

INFORMATION REPORT

February 26, 2014

SECY-14-0023

For: The Commissioners
From: Kathryn M. Brock
Acting Assistant for Operations
Office of the Executive Director for Operations
Subject: WEEKLY INFORMATION REPORT - WEEK ENDING
FEBRUARY 14, 2014

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Contact:
L. Rakovan, OEDO

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**Office of Administration (ADM)
Items of Interest
Week Ending February 14, 2014**

Programmable Logic Computers in Nuclear Power Plant Control Systems: Petition for Rulemaking; Notice of Acceptance and Docketing; 10 CFR Chapter 1 (PRM-73-17; NRC-2013-0214)

On February 7, 2014, the NRC published a notice of acceptance and docketing in the *Federal Register* ([78 FR 7406](#)) of a petition for rulemaking (PRM)-73-17, filed on March 14, 2013, as supplemented through December 19, 2013, from Mr. Alan Morris (the petitioner). The petitioner requests that the NRC require “new-design programmable logic computers” be installed in the control systems of nuclear power plants to block malware attacks on their industrial control systems of those facilities. In addition, the petitioner requests that nuclear power plant staff be trained “in the programming and handling of the non-rewriteable memories” for nuclear power plants.

Deliberate Misconduct Rule and Hearings on Challenges to the Immediate Effectiveness of Orders: Proposed Rule; 10 CFR Parts 2, 30, 40, 50, 52, 60, 61, 63, 70, 71, 72, 76, 110, and 150 (RIN 3150-AJ27; NRC-2013-0132)

On February 11, 2014, the NRC published a proposed rule in the *Federal Register* ([78 FR 8097](#)) proposing to amend its regulations concerning deliberate misconduct by licensees and other persons otherwise subject to the NRC’s jurisdiction (known as the “Deliberate Misconduct Rule”) and its regulations concerning challenges to immediately effective orders issued by the NRC. This proposed rule would incorporate the concept of “deliberate ignorance” as an additional basis on which to take enforcement action against persons who violate any of the NRC’s Deliberate Misconduct Rule provisions. In addition, the proposed amendments would clarify that the NRC staff has the burden of persuasion in showing that adequate evidence supports the grounds for the order and that immediate effectiveness is warranted. In addition, the proposed amendments would clarify the authority of the NRC’s presiding officer to order live testimony in resolving challenges to immediately effective orders. The public comment period closes on May 12, 2014.

Office of the Chief Human Capital Officer (OCHCO)
Items of Interest
Week Ending February 14, 2014

Arrivals		
SHAH, MAHENDRA	SR. ADVISOR FOR ENGINEERING	NMSS
Retirements		
None		
Departures		
None		

Office of Information Services (OIS)
Items of Interest
Week Ending February 14, 2014

Freedom of Information Act (FOIA) and Privacy Act (PA) Requests and Appeals Received
During the Period of February 7, 2013 – February 13, 2014:

Copy of Office of Investigations (OI) Report 01-2012-003	FOIA/PA-2014-0137
Copy of all the revisions to OI's Investigative Procedures Manual since August 1999	FOIA/PA-2014-0138
Copy of Premium Travel Reports for NRC fiscal year (FY)2009-FY2013	FOIA/PA-2014-0139
Premium Travel Reports and any and all supporting documentation from 2009-2013	FOIA/PA-2014-0140
Any correspondence from or on behalf of Colorado State Representative Amy Stephens between January 1, 2006 and January 15, 2014	FOIA/PA-2014-0141
Any FOIA requests regarding U.S. Senator or Governor Mark Warner, on or after January 1, 2013	FOIA/PA-2014-0142
Any Correspondence from or on behalf of Edward Gillespie between 01/01/1985 and 01/15/2014	FOIA/PA-2014-0143
Copy of all Annual Performance Reports	FOIA/PA-2014-0144

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ENCLOSURE C

Office of Nuclear Reactor Regulation (NRR)
Items of Interest
Week Ending February 14, 2014

Public Meeting on Reactor Oversight Process Enhancement Project

On February 5, 2014, the staff held a public meeting with members of industry and other stakeholders to discuss the substantive cross-cutting issue (SCCI) process as part of the Reactor Oversight Process (ROP) Enhancement Project. The staff discussed the beginnings of the SCCI process and its objective: to more fully address safety culture under the ROP. Industry representatives proposed an alternative framework for assessing licensee safety culture. Staff intends to evaluate the industry proposal.

Braidwood, Units 1 and 2, and Byron, Units 1 and 2, Measurement Uncertainty Recapture (MUR) Power Uprate Approval

By application dated June 23, 2011, as supplemented, Exelon Generation Co., LLC (the licensee) requested a 1.63% Measurement Uncertainty Recapture power uprate for Braidwood, Units 1 and 2, and Byron, Units 1 and 2. The staff suspended its review between December 6, 2012, and July 5, 2013, while the licensee performed analysis and modifications to correct a non-conformance with the plants' licensing basis for turbine building high energy line breaks. By letter dated February 7, 2014, the staff approved the license amendment which increased the licensed core thermal power level by 1.63% from 3586.6 megawatts thermal to 3645 megawatts thermal. This increase will be achieved by the use of the Cameron International CheckPlus™ Leading Edge Flow Meter ultrasonic flow measurement system, which allows for more accurate measurement of feed water flow. The license amendment is effective as of its date of issuance.

