilitate generators transportation of Class B and C low-level radioactive waste to the Texas Compact Disposal Facility for disposal.

“There simply are not enough of these specially designed, highly-engineered casks in the country to support the needs of the universities, research centers and power plants that are generating this waste, particularly now that the Texas Compact facility offers them a new, readily accessible disposal option,” said WCS’ Chief Executive Officer William Lindquist.

Container Acquisition Plans

WCS has contracted with Robatel Technologies, LLC to design and fabricate the new casks, which are code named RT-100. The new casks will be made of stainless steel and will include five inches of lead shielding to assure public safety. According to the WCS press release, the U.S. Nuclear Regulatory Commission (NRC) “exhaustively reviews the design and construction of each cask and issues a certificate of compliance before it is allowed to be placed into service.”

“Our announcement today of our solution to the nation-wide cask shortage is one more example of WCS’ commitment to making the Texas Compact Disposal Facility a success for generators, the state of Texas and the residents of Andrews County,” stated Lindquist. “We will begin low-level waste disposal operations later this month using existing casks, with our new RT-100 casks becoming available for use later this year in response to anticipated increased disposal demand.” Lindquist added that Robatel has

States and Compacts *continued*

collaborated extensively with WCS staff on the performance criteria for the RT-100, as well as working closely with the NRC on cask design certification and construction.

“Robatel is pleased to put our 60 years of experience designing and fabricating radioactive material casks to work for Waste Control Specialists by constructing these new containers,” stated company executive Teo Grochowski. “Our casks are engineered and built to meet or exceed the design, testing, use and maintenance regulations of the NRC and the U.S. Department of Transportation.”

“Strict controls, certified special containers such as the RT-100, rigorous oversight, extensive training and specified routes have made the shipment of low-level radioactive waste a safe, routine part of U.S. commerce for more than 50 years,” added Lindquist. “Radioactive materials are transported on our highways every day and the aforementioned factors virtually eliminate the possibility of a measurable radiation exposure to the public in the unlikely event of a transportation accident.” The entire disposal process, from start to finish, is tightly regulated, beginning with the transportation of the waste to the site in the federally approved casks.

According to WCS press release, the WCS RT-100 casks:

- incorporate the latest in regulatory requirements, materials engineering, and design know how;
- offer larger volume and capability of multiple liners versus the existing casks;
- are composed of 100 percent stainless steel construction inside and out, whereas existing designs have carbon steel outer shells which are subject to corrosion;
- contain multiple sealing gaskets that incorporate a proprietary design to ensure integrity of seal during normal use or accident situations; and,

- are designed, tested and fabricated to withstand catastrophic accident conditions to include any combination of crash, drop, roll, fire, impact, puncture, and/or immersion.

WCS Facility

The WCS facility is located in western Andrews County, Texas. It is licensed to dispose of Class A, B and C commercial low-level radioactive waste. It is also licensed for the treatment and storage of low-level radioactive waste and has safely and has successfully served as a temporary storage facility for past U.S. Department of Energy projects.

“Situated in a semi-arid and isolated location, the WCS facility sits atop a formation of 500 feet of impermeable red-bed clay which makes it an ideal setting for the storage and disposal of low-level radioactive waste,” states the company’s press release. “The state of Texas has determined the WCS facility does not sit above or adjacent to any underground drinking water formations.”

The WCS facility is the site of the disposal facility for the Texas Low-Level Radioactive Waste Disposal Compact, and was the site of the successful storage and disposal of byproduct material from the DOE Fernald, Ohio cleanup site.

WCS has been processing and storing low-level radioactive waste at its facility since 1998. WCS is a subsidiary of Valhi, which is engaged in the titanium dioxide products, component products (security products, furniture components and performance marine components) and waste management industries.

Robatel

Robatel Technologies, LLC is a Georgia federally qualified small business with engineering operations headquartered in Roanoke, Virginia. It is backed by the resources of the 180-year-old

Robatel Group of companies based in the suburbs of Lyon, France.

Robatel offers design engineering and fabrication services with an emphasis on the United States and Canadian commercial and government nuclear industries. “Drawing on the knowledge base of the Robatel Group,” states the company, “Robatel Technologies offers 60 years of nuclear design-build experience.”

For additional information about WCS’ acquisition plans, please contact Chuck McDonald at (512) 708-8655 or at chuck@mcdonaldpr.com.

For additional information about Robatel Technologies, please contact Teo Grochowski at (540) 989-2878.

TCEQ Hosts Meeting re Process for Review of LLW Disposal Contracts

On April 25, 2012, the Texas Commission on Environmental Quality (TCEQ) hosted a public meeting to receive comment on the proposed agency process and paperwork relating to the proposed disposal of low-level radioactive waste. The meeting began at 2:00 pm. It was held in Room 172 of Building A at 12100 Park 35 Circle in Austin, Texas.

Under Texas law, there are legal requirements that apply to certain contracts for the disposal of low-level radioactive waste—specifically 30 Texas Administrative Code Section 336.1317 and Texas Health and Safety Code Section 401.2456. TCEQ is working on a process to streamline the agency’s review of such contracts relating to both Party State Compact and Non-Party Compact Waste.

Prior to the meeting, draft documents subject to comment were emailed and posted on the agency’s website at <http://www.tceq.texas.gov/permitting/radmat/licensing/rw.html>. Interested stakeholders were invited to submit written comments prior to the meeting. No further comments will be received after the meeting on April 25, 2012.

For additional information about the TCEQ meeting, please contact Katharine Marvin at (512) 239-0452 or Amie Richardson at (512) 239-2999. The official meeting notice can be found at <http://www.tceq.texas.gov/permitting/radmat/licensing/rw.html>.

TCEQ Announces Appointment of New Executive Director

On March 7, 2012, the Texas Commission on Environmental Quality (TCEQ) Commissioners voted unanimously to appoint Zak Covar as the new Executive Director for the agency effective May 1, 2012. Covar has served as Deputy Executive Director since August 2009. He succeeds Mark Vickery, who recently announced his retirement from state government after 25 years of service.

Covar began his career in state government when he clerked for Chairman Dennis Bonnen (State Representative District 25) on the House Environmental Regulation Committee. From 2005 to 2007, Covar also worked as the Environmental and Natural Resource Adviser to Governor Rick Perry. In this role, Covar was responsible for advising the Governor and senior staff on all major budget and policy issues pertaining to the TCEQ, the Texas Railroad Commission, and Texas Parks and Wildlife. At the TCEQ, Covar served as the Executive Assistant to Chairman Bryan Shaw and later as Assistant Deputy Executive Director.

States and Compacts *continued*

"Mr. Covar brings a tremendous amount of legislative experience and environmental knowledge to this position," said TCEQ Chairman Shaw. "Zak will maintain the steady leadership that's been in place at this agency for the past several years and will build on those successes."

Covar is "an outstanding manager who understands the issues and the challenges facing this agency and this state," added TCEQ Commissioner Buddy Garcia. "Zak has the proven skill and experience to move this agency forward."

"Mr. Covar has a proven track record of solving complex environmental and organizational issues," said TCEQ Commissioner Carlos Rubinstein. "Zak will lead this agency into the future and provide stability and consistency. He will do a great job for all Texans."

"I appreciate the support and the vote of confidence from the TCEQ Commissioners," said Covar. "It is a great honor to serve the people of Texas in this capacity. I understand and accept the tremendous responsibility that comes with this position and I vow to protect all our Texas resources."

A native Texan, Covar earned a Bachelor of Science in Poultry Science from Texas A&M University.

was recently promoted to the position of Area Director for Central Texas. (*See box story, next page.*)

Maguire is currently the Director of the Water Quality Division, where the primary function is issuance of wastewater and stormwater discharge permits. Maguire joined the TCEQ in January 2006 as a Team Leader for the Agriculture Permitting Team in the Water Quality Division and held that position until becoming Manager of the Water Quality Assessment Section. In October 2008, Maguire became the Assistant Director of the newly formed Water Quality Planning Division and served in that capacity until October 2009 when he started in his current position.

