

To: Jim Mehl, ERU Supervisor  
From: Zack Clayton, Rad Coord  
Subject: January Monthly Report  
Date: March 8, 2010

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Beans:

Training:	0
Drills	0
Meetings:	4
Technical Assistance:	1
Public Assistance:	1

Web Page Hits: There were 52 page views for January.

Coming Attractions:

WG	2/10
HSEEP	2/16-18
Portsmouth Brief	2/19
BV EALs	2/24
Training conf	2/25

Facility Updates:

**Davis Besse Nuclear Power Station**

Davis Besse operated at full power for January.

Laboratory analysis was received for the groundwater samples for the 105 A onsite well. The results indicated tritium levels of 2285 pico curies per liter in October, 2009. A verification sample was taken in December. The result of the verification sample indicates tritium levels of 3799 pico curies per liter for 105 A onsite well. The assumption for these elevated readings remains as migration of sediment from a leak in an underground pipe that occurred in October 2008. More sampling of all the on-site groundwater monitoring wells will be conducted in April, 2010. The NRC resident inspector has been notified.

The Annual report for the Station Auxiliary Boiler for 2009 has been received and there are no regulatory comments in the letter. This report details fuel consumption and chemical composition of the fuel.

## **Perry Nuclear Power Plant**

Perry operated at full power for the month.  
There were no event reports for the plant for January.

## **Beaver Valley Power Station**

### **Beaver Valley Unit I**

Beaver Valley Unit I operated at full power for January.  
There were no event reports for the plant for January.

### **Beaver Valley Unit II**

Beaver Valley Unit II operated at full power for January.  
There were no event reports for the plant for January.

## **Fermi II**

Fermi II operated at full power for January.  
There were no event reports for the plant for January.

## **Portsmouth Gaseous Diffusion Plant**

There were no reports for Portsmouth in January.

### **Activity:**

- 1/6 The Working Group met by teleconference to discuss last minute issues and agenda corrections for the January URSB meeting. The NRC White finding for the Davis Besse Alert in June of 2009 transformer failure and the Tritium monitoring were also discussed. The NRC has determined that there was sufficient evidence that the plant should have declared an alert based on the debris and loud noise in the switchyard at the time it was discovered. The Tritium is from a leak in a waste pipe discovered in late 2007 and is moving down-gradient on the plant property as expected.
- 1/11 URSB Distribution of the Annual report. NRC comments on recent inspection Activities. And reports by FENOC on recent reporting events.
- 1/28 NEPAC met by teleconference and covered the minimum items for perfunctory discussion. There were no outstanding items for Ohio EPA on the Agenda.

## Office Issues:

None at this time.

## NRC Reports and Statistics:

January operating power levels

Date	BV1	BV2	DB	Fermi2	Perry	
1	100	100	100	100	100	
4	100	100	100	100	100	
11	100	100	100	100	100	
18	100	100	100	88	100	Fermi – rod pattern adjustment
25	100	100	100	100	100	
31	100	100	100	100	100	

## Information Notices

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Davis-Besse Nuclear Power Station, Unit No. 1 - Request for additional information related to License amendment request to update the Leak-Before-Break Evaluation for the Reactor Coolant Pump Section and Discharge Nozzle Dissimilar Metal Welds - The document is publicly available and will be accessible via the public web site Electronic Reading Room in the Agency Document Access and Management System (ADAMS), <http://www.nrc.gov/reading-rm/adams.html>.

To access this document use the ADAMS Accession no. ML093520549

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Fermi Inspection Report 2009 404 - Cover Letter Only. The document is publicly available and will be accessible via the public web site Electronic Reading Room in the Agency Document Access and Management System (ADAMS), <http://www.nrc.gov/reading-rm/adams.html>.

To access this document use ADAMS Accession No. ML100082260

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Davis-Besse Integrated Inspection Report 05000346/2009-005 issued 1/13/2010 - The document is publicly available and will be accessible via the public web site Electronic Reading Room in the Agency Document Access and Management System (ADAMS), <http://www.nrc.gov/reading-rm/adams.html>.

To access this document use the ADAMS number ML100140080

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DAV-BESSE FIRE PROTECTION IR Request for Information - The document is publicly available and will be accessible via the public web site Electronic Reading Room in the Agency Document Access and Management System (ADAMS), <http://www.nrc.gov/reading-rm/adams.html>.