Fermi Unit 2 Measurement Uncertainty Recapture Power Uprate Approval

By application dated February 7, 2013, as supplemented, DTE Energy (the licensee) requested a 1.64 percent Measurement Uncertainty Recapture power uprate for Fermi Unit 2. By letter dated February 10, 2014, the staff approved the license amendment, which increased the licensed core thermal power level from 3430 megawatts thermal to 3486 megawatts thermal. This increase will be achieved by the use of the Cameron International CheckPlus™ Leading Edge Flow Meter ultrasonic flow measurement system, which allows for more accurate measurement of feed water flow. The license amendment is effective as of its date of issuance. The licensee is expected to implement the Measurement Uncertainty Recapture power uprate prior to startup from its current refueling outage.

American Society of Mechanical Engineers Boiler and Pressure Vessel Code Committee Meetings

During the week of February 10, 2014, the staff participated in the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code, Section III and Section XI, Committee meetings. The purpose of the meetings was to develop ASME Code material to address new repair, inspection, fabrication, and manufacturing technologies that have been developed and to address industry issues that have been identified through inspections and testing.

IRRS Follow-up Mission

On February 11, 2014, the International Atomic Energy Agency's Integrated Regulatory Review Service (IRRS) Follow-up Mission completed its peer review and held an exit meeting with the staff. The mission focused on the NRC's operating power reactor program and followed up NRC's response to the findings from the 2010 IRRS mission and NRC's response to the Fukushima accident. The team concluded that one of two recommendations was closed, 19 of 20 suggestions were closed, one new suggestion was opened, and one new good practice was identified. The preliminary mission report will be made public on the NRC's website.

Office of Nuclear Reactor Regulation (NRR)
Items of Interest
Week Ending February 14, 2014 (Continued)

Issuance of Callaway Draft Supplemental Environmental Impact Statement

On February 12, 2014, the staff issued for public comment the draft supplemental environmental impact statement (SEIS) on the proposed renewal of the operating license for Callaway Plant, Unit 1. The report contains the NRC's preliminary finding that there are no environmental impacts that would preclude the option of license renewal for an additional 20 years of operation. As part of the environmental review of the application, the NRC will hold public meetings near the plant on March 19, 2014, to discuss the preliminary findings in the draft SEIS and to solicit public comments on the document. The public comment period ends April 7, 2014. This is the fourth license renewal environmental impact statement issued since the United States Court of Appeals for the District of Columbia Circuit vacated the Waste Confidence Decision rule. The staff continues to move forward with license renewal reviews; however, consistent with the direction provided by the Commission, the staff will not issue renewed licenses until the issues related to waste confidence are appropriately addressed.

**Office of the Secretary (SECY)
Items of Interest
Week Ending February 14, 2014**

Document Released to Public	Date	Subject
Decision Documents		
1. SECY-13-0125	11/25/13	Report to Congress on the Health, Safety, and Environmental Conditions at the Gaseous Diffusion Plants Located Near Paducah, Kentucky, and Portsmouth, Ohio
SRM on SECY-13-0125	12/23/13	(same)
Commission Voting Record on SECY-13-0125	12/23/13	(same)
2. COMGEA/COMWCO-14-0001	1/3/14	Proposed Initiative to Conduct a Lessons-Learned Review of the NRC's Force-on-Force Inspection Program
SRM on COMGEA/COMWCO-14-0001	2/12/14	(same)
Commission Voting Record on COMGEA/COMWCO-14-0001	2/12/14	(same)
3. SRM on SECY-13-0075	2/12/14	Proposed Rule: Low-Level Radioactive Waste Disposal (10 CFR Part 61) (RIN 3150-A192)
Commission Voting Record on SECY-13-0075	2/12/14	(same)
Information Papers		
SECY-14-0017	2/7/14	Weekly Information Report – Week Ending January 31, 2014
Memoranda		
1. M140212	2/12/14	Staff Requirements – Affirmation Session: I. SECY-13-0098 – Crow Butte Resources, Inc. (Marsland Expansion Area), Appeal by NRC Staff and Crow Butte of LBP-13-6 (May 10, 2013); II. SECY-13-0120 – Tennessee Valley Authority (Sequoyah Nuclear Plant, Units 1 and 2), Tennessee Valley Authority's Appeal of LBP-13-8 (July 30, 2013) and Blue Ridge Environmental Defense League's Petition for Interlocutory Review of LBP-13-8 (July 30, 2013)

Office of the Secretary (SECY)
Items of Interest
Week Ending February 14, 2014 (Continued)

Federal Register Notices Issued

1. Advisory Committee on Reactor Safeguards (ACRS) Meeting of the ACRS Subcommittee on Digital Instrument & Control, February 18, 2014.
2. ACRS Meeting of the ACRS Subcommittee on Reliability and Probabilistic Risk Assessment, February 19, 2014.