Maguire's "wide range of leadership roles and management experience at TCEQ, Tarleton State University, and in the private sector make him uniquely qualified to fill this important role for TCEQ and the State of Texas," states the TCEQ press release.

Maguire holds a Bachelor of Science degree in Aerospace Engineering and a Masters of Business Administration from Texas A&M University and holds current certifications in Environmental Audits, Certified Nutrient Management Plan Development and is a Certified Nutrient Management Specialist. He is also a recent graduate of the Governor's Executive Development Program.

Charles Maguire Named Director of TCEQ's Radioactive Materials Division

Effective May 1, 2012, Charles Maguire has been selected to be Director of the Texas Commission on Environmental Quality's (TCEQ's) Radioactive Materials Division in the Office of Waste. Maguire replaces Susan Jablonski, who

Susan Jablonski Promoted to TCEQ Area Director for Central Texas

In late March 2012, the Texas Commission on Environmental Quality (TCEQ) announced the promotion of Susan Jablonski to the position of Area Director for Central Texas. At the time of the announcement, Jablonski—who has long represented the State of Texas on the Low-Level Radioactive Waste Forum (LLW Forum)—was the Director of the Radioactive Materials Division. Jablonski attended and participated in the April 2012 LLW Forum meeting to provide one final update on behalf of the State.

Jablonski is a health physicist and a professional engineer. She has extensive experience working with radioactive waste public policy, environmental and radiological monitoring, environmental engineering, waste characterization, radiochemistry, and the management and disposal of radioactive material. She previously served as the Director of Health Physics of the Texas Low-Level Radioactive Waste Disposal Authority until transferring to the TCEQ in 1999. Jablonski serves as the TCEQ Radiation Program Officer to the U.S. Nuclear Regulatory Commission. She has been designated by the Governor as the Texas representative on the national LLW Forum. She received her undergraduate degree in Radiological Health Engineering administered by the Texas A&M University Nuclear Engineering Department and her graduate degree from the University of Texas at Austin in Environmental Health Engineering.

For additional information, please contact Susan Jablonski at sjablons@tceq.state.tx.us or at (512) 239-6466.

Texas State Representative Lon Burnam Raises Issues re WCS Site

On April 16, 2012, Representative Lon Burnam of the Texas House of Representatives held a press conference at the State Capitol in which he called upon the Texas Commission on Environmental Quality (TCEQ) to not allow the Waste Control Specialists LLC (WCS) facility to open until questions are answered about the presence of groundwater inside the 100 foot buffer zone around the facility.

In addition, Burnam is requesting a ruling by Attorney General Greg Abbott on whether TCEQ documents about the site that he obtained through a 2009 open records request may be disclosed in the interest of public health and safety.

Groundwater Concerns

A press release from Burnam's office claims that WCS is "pressing" for TCEQ to allow the site to open even though Burnam alleges that documents show significant groundwater present at the site. Burnam alleges that the documents confirm concerns of TCEQ scientists that he claims objected to issuance of the license five years ago due to the likelihood of groundwater intrusion at the site in future years.

"It appears that serious public health and safety risks are being ignored in the interest of getting this site up and running," Burnam said at the press conference. "Until we know the source of this water, the likelihood of groundwater contamination, and the risk to the public, it's simply irresponsible to open this site."

Burnam also claims that WCS could violate license condition 65 if the site opens before monitoring wells inside the buffer zone are dry. License condition 65 states that, "In the event that

States and Compacts *continued*

saturated conditions are detected inside the buffer zone, the Licensee shall cease all waste disposal operations and notify the executive director immediately."

Burnam called on TCEQ to not issue the final certification letter until:

- water is no longer present within the buffer zone;
- the agency knows the source and extent of groundwater currently present inside the buffer zone and can demonstrate that the Ogallala Aquifer is not at risk of contamination, and
- the Attorney General has ruled on the confidentiality of the internal documents.

Request for Ruling from Attorney General

Burnam is also requesting a ruling from the Attorney General (AG) as to whether TCEQ documents about the site that he obtained through a 2009 open records request may be disclosed in the interest of public health and safety. Burnam claims that the agency initially withheld the documents, but last year was ordered to release them due to a court ruling.

"As my letter to the AG today explains, I don't think the statutory criteria for keeping these documents secret have been met," Burnam said, "especially when you consider the very serious public health and safety implications involved."

According to Burnam, the documents discuss the agency's concerns with WCS' license application and the risks of possible radioactive contamination of nearby groundwater tables. Burnam claims that he is prohibited from sharing the documents with the public under a confidentiality agreement signed in September 2009 at the insistence of TCEQ.

"The public has a right to know what the scientists—whose salaries are paid by their tax dollars—thought about the adequacy of the site,

the possibility of groundwater contamination, and the risks to their safety," Burnam said. "I hope the AG will allow me to respect that right by removing the gag order."

WCS Response

William Lindquist, CEO of Waste Control Specialists, issued the following statement in response to Burnam's April 16 press conference:

Lon Burnam said today that WCS is not in compliance with its low-level radioactive waste disposal license. This is absolutely false. WCS has followed the license and its conditions to the tee.

License Condition #65 in part states, 'The Licensee shall maintain an individual buffer zone for ... the Compact Waste Disposal Facility ... in a lateral perimeter of at least 100 feet around all disposed waste In the event that saturated conditions are detected in the buffer zone, the Licensee shall cease all waste disposal operations and notify the executive director immediately.'

We noted in our initial license application almost ten years ago that a playa (a shallow swimming pool-like depression that allows rainwater to collect) was located 30 feet underground in a small portion of the buffer zone around the landfill. We calculated the playa to be several acres in area and a couple feet deep. When we drilled monitoring wells and in and around the playa, as expected, we found water in two of the wells and in accordance with our license, immediately notified TCEQ. TCEQ took prompt action and asked WCS to confirm that the water in the two wells came from the isolated playa and that the only source for the water was cumulative rain fall and not from the Ogallala Aquifer. Because the Ogallala Aquifer is 10 miles up gradient from the landfill, and water cannot travel

uphill, and the fact that dry wells or excavated areas existed to the north, south, east and west of the water's location, WCS was able to definitely conclude that the water was from the isolated playa and there was no connection to any water source.

TCEQ asked WCS to drill additional monitoring wells between the playa in the buffer zone and where the initial waste will be buried almost 800 feet away to ensure that the water will not migrate to the waste. WCS has drilled the wells and performs daily water level measurements. The wells were dry when they were drilled

Several years later, however, radiation levels above NRC limits were detected at the disposal site. Through ownership changes and a bankruptcy settlement with the U.S. government, title for the disposal site fell to a custodial trust established to remediate the property to meet NRC requirements. The trust and its contractor, EnergySolutions, completed remediation and submitted a final status survey report to the NRC in October 2011.

The NRC conducted 25 onsite inspections during remediation, as well as independent and confirmatory surveys. The agency staff's review of the remediation is contained in a Safety Evaluation Report available through the NRC's ADAMS online database using accession number ML12052A066, and is summarized in a *Federal Register* notice that was published on March 27, 2012.

Residual radioactivity at the disposal site is now below the limit of 25 millirem per year as specified in NRC regulations, giving reasonable assurance that the health and safety of the public will not be endangered by the unrestricted use of the site. According to the NRC press release, this action ends the agency's involvement with the disposal site unless new information is identified that would alter the agency's conclusion.

State of Michigan

Michigan Disposal Site Determined to be Safe for Unrestricted Use

In late March 2012, the U.S. Nuclear Regulatory Commission announced that the agency has concluded that the former Breckenridge Disposal Site in Breckenridge, Michigan is acceptable for unrestricted public use after determining it meets regulatory requirements for protecting public health and safety.

The site is located on a narrow, wedge-shaped parcel of land about 5,285 square meters in size. It was used by the former Michigan Chemical Company to dispose of waste containing elevated levels of radioactive uranium and thorium generated during the processing of rare earth oxides. The company operated a chemical plant in nearby St. Louis, Michigan from 1967 through 1970. Its license from the Atomic Energy Commission was terminated in 1971, and the disposal site was declared suitable for public use.

(Continued from page 42)

The comment deadline is June 18, 2012.