To access this document use ADAMS Accession no. ML100191960.

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Fermi: EA-09-267 Notice of Violation - The document is publicly available and will be accessible via the public web site Electronic Reading Room in the Agency Document Access and Management System (ADAMS),

<http://www.nrc.gov/reading-rm/adams.html>.

To access this document use ADAMS Accession No. ML100191104

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FERMI: CONFIRMATION OF INITIAL LICENSE EXAMINATION

The document is publicly available and will be accessible via the public web site Electronic Reading Room in the Agency Document Access and Management System (ADAMS), <http://www.nrc.gov/reading-rm/adams.html>.

To access this document use ADAMS Accession No. ML100210639

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Davis-Besse Nuclear Power Station, Unit 1 - Relief Request RR-A33 for the Application of full structural weld overlays on dissimilar metal welds of reactor coolant piping -

The document is publicly available and will be accessible via the public web site Electronic Reading Room in the Agency Document Access and Management System (ADAMS), <http://www.nrc.gov/reading-rm/adams.html>.

To access this document use ADAMS Accession no. ML100080573

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BEAVER VALLEY POWER STATION, UNIT NO.1 -THE ASTRUM BEST ESTIMATE LARGE BREAK LOSS-OF-COOLANT-ACCIDENT METHODOLOGY LICENSE AMENDMENT REQUEST (TAC NO. ME1776) - The document is publicly available and will be accessible via the public web site Electronic Reading Room in the Agency Document Access and Management System (ADAMS),

<http://www.nrc.gov/reading-rm/adams.html>.

To access this document use the ADAMS Accession No. ML100120809

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NRC PARTICIPATION IN THE FERMI JUNE 2010 EMERGENCY PREPAREDNESS EXERCISE (PLUME-PHASE ONLY) - The document is publicly available and will be accessible via the public web site Electronic Reading Room in the Agency Document Access and Management System (ADAMS),

<http://www.nrc.gov/reading-rm/adams.html>.

To access this document use ADAMS ACCESSION ML100261917

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DAVIS-BESSE: NRC EMERGENCY PREPAREDNESS ANNUAL INSPECTION REPORT NO. 05000346/2009501; NRC SECURITY ANNUAL INSPECTION REPORT NO. 05000346/2009401 - The document is publicly available and will be accessible via the public web site Electronic Reading Room in the Agency Document Access and Management System (ADAMS), <http://www.nrc.gov/reading-rm/adams.html>.

To access this document use ADAMS Accession No. ML100271719

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FERMI: NRC EMERGENCY PREPAREDNESS ANNUAL INSPECTION REPORT NO. 05000341/2009501; NRC SECURITY ANNUAL INSPECTION REPORT NO. 05000341/2009401 - The document is publicly available and will be accessible via the public web site Electronic Reading Room in the Agency Document Access and

Management System (ADAMS), <http://www.nrc.gov/reading-rm/adams.html>.

To access this document use ADAMS Accession No. ML100271739

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PERRY: NRC EMERGENCY PREPAREDNESS ANNUAL INSPECTION REPORT NO. 05000440/2009501; NRC SECURITY ANNUAL INSPECTION REPORT NO.

05000440/2009401 - The document is publicly available and will be accessible via the public web site Electronic Reading Room in the Agency Document Access and Management System (ADAMS), <http://www.nrc.gov/reading-rm/adams.html>.

To access this document use ADAMS Accession No. ML100280552

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Beaver Valley Power Station - NRC Integrated Inspection Report 05000334/2009005 and 05000412/2009005 - The document is publicly available and will be accessible via the public web site Electronic Reading Room in the Agency Document Access and Management System (ADAMS), <http://www.nrc.gov/reading-rm/adams.html>.

To access this document use ADAMS Accession No. ML100290712

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## **NUCLEAR WASTE: Yucca haunts admin's lagging efforts on study panel (01/11/2010)**

### **Katherine Ling, E&E reporter**

While President Obama's fiscal 2011 budget proposal is expected to sound a death knell for the planned Yucca Mountain nuclear waste repository, the administration has so far failed to launch the blue-ribbon commission it promised almost a year ago to decide on a waste-disposal alternative.