Comments received after the deadline will be considered if possible, but the NRC is only able to ensure consideration of comments received by the deadline.

Members of the public can participate in the meeting via teleconference and webinar. For information on pre-registering, calling in or participating in the webinar, please contact Robert Beall at (301) 415-3874 or Robert.beall@nrc.gov.

State of North Carolina

NRC Issues Final SER and EIS on Proposed Uranium Enrichment Plant

On February 29, 2012, the U.S. Nuclear Regulatory Commission issued its final technical Safety Evaluation Report (SER) and Environmental Impact Statement (EIS) on a laser-based uranium enrichment facility proposed to be built in Wilmington, North Carolina.

The reports effectively complete the agency staff's review of the license application filed by General Electric Hitachi Global Laser Enrichment LLC (GLE) to construct and operate the facility at the site of the General Electric-Hitachi Global Nuclear Fuel-America's fuel fabrication plant. The NRC's Atomic and Safety Licensing Board must complete its adjudicatory hearing on the staff's review before a license can be issued. That hearing is expected to take place this summer.

The staff's SER evaluated the potential adverse impacts of the facility's operation on worker and public health and safety under normal and accident conditions. The review also considered GLE's programs for the physical protection of special nuclear material (SNM) and classified matter; material control and accounting of SNM; and, the management organization, administrative programs, and financial qualifications of the applicant to ensure safe design and operation of the facility. The SER contains the staff's conclusion that GLE's descriptions, specifications and analyses provide an adequate basis for safety and safeguards of facility operations and that operation of the facility would not pose an undue risk to worker and public health and safety.

The final EIS on the GLE facility analyzes potential impacts of preconstruction activities (such as land clearing and preparation),

construction, operation and decommissioning of the proposed facility. Preconstruction activities are not considered construction activities as defined in NRC regulations. The EIS contains the staff's conclusion that the project would have small to moderate impacts on the local environment, primarily during preconstruction activities.

The Safety Evaluation Report (NUREG-2120) is available through the NRC's ADAMS online document database (ML12060A007), and the final EIS (NUREG-1938) is available on the NRC website.

(Continued from page 42)

- using commercial-grade items in safety-related applications;
- software quality assurance; and,
- non-reactor vendor inspections.

NRC staff will be available at the end of the workshop session for additional discussions. The NRC is holding the workshop in conjunction with the NUPIC vendor meeting to ensure vendors can participate. Additional workshop information is available on the NRC website at www.nrc.gov.

Individuals needing reasonable accommodations to participate in the workshop should contact Marlayna Vaaler by June 10, via email at Marlayna.Vaaler@nrc.gov or via phone at (301) 415-3178.

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.

Atlantic Compact/State of South Carolina

Catawba Nuclear Plant In mid-April 2012, the U.S. Nuclear Regulatory Commission conducted a special inspection at Duke Energy's Catawba nuclear power plant to assess the circumstances surrounding an April 4 event that resulted in both of the plant's units losing offsite power. One of the two units was already shut down for an outage and the other unit automatically shut down. The plant's emergency diesel generators started and provided power to the plant's safety systems, which operated as needed. Plant employees were able to return offsite power a few hours later, but the event was reported as an Unusual Event—the lowest of four NRC emergency classifications. The plant is located near York, South Carolina. A report documenting the inspection results should be issued within 45 days of completion of the inspection.

Midwest Compact/States of Ohio and Minnesota

Davis-Besse Nuclear Plant On February 28, 2012, NRC announced that the agency had initiated a rigorous review of First Energy Nuclear Operating Company's (FENOC) causal analysis of cracks in the shield building at the Davis-Besse nuclear power plant. The agency

plans to schedule a public meeting and issue an inspection report to communicate its conclusions to the public once the review is complete. In October 2011, FENOC informed NRC that, while conducting work to replace the Davis-Besse reactor vessel head, utility workers had identified cracks in the shield building—a 2.5 foot thick reinforced concrete building surrounding a 1.5 inch thick steel containment vessel that encloses the reactor. The two buildings are separated by a 4.5 foot hollow space. NRC concluded its review of the shield building in December 2011. NRC determined that FENOC had provided reasonable assurance that the shield building is capable of performing its safety functions. However, the agency issued a Confirmatory Action Letter to FENOC detailing the company's commitment to take certain actions to monitor and ensure that the cracks in the shield building do not adversely impact safety going forward. FENOC submitted the root-cause analysis of shield building cracks—which is now publicly available on the NRC's ADAMS document database—on February 28 per its commitments to the NRC. The plant is located in Oak Harbor, Ohio—approximately 40 miles southeast of Toledo.

American Centrifuge Lead Cascade Facility

On April 19, 2012, NRC held a public meeting in Piketon, Ohio to discuss the results of the agency's most recent review of USEC Inc.'s American Centrifuge Lead Cascade Facility located at the same site. During the meeting, NRC staff and company officials discussed the results of the agency's review of safety performance at the plant from July 11, 2010 through January 31, 2011. The discussion included areas of safety operations, radiological controls, facility support and special topics. In its review, NRC found no areas needing improvement, but the agency will re-evaluate the inspection program for the current period after the completion of an ongoing inspection of a June 2011 event where multiple centrifuges failed.

Prairie Island Nuclear Plant In early March 2012, NRC monitored an Unusual Event—the

lowest emergency level in the agency's classification system—declared on March 6 at the Prairie Island Nuclear Generation Plant Unit 2. The declaration was made due to an indication of an increase in reactor coolant system leakage. Unit 2 is shut down for a refueling outage. The workers at the plant identified an apparent decrease in reactor vessel coolant level and took actions to further understand the situation. NRC activated its Incident Response Center in the Region III office in Lisle, Illinois and monitored the event. There was no radiation released or impact to plant workers or the public. Unit 1 is at full power. The two-unit plant, which is operated by Northern States Power Company—Minnesota, is located in Welch, Michigan.

Northwest Compact/State of Washington

Areva Fuel Facility On April 24, 2012, NRC staff held a public meeting in Richland, Washington to discuss results of the agency's most recent review of AREVA NP, Inc.'s fuel manufacturing facility. During the meeting, NRC and company officials discussed the results of the agency's review of safety performance at the plant from August 14, 2010 through December 31, 2011. The discussion included the areas of safety operations, radiological controls, facility support and special topics. In its review, NRC found no areas needing improvement so the agency will continue the normal level of inspection required for a facility of this type. In addition, NRC plans additional inspection in the transportation area as a result of previous events.

Rocky Mountain Compact/State of New Mexico

URENCO USA On April 10, 2012, NRC met with the management of URENCO USA in Eunice, New Mexico to discuss the results of a licensee performance review for the company's National Enrichment Facility. NRC staff assessed operational performance and construction activities during a period from January 1, 2011 through December 31, 2011. Operational

activities were evaluated in the areas of safety operations, radiological controls, facility support and special topics. Construction activities were evaluated in the areas of management measures, facility construction and facility support. Based on the NRC review of the company's performance last year and the decreasing amount of construction, the NRC will extend the next review period to 24 months, which is the standard for an NRC-licensed operating facility of this type.

Southeast Compact/States of Florida and Georgia

Turkey Point Nuclear Plant In early April 2012, NRC staff determined that Florida Power and Light Company's (FPL) failure to properly maintain the Turkey Point nuclear plant's onsite emergency response facility is a violation of low to moderate safety significance that may require additional inspection and oversight. In addition, the utility's failure to report that the plant's Technical Support Center was not fully functional during a seven-month period in 2010-2011 represents a second violation resulting in a \$140,000 civil penalty. On February 21, NRC staff held a conference with FPL to discuss the inspection findings. FPL has 30 days to appeal the NRC staff's significance determination, civil penalty or both. The Turkey Point plant is located approximately 25 miles south of Miami near Homestead, Florida.

North Anna Nuclear Station On April 20, 2012, NRC staff held a regulatory conference with officials of Dominion to discuss an apparent violation of plant technical specifications associated with a gasket failure on one of the North Anna plant's emergency diesel generators. During the conference, NRC staff and company officials discussed the significance of the inspection finding, which was identified when a gasket failure prevented one of the diesel generators from performing its function following an earthquake in late August 2011. The failed gasket was not caused by nor related to the

earthquake. The gasket was replaced the same day and the problem was not found on the plant's other diesel generators. However, NRC inspectors found that the plant staff did not have adequate procedures for installing the gasket.

Surry Nuclear Station On April 19, 2012, NRC staff held a regulatory conference with officials of Dominion to discuss an apparent violation of plant technical specifications related to Surry Unit 2 reactor coolant system level indications. During the conference, NRC staff and company officials discussed the significance of the inspection finding, which involved the failure of the company to provide appropriate maintenance procedures for a standpipe that indicates coolant levels during maintenance activities when the amount of water is reduced. The finding did not represent an immediate safety concern but an NRC analysis of the issue did find an increase in risk during some operations.

Vogtle Nuclear Plant On March 29, 2012, NRC officials held an open house to provide information on the agency's assessment of the two operating units at the Vogtle nuclear power plant during 2011 and to provide a presentation on the agency's inspection of construction activities for the two new Vogtle units. Overall, NRC staff concluded that Vogtle Units 1 and 2 operated safely in 2011 and there were no inspection findings or performance indicators that would cause the NRC to increase its level of oversight and inspection. Based on the plant's performance, NRC staff plans to continue the detailed routine or baseline inspections all nuclear power plants receive. The NRC performance review of Vogtle site construction found that, overall, Southern Nuclear Operating Company and its contractors conducted construction activities in compliance with NRC regulations and the conditions of the plant's combined license. Based on that assessment, the NRC will not expand its activities beyond detailed inspections planned and currently being conducted. The Vogtle plant is located near Waynesboro,

Georgia—approximately 26 miles southeast of Augusta.

Southwestern Compact/State of California

San Onofre Nuclear Generating Station On March 27, 2012, NRC issued a Confirmatory Action Letter documenting actions that Southern California Edison (SCE) officials have agreed to take related to unusual wear on steam generator tubes prior to restarting both units of the San Onofre Nuclear Generating Station. The letter relates to a January 31 incident in which operators performed a rapid shutdown of the Unit 3 reactor after indications of a steam generator tube leak. Unit 2 has been shut down since January 9 for a planned refueling and maintenance outage. Subsequent inspections at both units have identified unusual wear in many tubes of the steam generators, which were replaced in January 2010 at Unit 2 and January 2011 in Unit 3. SCE has identified two causes of the unusual wear: tubes are vibrating and rubbing against adjacent tubes and against support structures inside the steam generators. They are still working to determine why this is occurring. The San Onofre plant is located near San Clemente, California.

Commonwealth of Massachusetts

Morpho Detection, Inc. On March 7, 2012, NRS staff met with representatives of Morpho Detection, Inc. (MDI) to discuss an apparent violation of agency regulations involving the use and storage of devices containing nuclear materials in locations outside of Massachusetts that are subject to NRC jurisdiction. MDI is a manufacturer of explosive-detection systems used in airport security and border control. It is authorized by the NRC to distribute ion mobility spectrometer devices containing licensed nuclear material, but the firm's NRC license does not permit the possession or use of the devices. Rather, MDI holds a license from Massachusetts allowing the possession and use of nuclear material within that state, including the use of devices for promotional purposes at temporary job sites throughout the commonwealth. In May

2011, MDI contacted NRC to inquire about performing work in states under the agency's jurisdiction. During an August 2011 inspection, NRC found that MDI was unable to present a complete set of NRC-approved documentation of reciprocity filings for activities conducted between 2007 and 2011. A subsequent internal review found that NRC reciprocity requirements had been misrepresented by company staff and that about 60 specifically licensed units had been shipped to locations within NRC jurisdiction since 2007 without MDI having filed for reciprocity with the NRC. Those locations were in four states and the District of Columbia.

State of Nebraska

Fort Calhoun Nuclear Plant On March 20, 2012, NRC staff met with officials from the Omaha Public Power District (OPPD) in Blair, Nebraska to discuss the status of performance improvements at the Fort Calhoun nuclear plant. Fort Calhoun is shut down and remains in safe mode following flooding last spring along the Missouri River. During the meeting, OPPD officials briefed NRC staff on their improvement plan, preparations for the 2012 flood season, equipment modifications at the plant and organizational changes. Subsequently, on April 10, 2012, NRC determined that an inspection finding at the plant involving an electrical breaker is of "red" or high safety significance. The finding stems from an NRC inspection regarding an electrical fire that led to the declaration of an Alert on June 7, 2011. The fire started in a replacement electrical breaker where poor alignment between components and inadequate maintenance increased the electrical resistance on some parts, causing them to heat up and fail. Soot and smoke from the fire then knocked out power to a redundant electrical system used for distributing power to vital equipment needed for the safe shutdown of the plant. The fire resulted in the loss of spent fuel pool cooling for approximately 90 minutes and could have resulted in the loss of a safety function or multiple failures in systems used to mitigate a severe accident, had

one occurred. OPPD has since taken corrective action to prevent recurrence. Fort Calhoun is receiving a special category of increased NRC oversight for plants that have been shut down for extended periods and have significant performance issues. The plant, which is located 19 miles north of Omaha, cannot restart without NRC approval.

State of North Carolina

Global Nuclear Fuel On April 4, 2012, NRC staff held a pre-decisional enforcement conference with officials of Global Nuclear Fuel of Wilmington, North Carolina to discuss an apparent violation of NRC requirements related to an issue with the company's criticality warning system. The purpose of the public meeting was to discuss the apparent violation associated with a significant delay in a criticality warning system horn identified by the company last July. The company's own investigation determined that a component failure caused the delayed response and it has taken corrective actions to resolve the issue as well as address the factors that prevented earlier identification. No decision on enforcement action was made at the meeting. Instead, NRC officials plan to review the information presented by Global Nuclear Fuel at the meeting and reach a decision on appropriate regulatory action at a later date.

Nuclear Plant Annual Assessment Letters

NRC Issues Annual Assessment Letters to Nuclear Plants

In early March 2012, the U.S. Nuclear Regulatory Commission announced that the agency had issued annual assessment letters to the nation's operating commercial nuclear power reactors. As

Industry continued

of December 31, 2011, 99 of 104 nuclear reactors were performing at a high level.

“We ensure nuclear power plants are safe, continually inspecting them and assessing their performance on a regular basis, as part of our mission to protect people and the environment,” said Eric Leeds, Director of the NRC’s Office of Nuclear Reactor Regulation.

There are five levels of plant performance based on a detailed assessment of performance indicators (i.e., safety system availability and reliability, control of radiation exposure and unplanned shutdowns) and inspection findings. Levels range from “fully meeting all safety cornerstone objectives” to “unacceptable performance.”

All nuclear plants are inspected daily by the NRC. If a plant’s performance declines, the NRC increases the level of inspection and oversight to ensure the plant operator is taking the steps necessary to correct the situation. The additional amount of inspection is commensurate with the level of plant performance.

Eighty-eight nuclear reactors fully met all safety performance objectives and were inspected by NRC using the normal detailed level inspection program.

Eleven nuclear reactors were assessed as needing to resolve one or two items of low safety significance. For this performance level, regulatory oversight includes additional inspection and attention to follow up on corrective actions. These plants were: Brunswick 1 and 2 (North Carolina); Byron 2 (Illinois); Cooper (Nebraska); Crystal River 3 (Florida); Limerick 2 (Pennsylvania); Millstone 2 (Connecticut); Pilgrim (Massachusetts); Prairie Island 1 (Minnesota); Sequoyah 1 (Tennessee); and Waterford (Louisiana). Byron 2 and Cooper have resolved their issues since the reporting period ended and have transitioned to the baseline inspection level.

Three nuclear reactors were at a degraded level of performance. For this performance level, regulatory oversight includes more NRC inspections, senior management attention and oversight focused on the cause of the degraded performance. These plants were: Palisades (Michigan); Perry 1 (Ohio); and Susquehanna 1 (Pennsylvania). One reactor, Browns Ferry 1 in Alabama, requires increased oversight due to a safety finding of high significance, which will include additional inspections to confirm the plant’s performance issues are being addressed.