Hanging in the balance is 60,000 metric tons of commercial and defense nuclear waste. "I find it quite disconcerting that a commission with a proper broad charter to look at this problem hasn't been created," said Arjun Makhijani, president of Institute for Energy and Environmental Research, a nonprofit opposed to nuclear power.

"I think the bigger danger is that inaction will simply lead us back to Yucca Mountain," Makhijani said, adding, "Leaving the problem to fester is not good."

No one expected the issue would be left to fester last February when Obama dramatically cut funding for the Nevada repository in his fiscal 2010 budget request and announced his intention to form a commission to chart an alternative waste-management solution. Energy Secretary Steven Chu quickly followed up, telling Congress last March that the commission would be formed "ideally" within a month and would craft recommendations by the end of 2009.

Last week, Chu responded to questions about the commission by saying the Energy Department is "working as hard and fast as we can on that."

The lawmaker who has led opposition to the Yucca project, Senate Majority Leader Harry Reid (D-Nev.), is confident that the administration's delay won't translate into a revival of the Nevada project. "The administration has been very clear that Yucca will never be built," Reid spokeswoman Regan Lachapelle said. "Senator Reid understands that it takes time to assemble the highly qualified people needed to determine how best to dispose of the nation's nuclear waste."

But despite agreements between Reid and the administration, Yucca Mountain remains

-- by law -- the disposal site for U.S. nuclear waste. The DOE repository license has not been withdrawn, nor has the department moved to do so, according to an industry source. Meanwhile, Reid is facing a tough re-election battle this year.

Moreover, some say that disagreement over whether the blue-ribbon panel should consider Yucca Mountain as a potential waste management solution is one reason the administration has taken so long to get the commission going. Qualified candidates, several sources say, do not agree Yucca should be taken off the table.

"I think it is too early to predict what the long-term prospects for Yucca Mountain will be, but the project certainly appears to be near death right now," said Ed Lyman, a senior scientist for the nonprofit Union of Concerned Scientists.

"Ultimately, the U.S. will have to restart the siting process for a nuclear waste repository, and whether Yucca Mountain will be a viable candidate again remains to be seen, given its technical and political challenges."

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### **NUCLEAR WASTE: Gov't can't claim storage delays were unavoidable, appeals court rules (01/13/2010)**

The federal government, which faces tens of billions of dollars in claims from utility companies over storage of spent nuclear fuel and radioactive waste, cannot argue that "unavoidable delays" prevented it from collecting the materials, a federal appeals court ruled yesterday.

Reversing a 2006 ruling by the U.S. Court of Federal Claims, the U.S. Court of Appeals for the Federal Circuit decided yesterday that the U.S. Circuit Court of Appeals for the District of Columbia acted within its boundaries when it ruled that the Department of Energy could not use that defense.

The 11-1 decision in the case, *Nebraska Public Power District v. United States*, will shore up arguments for utilities that have spent billions of dollars to store the waste since 1998, when the federal government had committed to take it off their hands. Congress ordered them to begin storing the waste with the passage of the Nuclear Waste Policy Act in 1982, intending to eventually transfer it to a permanent storage facility at Yucca Mountain in Nevada.

President Obama now seems poised to scrap that project, 22 years and \$58 billion after it was begun.

"We've been eagerly awaiting this decision," said Jay Silberg, an attorney for Nebraska Public Power. "[Utilities] have a lot of cases that are stuck on appeal or stuck on remand. We're really very, very pleased" (Cary O'Reilly, *BusinessWeek*, Jan. 12).

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### **NUCLEAR POWER: Ky. Senate passes bill allowing waste storage (01/21/2010)**

The Kentucky Senate yesterday passed a bill allowing the storage of nuclear waste in the state. The bill's sponsor, an independent state senator, hopes allowing such storage will open the door to nuclear energy facilities in the state.

The district of state Sen. Bob Leeper, the bill's sponsor, is home to the Paducah Gaseous Diffusion Plant, the only uranium production facility in the United States.

The bill, which now goes to the Kentucky House, takes the focus off the fact that 90 percent of the state's energy is produced by coal, said state Sen. Ray Jones (D). "This turns a blind eye to the fact that Kentucky coal produces 90 percent of the state's energy," Jones said. "Why would anyone want to shift the debate away from the use of coal?" (Joseph Gerth, [Louisville Courier-Journal](#), Jan. 20). -- PV

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## **NUCLEAR WASTE: Former Rep. Hamilton, Brent Scowcroft to lead study panel (01/29/2010)**

### **Katherine Ling and Katie Howell, E&E reporters**

The Obama administration today announced members of a study commission charged with finding alternatives to the planned Yucca Mountain, Nev., nuclear-waste repository. Energy Secretary Steven Chu said the commission will review policies for managing the storage of spent nuclear fuel and waste. "These issues are solvable in a manner that will gain the confidence of the American people," he said, "and this panel will help find those solutions and build a consensus for a responsible path forward."

The 15-member panel will be co-chaired by former Rep. Lee Hamilton (D-Ind.), who served as vice chairman of the 9/11 Commission, and Brent Scowcroft, a former Air Force general and national security adviser to Presidents Ford and George H.W. Bush. Other members of the panel include former legislators; former regulators at the Federal Energy Regulatory Commission and Nuclear Regulatory Commission; and industry, nongovernmental organization and academic leaders.

### **Yucca not an option**

The commission, established through executive branch authority, will prepare an interim report within 18 months and present a final report to the Energy secretary within two years, Chu said. The DOE chief will take the report to the president and Congress. In a memo today calling for establishment of the commission, Obama said the panel "should include an evaluation of advanced fuel cycle technologies that would optimize energy recovery, resource utilization and the minimization of materials derived from nuclear activities" and consider a range of technological and policy alternatives. "We're asking the commission to take a step back and take a broad view of what we know today and what we can expect to be learning in the coming decades rather than comment on anything else or criticize anything else," Chu said. He reiterated that the Yucca Mountain facility was not an option and would not be considered by the commission.

"The debate over Yucca Mountain is over, as the president has made clear many times," White House energy adviser Carol Browner said. "We need to be looking at alternatives."

The White House drastically cut funding for the Yucca Mountain site in its fiscal 2010 budget request and is expected to cut that amount even further in its fiscal 2011 request, which will be released Monday.

The president will likely propose to lower funding levels to about \$50 million from \$98 million in fiscal 2010 and \$145 million in 2009. There has been some disagreement between Office of Management and Budget Director Peter Orszag and Chu about how much funding was needed to properly close the project ([Greenwire](#), Jan. 14).

So far, there has been no decision whether to pull the DOE repository license

application for Yucca Mountain from its review by the Nuclear Regulatory Commission. Pulling the license could expose the government to lawsuits for breach of contract for not beginning to take the waste from commercial reactors in 1998. The government has already paid millions of dollars to utilities for partial breach of contract.

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General Information or Other	Event Number: 45649
Rep Org: OHIO BUREAU OF RADIATION PROTECTION Licensee: JEWISH HOSPITAL OF CINCINNATI Region: 3 City: CINCINNATI State: OH County: License #: 02120310029 Agreement: Y Docket: NRC Notified By: MICHAEL SNEE HQ OPS Officer: MARK ABRAMOVITZ	Notification Date: 01/22/2010 Notification Time: 15:44 [ET] Event Date: 01/21/2010 Event Time: [EST] Last Update Date: 01/22/2010
Emergency Class: NON EMERGENCY 10 CFR Section: AGREEMENT STATE	Person (Organization): PATTY PELKE (R3DO) LARRY CAMPER (FSME)

**Event Text**

AGREEMENT STATE REPORT - BRACHYTHERAPY UNDERDOSE

The following was received via E-mail:

"On January 22, 2010 the BRP [Ohio Bureau of Radiation Protection] was notified of a medical event that occurred at the Jewish Hospital of Cincinnati on January 21, 2010. The patient received 67% of the prescribed dose to the prostate implant with I-125 seeds. The physician is attempting to contact the patient. The BRP will investigate the event."

The prescribed dose was 144 Gy and the actual dose delivered was 96.48 Gy

Ohio Incident: OH100001

A Medical Event may indicate potential problems in a medical facility's use of radioactive materials. It does not necessarily result in harm to the patient.

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