Fort Calhoun plant in Nebraska is in an extended shutdown with significant performance issues and is currently under a special NRC oversight program distinct from the normal performance levels. Therefore the plant will not receive an annual assessment letter.

Later this spring and summer, the NRC will host a public meeting or other event in the vicinity of each plant to discuss the details of the annual assessment results. A separate announcement will be issued for each public assessment meeting. In addition to the annual assessment letters, plants also receive an NRC inspection plan for the coming year.

Each plant receives either a mid-cycle review letter or an annual assessment letter every six months, along with an NRC inspection plan. The next mid-cycle assessment letters will be issued in September 2012.

The NRC routinely provides changes to information on plant performance and posts the latest information as it becomes available to the NRC website at www.nrc.gov.

International Atomic Energy Agency

IAEA's 3rd International Conference on Nuclear Plant Life Management

May 14-18, 2012 in Salt Lake City, Utah

On May 14-18, 2012, the U.S. Nuclear Regulatory Commission (NRC) and the U.S. Department of Energy (DOE) are co-hosting the International Atomic Energy Agency's (IAEA) "3rd International Conference on Nuclear Power Plant Life Management (PLiM) for Long Term Operations," in Salt Lake City, Utah. NRC Commissioner George Apostolakis will deliver a plenary talk in the opening session.

The conference will be held at the Hilton Salt Lake City Center, 255 South West Temple, Salt Lake City. The conference website contains additional information about the agenda, sponsorships, exhibition space, a technical tour to the Idaho National Laboratory, travel and visa information, and lodging. Online registration has closed; however, participation is still possible by sending a completed Participation Form (Form A) through the NRC or DOE contacts for transmittal to the IAEA.

The objectives of the PLiM conference are to:

1. emphasize the role of PLiM programs in assuring safe and reliable nuclear power plant operation;
2. provide a forum for information exchange on national and international policies, regulatory practices and safety culture and to demonstrate strategies, including application in an aging management and PLiM program;
3. provide key elements and good practices related to the safety aspects of aging, aging management and long-term operation;

4. identify the economic impacts of PLiM programs and methodologies for their evaluation; and,
5. help IAEA member states further develop their PLiM programs, taking advantage of the latest available technology.

For additional information, please contact C.E. (Gene) Carpenter at (301) 251-7632 or Gene.Carpenter@nrc.gov, or Greg Oberson at (301) 251-7675 or Greg.Oberson@nrc.gov, or Richard Reister at (301) 903-0234 or Richard.Reister@nuclear.energy.gov.

NRC Discusses Long-Term Fukushima-Related Recommendations

May 2012 in Rockville, Maryland

The U.S. Nuclear Regulatory Commission held a series of meetings with interested groups and members of the public on May 3, 7 and 14 in Rockville, Maryland to discuss the staff's plans for resolving the long-term, or "Tier 3," recommendations based on lessons learned from the March 2011 accident at Japan's Fukushima Daiichi nuclear power plant.

All the meetings are being held in the Commissioners' Hearing Room at the NRC Headquarters complex at 11555 Rockville Pike in Rockville, Maryland. Members of the public can also participate in the meetings via teleconference and webinar.

During the May 3 meeting, NRC officials discussed the staff's approach to a recommendation regarding fires and flooding caused by an earthquake. The meeting also covered several recommendations regarding emergency preparedness and stakeholder suggestions to re-examine the NRC's basis for emergency planning zones and the distribution of potassium iodide.

During the May 7 meeting, NRC officials discussed a recommendation to periodically re-examine external hazards. The meeting also included discussion of recommendations on NRC inspections and staff training, as well as a stakeholder suggestion on enhancing plant instrumentation.

The May 14 meeting included discussions of recommendations regarding containment venting systems for a broad range of reactor designs and controlling the buildup of hydrogen after an accident. The meeting also included discussions of a stakeholder suggestion to more rapidly transfer spent reactor fuel from pools to sealed storage casks.

The staff will consider public comments before submitting proposals for longer-term actions to the Commission this summer. The Commission will provide guidance to the staff regarding the proposals.

The Tier 3 recommendations are among those developed by the NRC's Japan Near-Term Task Force, which issued its report in July 2011. The NRC prioritized those recommendations in December 2011. The staff has continued to expand the list as additional topics were raised during the early implementation effort and as additional information becomes available. The agency has also established the Japan Lessons-Learned Project Directorate, a group of more than 20 full-time employees to coordinate the agency's efforts to implement lessons learned from the Fukushima Daiichi accident.

Comments on any of the plans for Tier 3 recommendations can be submitted via e-mail at JLD_Public.Resource@nrc.gov.

International/Japan Task Force Recommendations

Implementation of Post-Fukushima Improvements

On April 10, 2012, U.S. Nuclear Regulatory Commission staff met with industry representatives to discuss actions stemming from recommendations of the agency's Japan Near-Term Task Force (NTTF), which examined issues raised by the Fukushima nuclear accident in March 2011. In particular, NRC and the industry representatives discussed schedules and guidance for the Orders and related request for information that were issued by the agency on March 12, 2012.

The meeting was held from 1:00 – 4:00 p.m. in Room T2B3 of the Two White Flint North building at the agency's headquarters at 11545 Rockville Pike in Rockville, Maryland. Senior NRC management and industry executives discussed guidance for the three Orders—which cover strategies to respond to extreme natural events resulting in the loss of power at plants, ensuring reliable hardened containment vents, and enhancing spent fuel pool instrumentation. In addition, meeting attendees discussed a multifaceted request for information. The public was provided with an opportunity to ask the NRC staff questions about the process during the meeting, which was webcast.

The NRC continues to evaluate and act on the lessons learned from Fukushima to ensure U.S. nuclear power plants implement appropriate safety enhancements. Following direction from the agency's five Commissioners, the NRC's activities are being led by a steering committee comprised of senior NRC management. NRC has also established the Japan Lessons-Learned Project Directorate, a group of more than 20 full-

time employees focused exclusively on implementing NNTF recommendations and related activities.

Orders and Info Requests Issued re Fukushima-Related Recommendations

On March 9, 2012, the U.S. Nuclear Regulatory Commission announced that the agency had authorized its staff to issue immediately effective Orders to U.S. commercial nuclear reactors. The action began implementation of several recommendations for enhancing safety at U.S. reactors based on lessons learned from the accident at Japan's Fukushima Daiichi nuclear power plant.

"The Commission has taken a significant step forward on our post-Fukushima efforts," said NRC Chairman Gregory B. Jaczko. "These Orders reflect a tremendous effort on the part of the NRC staff to produce this comprehensive package in an expedited manner. As always, I continue to be thoroughly impressed by the staff's dedication. Of course, there's still a great deal of work ahead of us."

Two of the Orders apply to every U.S. commercial nuclear power plant, including those under construction and the recently licensed new Vogtle reactors. The first Order requires the plants to better protect safety equipment installed after the 9/11 terrorist attacks and to obtain sufficient equipment to support all reactors at a given site simultaneously. The second Order requires the plants to install enhanced equipment for monitoring water levels in each plant's spent fuel pool. The third Order applies only to U.S. boiling-water reactors that have "Mark I" or "Mark II" containment structures. These reactors must improve venting systems (or for the Mark II

plants, install new systems) that help prevent or mitigate core damage in the event of a serious accident. (*See related story, this issue.*) Plants have until December 31, 2016 to complete modifications and requirements of all three Orders.

The NRC will also issue a detailed information request to every operating U.S. commercial nuclear power plant, and certain parts will apply to reactors currently under construction or recently licensed. (*See related story, this issue.*) The request covers several topics, including:

- re-analyzing earthquake and flooding risks using the latest available information;
- conducting earthquake and flooding hazard "walkdowns," where skilled engineers closely examine a plant's ability to meet current requirements;
- assessing the ability of a plant's current communications systems and equipment to perform under conditions of onsite and offsite damage and prolonged loss of all alternating current electrical power; and,
- assessing plant staffing levels needed to fill emergency positions in response to events simultaneously affecting all reactors at a given site.

Each section of the request includes schedules for plants to provide the relevant information to the NRC.

These actions address what the NRC determined to be the highest-priority recommendations from the agency's Japan Near-Term Task Force. The Task Force issued its report in July 2011. The NRC staff continues to examine how to best address the remaining Task Force recommendations, as well as additional topics raised during the early implementation effort.

For additional information, the Orders and the information request are available on the NRC's website at www.nrc.gov.

U.S. Nuclear Regulatory Commission

NRC to Host Meeting re 10 CFR Part 61 Regulatory Management Issues

May 15, 2012 in Dallas, Texas

On May 15, 2012, the U.S. Nuclear Regulatory Commission will host a public meeting in Dallas, Texas to discuss proposed changes to the requirements in 10 Code of Federal Regulations Part 61 and gather information from the public regarding those changes. The meeting will be held at the Copper Hotel Conference Center & Spa at 12230 Preston Road in Dallas, Texas. It is scheduled from 8:00 am – 4:00 pm CST.

During the course of the meeting, NRC staff from the Office of Federal and State Materials and Environmental Management Program will engage stakeholders and members of the public on possible changes to Part 61 which include the expansion of the current limited rulemaking as directed by the Commission on January 19, 2012.

Stakeholders and other members of the public are invited to participate by asking questions throughout the meeting. In addition, NRC staff encourages the submission of written comments on the matters to be discussed at www.regulations.gov.

Interested stakeholders may also participate in this meeting via webinar. The webinar registration link can be found at <https://www1.gotomeeting.com/join/679771561/105859216>. The webinar ID is 679-771-561. After registering, instructions for joining the webinar (including a teleconference number and passcode) will be provided via email. All participants will be in “listen-only” mode during the presentation. Participants will have a chance to pose questions either orally after the presentation or in writing during the webinar.

A dedicated toll-free telephone line is also available to stakeholders who wish to participate in this meeting remotely. That toll-free telephone number is (888) 972-4192, pass code 66725.

A copy of the Public Meeting Notice and Draft Agenda is attached, for your information and convenience.

For additional information, please contact Michael Lee at (301) 415-6887 or at Mike.Lee@nrc.gov or Tarsha Moon at (301) 415-6745 or at Tarsha.Moon@nrc.gov.

U.S. Nuclear Regulatory Commission

NRC Amends Regulations on Security of Radioactive Materials

By press release dated March 16, 2012, the U.S. Nuclear Regulatory Commission announced that the agency is amending its regulations to codify and expand upon recent security measures the agency has imposed for certain sensitive radioactive materials.

In a final rule published soon thereafter in the *Federal Register*, the NRC adds a new Part 37 to its regulations in Title 10 of the U.S. Code of Federal Regulations (10 CFR), and makes conforming changes to other parts of NRC regulations regarding radioactive materials.

The new regulation, which takes effect one year after publication, establishes security requirements for the most risk-significant radioactive materials—i.e., those in Category 1 and Category 2 of the International Atomic Energy Agency’s rankings of radiation sources—

as well as for shipments of small amounts of irradiated reactor fuel.

The NRC took steps to strengthen the security of risk-significant radioactive materials immediately after the terrorist attacks of September 11, 2001. Since that time, the agency has issued various orders imposing enhanced controls, implemented requirements for fingerprinting and criminal background checks for people with access to certain radioactive materials, and developed and implemented the National Source Tracking System. The NRC cooperates with the departments of Homeland Security and Energy as well as other federal, state and local agencies on security matters, and chairs the interagency Radiation Source Protection and Security Task Force.

The new Part 37 and changes to other parts of 10 CFR contained in the final rule incorporate NRC's lessons learned in implementing the post-September 11 security measures, as well as stakeholder input on the proposed rule. Codifying these requirements in NRC's regulations enhances consistency of implementation as well as transparency and predictability of NRC's oversight of radioactive material security.

The NRC published a proposed rule for public comment on June 15, 2010. The agency received 110 comment letters from licensees, state agencies, industry organizations, individuals and a federal agency. The comments will be addressed in the upcoming *Federal Register* notice accompanying the final rule.

Comment Sought re Revision of "Station Blackout" Rule

The U.S. Nuclear Regulatory Commission is seeking public comment as the agency begins considering changes to the "station blackout" (or SBO) rule. The rule requires U.S. commercial nuclear power plants to safely deal with the loss of electricity from the transmission grid and onsite emergency generators. This rulemaking process comes in response to a recommendation for enhancing safety at U.S. reactors based on lessons learned from the accident at Japan's Fukushima Daiichi nuclear power plant. (*See related story, this issue.*)

On March 20, 2012, NRC published an Advanced Notice of Proposed Rulemaking in the *Federal Register* that seeks comment on specific questions and issues related to addressing SBO conditions. The comments will help develop new SBO requirements and their regulatory basis.

The notice's questions include:

- Should SBO equipment be designed to withstand severe natural events the facility is not already designed for?
- Should SBO mitigation strategies consider such severe natural events?
- Should SBO analysis consider a flood greater than the plant is designed for, and if so, what criteria should be used to determine that higher flood level?
- How should plant coping times for SBO conditions account for the time to (1) identify and determine the need to take mitigative actions and (2) implement SBO strategies under worst case conditions?
- How long should plants expect to rely on mitigation strategies before offsite help arrives?

On April 4, 2012, NRC staff met with interested groups and members of the public at the agency's

headquarters in Rockville, Maryland to discuss how the agency is considering changes to the SBO rule. The meeting was intended to inform the public about the staff's approach to revising the SBO rule and to allow the public to ask clarifying questions.

Public comments on proposed changes to the SBO rule were due by May 4, 2012. Comments received after the deadline will be considered if possible, but the NRC is only able to ensure consideration of comments received by the deadline.

This rulemaking process addresses one of what the NRC determined to be the highest-priority recommendations from the agency's Japan Near-Term Task Force. The Task Force issued its report in July 2011. The NRC staff continues to examine how to best address the remaining Task Force recommendations, as well as additional topics raised during the early implementation effort. The SBO rulemaking could also encompass a separate petition to consider rule revisions to address a blackout triggered by a massive solar flare.

Comment Sought re Revision of Onsite Emergency Response Regulations

In mid-April 2012, the U.S. Nuclear Regulatory Commission announced that the agency is seeking public comment as it begins considering changes to U.S. reactors' onsite emergency response requirements. The NRC intends to strengthen and integrate accident response procedures and their associated training and exercises. This proposed rulemaking comes in response to a recommendation for enhancing safety at U.S. reactors based on lessons learned from the

accident at Japan's Fukushima Daiichi nuclear power plant. (*See related story, this issue.*)

Over time, U.S. nuclear power plants have put in place three onsite emergency response categories: Emergency Operating Procedures (EOPs), Severe Accident Management Guidelines (SAMGs) and Extensive Damage Mitigation Guidelines (EDMGs). On April 18, 2012, the NRC published an Advanced Notice of Proposed Rulemaking in the *Federal Register* that seeks comment on strengthening and integrating these procedures. The notice's questions include:

- Should the NRC develop a new rule, or could the requirements for a stronger, more integrated response be accomplished by a different method?
- If a new rule is developed, what would be most effective way of providing guidance on the new requirements?
- Should SAMGs be standardized throughout the industry?
- What is the most effective strategy for linking EOPs with SAMGs and EDMGs?
- What additional accident scenarios should be considered for expanding SAMG technical guidelines as a result of the lessons learned in Japan?
- Should separate procedures be developed that clearly establish the command and control structures for large-scale events?

Public comments should be submitted by June 18, 2012. Comments received after the deadline will be considered if possible, but the NRC is only able to ensure consideration of comments received by the deadline. All comments should reference Docket ID NRC-2012-0031. Comments can be submitted through the regulations.gov website by searching for files under the Docket ID. Comments can also be emailed to Rulemaking.Comments@nrc.gov; mailed to Secretary, U.S. Nuclear Regulatory Commission, ATTN: Rulemakings and Adjudications Staff, Washington, DC 20555-0001; or, faxed to

Secretary, U.S. Nuclear Regulatory Commission at (301) 415-1101.

This rulemaking process addresses one of the recommendations from the NRC's Japan Near-Term Task Force, which issued its report in July 2011. The NRC staff continues to examine how to best address the remaining Task Force recommendations, as well as additional topics raised during the early implementation effort. The agency has also established the Japan Lessons-Learned Project Directorate, a group of more than 20 full-time employees focused exclusively on implementing Task Force recommendations and related activities.

NRC Examines Impact of Upstream Dam Failure to Plant Safety

In early March 2012, the U.S. Nuclear Regulatory Commission announced that the agency has started a formal evaluation of potential generic safety implications for dam failures upstream of U.S. commercial nuclear power plants. The NRC began examining this issue after inspection findings at two plants and recently completed an initial screening assessment.

While the screening did not identify any immediate safety concerns, inspections or other reviews at individual plants have led to those plants taking appropriate actions regarding flooding scenarios. Based on the screening, the NRC staff has recommended that flooding from upstream dam failure be further evaluated as part of implementing recommendations from the agency's Japan Near-Term Task Force. (*See related story, this issue.*)

While the Task Force used preliminary information from the screening and mentioned flooding in its July 2011 report, the upstream dam issue came to the staff's attention long before the current interest in natural disasters raised by the Japan earthquake/tsunami and reactor accident. New sources of information on this issue have accumulated over the past few years. This information includes inspections of flood protection and related procedures, as well as recent re-evaluations of dam failure frequencies and possible flood heights at some U.S. nuclear power plants, suggesting that flooding effects in some cases may be greater than previously expected.

The staff is also using the NRC's Generic Issue Program to consider the effects of upstream dam failure on independent spent fuel storage installations. Similarly, a Generic Issue has been proposed on the effects of failure of downstream dams on nuclear power plants. The NRC's Office of Nuclear Regulatory Research manages the Generic Issues Program. The effects of flooding on fuel cycle facilities are addressed through existing regulations and inspections being conducted by the NRC's Office of Nuclear Material Safety and Safeguards.

The Task Force's review of the Fukushima accident led to recommendations regarding the potential for flooding at operating reactors. Assessing flooding from upstream dam failure at operating reactors will be merged with NRC's actions on the Task Force recommendations, since the recommended actions encompass the scope of the new issue.

Nuclear power plant designs include protection against serious but very rare flooding events, including flooding from dam failure scenarios. Dam failures can occur as a consequence of earthquakes, overflow, and other mechanisms such as internal erosion and operational failures. A dam failure could potentially cause flooding at a nuclear power plant site depending on a number of factors including the location of the dam,

reservoir volume, dam properties, flood routing, and site characteristics.

For additional information, the NRC's screening assessment of potential nuclear plant safety issues from upstream dam failures is available in ADAMS under ML113500495.

NRC Discusses Upcoming Earthquake Re-Evaluation

From April 2-3, 2012, the U.S. Nuclear Regulatory Commission held a meeting in San Mateo, California with industry representatives on the recently announced earthquake re-evaluations of U.S. commercial nuclear power plants. Members of the public were invited to participate in the meeting via teleconference and webinar.

During the meeting, NRC and industry representatives discussed the generic methods for both the reanalysis of each U.S. reactor's earthquake risk and the "walkdowns" of each reactor to identify any near-term actions for enhancing earthquake resistance. Each U.S. nuclear power plant will develop specific plans for these efforts in the near future.

These measures are included in the NRC's recent information request to all U.S. nuclear power plants as the agency implements changes in response to last year's events at Japan's Fukushima Daiichi nuclear power plant.

For additional information, please contact Christopher Gratton at (301) 415-1055 or at christopher.gratton@nrc.gov.

NRC Discusses Fukushima-Related Order on Containment Vents

On May 2, 2012, the U.S. Nuclear Regulatory Commission met with interested groups and members of the public in Rockville, Maryland to discuss how some U.S. nuclear power plants will implement an Order regarding systems to vent pressure from reactor containment buildings. Members of the public were invited to participate in the meeting via teleconference or webinar.

During the meeting, NRC officials discussed the staff's interim guidance for meeting the requirements of the Order, which applies to U.S. boiling-water reactors with "Mark I" and "Mark II" containment designs. The Order requires Mark I plants to ensure their venting systems are hardened and reliable; Mark II plants must install hardened reliable vents. NRC officials also discussed the concept of adding filters to the vents.

A task force of senior NRC officials recommended issuing the Order after concluding reliable hardened vents would allow Mark I and II containments to more effectively and safely release excessive containment pressure after a serious accident. The task force based the recommendation on the lessons learned from events at Japan's Fukushima Daiichi nuclear power plant. The Commission approved the task force recommendation and the NRC issued the Order on March 12, 2012. (*See related story, this issue.*)

For additional information, please contact Robert Fretz at (301) 415-1980 or at robert.fretz@nrc.gov.

Information Requested from 11 Plants re Fuel Performance During Accidents

In mid-February 2012, the U.S. Nuclear Regulatory Commission announced that the agency has issued a Request for Information (RFI) to 11 nuclear power plants for analyses of the effects of irradiation on nuclear fuel's physical properties under certain postulated accident conditions.

The agency is requesting the licensees evaluate a phenomenon known as "thermal conductivity degradation," which is the fact that older fuel has a reduced capacity to transfer heat, potentially changing its performance during various accident scenarios, including loss-of-coolant accidents. The NRC is concerned that this phenomenon may not have been accounted for in realistic performance models for nuclear fuel developed by Westinghouse Electric Co.

NRC regulations set a fuel thermal limit of 2,200 degrees Fahrenheit for "peak cladding temperature" under predicted loss-of-coolant accident conditions. Above that limit, the fuel rod is considered susceptible to damage. Thermal conductivity must be accounted for in realistic computer models used to evaluate a reactor's emergency core cooling system. An error in the models may underestimate the fuel's calculated peak cladding temperature. An error is considered significant if it would result in a difference of 50 degrees Fahrenheit or more in the predicted peak cladding temperature during the worst postulated loss-of-coolant accident scenario.

"The NRC alerted the industry to this problem in 2009, and Westinghouse needs to do more to account for thermal conductivity degradation in its fuel performance codes," said Eric Leeds, Director of the NRC's Office of Nuclear Reactor Regulation. "We need information from a few

nuclear power plant licensees to maintain assurance that they can continue to operate safely with sufficient margin."

In December 2011, Westinghouse notified the NRC that an analysis it had conducted for a power plant indicated that thermal conductivity degradation could cause peak cladding temperature to increase by more than 100 degrees Fahrenheit during a worst-case loss-of-coolant accident at a Westinghouse pressurized water reactor. The NRC staff responded by issuing an Information Notice on December 13, 2011 (IN 2011-21) alerting industry that the error could cause a number of plant-specific evaluations to exceed the 2,200 degree Fahrenheit temperature limit.

The 11 plants named in the RFI are those Westinghouse clients with currently reported peak cladding temperatures above 2,000 degrees Fahrenheit. Accounting for thermal conductivity degradation in their analyses could result in peak temperatures approaching or exceeding the 2,200 degree limit. These plants are Beaver Valley 1 and 2, Braidwood 2, Byron 2, Catawba 1 and 2, Donald C. Cook 1 and 2, Kewaunee, and McGuire 1 and 2. An additional 23 plants that use the Westinghouse performance models also received informational copies of the RFI, to ensure that they are aware of their obligations to address this error.

The plants were given until March 19, 2012 to provide the requested information to the NRC staff. If the information received does not demonstrate that NRC regulations are met, the staff will recommend imposing restrictions on reactor operating limits until acceptable action has been taken.

Reintegration of Security into Reactor Oversight Process Assessments

On March 15, 2012, the U.S. Nuclear Regulatory Commission announced that the agency is informing operators of U.S. commercial nuclear power plants that information on security issues will be reintegrated into the agency's Reactor Oversight Process (ROP) assessment program, starting on July 1, 2012.

NRC currently treats safety and security inputs to the ROP Action Matrix separately. Reintegrating security information, as described in the Regulatory Issue Summary (RIS) issued on March 15, will provide for a more holistic representation of licensee performance. This will allow NRC staff to more fully leverage supplemental inspection procedures and resources.

The integrated assessment process will provide for increased transparency through a complete representation of licensees' performance. Under the new provisions, licensees will receive a single assessment letter that will cover all seven ROP cornerstones. This will begin with the 2012 mid-cycle performance assessments, scheduled for August 2012, and continue with subsequent assessments.

In addition, the agency's ROP public website will show information on all seven ROP cornerstones when the quarterly updates to Action Matrix inputs are posted. The website will display security inputs in one of two ways. Issues of very low security significance will show up as "green" findings. Issues of greater security significance will show up as "blue" findings, regardless of their actual significance level. Specific information about all security performance deficiencies will remain non-publicly available, consistent with current NRC policy. The change

will be apparent during the quarterly updates posted in August 2012.

For additional information, the RIS is available on the NRC website, and through the agency's ADAMS document database, by entering accession number ML11326A039.

License Renewals Continue to Move Forward

The U.S. Nuclear Regulatory Commission continues to process license renewal applications from various nuclear power plant operators. In that regard, the agency recently took the following actions:

- On April 11, 2012, NRC issued its Final Supplemental Environmental Impact Statement (FEIS) for the proposed renewal of the operating license for Columbia Generating Station. The plant is located in Benton County, Washington—northwest of Richland. The report concluded that there are no environmental impacts that would preclude license renewal for an additional 20 years of operation. Columbia is a single-unit boiling-water reactor operated by Energy Northwest. The current operating license expires on December 20, 2023. Energy Northwest submitted an application to NRC to extend the license by 20 years on January 19, 2010. Publication of the FEIS does not represent final NRC action on the license renewal application. The agency staff has completed its safety evaluation report, which is being evaluated by NRC's Advisory Committee on Reactor Safeguards (ACRS). The ACRS will make its recommendations before the agency makes a final decision on whether to renew the operating license.

Federal Agencies and Committees *continued*

- On March 15, 2012, NRC announced that staff plans to issue a supplement to the FEIS that it prepared for the Indian Point nuclear power plant's license renewal application based on new information that has become available since the report was issued in December 2010. The update will address new information about possible impacts of the facility—which is located approximately 24 miles north of New York City in Buchanan, New York—on the aquatic environment. Indian Points Units 2 and 3 are two pressurized-water reactors. Entergy Nuclear Operations Inc. submitted an application for extension of the licenses for each unit at the Indian Point plant in August 2007. The current operating licenses for the plant are due to expire on September 28, 2013 and on December 12, 2015.
- On February 24, 2012, NRC announced the opportunity to request a hearing on an application to renew the operating license for the Callaway Plant, Unit 1, and has also called for public comment on the scope of its environmental review of the application. Preparation of an Environmental Impact Statement is part of the agency's two-pronged review of the application (along with a technical safety review). An adjudicatory hearing before the NRC's Atomic Safety and Licensing Board (ASLB) is a separate process in which members of the public may file contentions challenging aspects of the application. The Callaway Plant is a pressurized-water reactor located near Fulton, Missouri. Union Electric Company submitted the renewal application on December 19, 2011. The current operating license expires on October 18, 2024.

Under NRC regulations, a nuclear power plant's original operating license may last up to 40 years. License renewal may then be granted for up to an additional 20 years, if NRC requirements are met. To date, NRC has approved license extension requests for 71 reactor units. In addition, NRC is

currently processing license renewal requests for several other reactors.

For a complete listing of completed renewal applications and those currently under review, go to <http://www.nrc.gov/reactors/operating/licensing/renewal/applications.html>.

NRC to Host 7th Annual Fuel Cycle Information Exchange

June 12-13, 2012 in Rockville, Maryland

Online registration is open for the U.S. Nuclear Regulatory Commission's 7th Annual Fuel Cycle Information Exchange (FCIX), which will be held from June 12-13, 2012 at the agency's headquarters in Rockville, Maryland.

NRC Chairman Gregory Jaczko will deliver a keynote address on June 12. The theme of this year's FCIX is "The Nuclear Fuel Cycle: Ensuring Safety and Security in a Dynamic Environment." Topics to be covered include enhancements to the fuel cycle oversight process; improving safety culture; industry perspectives; and, rulemakings that will affect fuel cycle facilities.

The FCIX will run from 9:00 a.m. to 5 p.m. each day, in the NRC Auditorium. Visitors will need to enter at the agency's One White Flint North building, 11555 Rockville Pike, in Rockville.

For additional information about the conference, including online registration, please go the NRC website at www.nrc.gov.

NRC to Discuss Emergency Response Rulemaking

Rockville, Maryland on May 23, 2012

On May 23, 2012, the U.S. Nuclear Regulatory Commission will meet with interested groups and members of the public to discuss how the agency is considering changes to NRC rules covering onsite emergency response. The meeting will run from 9:00 a.m. to noon EDT in Room T2B3 of NRC Headquarters at 11555 Rockville Pike in Rockville, Maryland.

The meeting will discuss the staff's preliminary thoughts on a recently announced Advanced Notice of Proposed Rulemaking (ANPR) to revise onsite emergency response requirements. The proposed rulemaking seeks to strengthen and integrate three categories of emergency response: emergency operating procedures, severe accident management guidelines and extensive damage mitigation guidelines. This rulemaking process comes in response to a recommendation for enhancing safety at U.S. reactors based on lessons learned from the accident at Japan's Fukushima Daiichi nuclear power plant.

The meeting is meant to inform the public about the staff's approach to revising the onsite response rules, and to allow the public to ask clarifying questions. Comments on the ANPR, however, should be provided through the regulations.gov website by searching for files under Docket ID NRC-2012-0031. Comments (referencing the Docket ID) can also be emailed to Rulemaking.Comments@nrc.gov; mailed to Secretary, U.S. Nuclear Regulatory Commission, ATTN: Rulemakings and Adjudications Staff, Washington, DC 20555-0001; or, faxed to Secretary, U.S. Nuclear Regulatory Commission at (301) 415-1101.

(Continued on page 24)

NRC to Host New Reactor Construction Workshop

Baltimore, Maryland on June 28, 2012

The U.S. Nuclear Regulatory Commission will explain its oversight process for companies that support new reactor construction during a workshop to be held Baltimore, Maryland on June 28, 2012.

"Vendors' quality products and expertise are vital to ensuring new reactors are built to operate safely," said Laura Dudes, Director of the Division of Construction Inspection in the NRC's Office of New Reactors. "We want to ensure current and potential vendors understand our requirements, and how rigorously we oversee construction sites and the vendors themselves."

The workshop is open to the public and runs from 8:00 a.m. to 5:30 p.m. on June 28 at the Renaissance Baltimore Harborplace Hotel, located at 202 East Pratt St. in Baltimore, Maryland. Presenters will include NRC staff, the Nuclear Procurement Issues Committee (NUPIC, an industry vendor clearinghouse), the Nuclear Energy Institute (NEI), the Electric Power Research Institute (EPRI) and current nuclear vendors. Those interested in attending the workshop should pre-register by June 17, 2012.

The workshop brings together members of the public, licensees, applicants, vendors, basic component suppliers, industry organizations, and the NRC staff to discuss issues including:

- vendor oversight for new reactor construction;
- quality assurance rulemaking activities;
- international calibration laboratories;
- current activities to prevent the use of counterfeit, fraudulent, or suspect items;

(Continued on page 25)

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

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LLW Notes, *LLW Forum Contact Information* and the *Summary Report: Low-Level Radioactive Waste Management Activities in the States and Compacts* are distributed to the Board of Directors of the LLW Forum, Inc. As of March 1998, *LLW Notes* and membership information are also available on the LLW Forum web site at www.llwforum.org. The *Summary Report* and accompanying Development Chart have been available on the LLW Forum website since January 1997.

As of March 1996, back issues of these publications are available from the National Technical Information Service at U.S. Department of Commerce, 5285 Port Royal Road, Springfield, VA 22161, or by calling (703) 605-6000.

