

To: Jim Mehl, ERU Supervisor  
From: Zack Clayton, Rad Coordinator  
Subject: September Monthly Report  
Date: October 6, 2013

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## Beans

Training: 1  
Drills: 3  
Meetings: 2  
Technical Assistance: 3  
Public Assistance: 1

Web Page Views: There were 26 page views in September .

## Coming Attractions

10/1 Working Group  
10/14 URSB meeting  
10/23 NEPAC  
11/5 Working Group

## Facility updates

### **Davis-Besse Nuclear Power Station**

Davis-Besse operated at full power for the month.

### **Perry Nuclear Power Plant**

Perry operated at full power for the month.

On September 7, a person walking along the shore of Lake Erie turned onto the Perry Nuclear Power Plant property. The individual was intercepted by plant security and turned over to the North Perry Police Department. A search of the individual and the area where they were apprehended resulted in the recovery of drug paraphernalia, knives, and false identification. The individual has been charged with trespassing. There is no indication of any malicious intent towards Perry Nuclear Power Plant.

On September 12, the Perry Nuclear Power Plant (PNPP) made a telephone notification to the U.S. Nuclear Regulatory Commission (NRC). The details of this notification will

appear on the NRC website the week of Sept. 15. The event occurred at the PNPP on July 26, 2014, when a capacitor failed. This caused a voltage anomaly which affected some of the systems in the containment building. The capacitor was replaced, and the affected systems were restored approximately 6 ½ hours later. The plant continued to operate normally and safely during this period. No additional response or notification is required. See Event No. 50450.

### **Beaver Valley Power Station**

Beaver Valley had an oil release to a catch basin, of which about 5 gallons made it to the Ohio River before the source was secured. This would be a violation of the industrial NPDES permit for the plant. See Event No. 50430.

### **Beaver Valley Unit I**

Unit I operated at full power for the month.

### **Beaver Valley Unit II**

Unit II operated at full power for the month.

At 0932 EDT on August 29, 2014, Unit 2 determined that the Digital Radiation Monitoring System (DRMS) was operating intermittently. This resulted in an intermittent loss of radiation monitor capability to alarm and indicate in the control room. BVPS Unit 2 DRMS was declared non-functional. Repair efforts were initiated and compensatory measures were established. The cause was determined to be a computer reboot due to a full hard drive. See Event No. 50417.

### **DTE**

### **Fermi II**

Fermi II operated at full power for the month.

### **Fermi III**

Fermi III continues as a documentation evaluation.

### **Portsmouth Enrichment Plant**

Activity

- 9/3 Working Group Agency updates, Status of the Working Group initiatives, Preparation for the Perry HAB exercises.
- 9/10 Perry Dry Run This dry run went very well. Bill Lohner from the SWDO attended as training for an EOC/Assessment role for second shift backfill.
- 9/23 Perry HAB Exercise This went very well. Early indications are that there were no findings identified for the State or the counties.
- 9/23 Table Top discussion of State actions and remediation options after a contamination of Lake Erie water intakes. Several previously unidentified issues were discovered and can be incorporated into future planning efforts.

## Office Issues

Assessing Rad Page links and information content and revising as appropriate.

Coordinated training and travel for RAT MERRT training in Lake County for October 1 and 2.

OEPA is investigating acquiring digital meters and tablets that will work with RAD Responder for field data.

## Statistics, NRC Reports, News, and ADAMS References

### Operating Power Levels

September

Date	BV1	BV2	DB	Perry	Fermi2
1	100	100	100	100	100
8	100	100	100	100	100
15	100	100	100	100	52
20	100	100	100	56	53
22	100	100	100	95	64
25	100	100	100	100	100
29	100	100	100	100	100
30	100	100	100	100	100

### Plant Reports

Power Reactor	Event Number: 50417
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Facility: BEAVER VALLEY Region: 1 State: PA Unit: [ ] [2] [ ] RX Type: [1] W-3-LP,[2] W-3-LP NRC Notified By: MIKE ADAMS HQ OPS Officer: STEVE SANDIN	Notification Date: 08/29/2014 Notification Time: 16:15 [ET] Event Date: 08/29/2014 Event Time: 09:32 [EDT] Last Update Date: 08/29/2014
Emergency Class: NON EMERGENCY 10 CFR Section: 50.72(b)(3)(xiii) - LOSS COMM/ASMT/RESPONSE	Person (Organization): KEVIN MANGAN (R1DO)

Unit	SCRAM Code	RX CRIT	Initial PWR	Initial RX Mode	Current PWR	Current RX Mode
2	N	Y	100	Power Operation	100	Power Operation

**Event Text**

DIGITAL RADIATION MONITORING SYSTEM OPERATING INTERMITTENTLY

"At 0932 EDT on August 29, 2014, Beaver Valley Power Station (BVPS) Unit 2 determined that the Digital Radiation Monitoring System (DRMS) was operating intermittently. This resulted in an intermittent loss of radiation monitor capability to alarm and indicate in the control room. BVPS Unit 2 DRMS was declared non-functional. Repair efforts were initiated and compensatory measures were established.

"At 1556 EDT on August 29, 2014, following initial investigation and repairs, BVPS Unit 2 DRMS was declared functional.

"Since the BVPS Unit 2 DRMS was non-functional, this event resulted in a loss of emergency assessment capability and is reportable per 10 CFR 50.72(b)(3)(xiii).

"The NRC Resident Inspector has been notified."

The cause was attributed to an automatic reboot of the computer based on lack of disk space.

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Part 21	Event Number: 50428
Rep Org: SCHULZ ELECTRIC Licensee: SCHULZ ELECTRIC Region: 1 City: NEW HAVEN State: CT County: License #: Agreement: N Docket: NRC Notified By: BILL ELDREDGE HQ OPS Officer: HOWIE CROUCH	Notification Date: 09/05/2014 Notification Time: 11:08 [ET] Event Date: 09/04/2014 Event Time: [EDT] Last Update Date: 09/05/2014
Emergency Class: NON EMERGENCY 10 CFR Section: 21.21(d)(3)(i) - DEFECTS AND NONCOMPLIANCE	Person (Organization): MARC FERDAS (R1DO) DEBORAH SEYMOUR (R2DO)

CHRISTINE LIPA (R3DO)  
 WAYNE WALKER (R4DO)  
 PART 21 REACTORS GRO (EMAI)

**Event Text**

POTENTIAL PART 21 ISSUE ON MOTOR DEDICATIONS PERFORMED PRIOR TO JUNE 2002

The following information was obtained via fax:

"Pursuant to the 10 CFR Part 21 requirements, this letter is to notify the NRC of a potential Part 21 condition.

"While performing research on questions regarding acceleration presented by First Energy/Davis Besse, Schulz Electric identified that the acceleration calculation used to determine acceleration times for new motors which it dedicated before June 7, 2002 (at which time Schulz developed a shop instruction for calculating acceleration using the proper calculation) was incorrect. The use of this incorrect calculation could potentially cause misleading acceleration times, and therefore motors which may not perform as required by First Energy/Davis Besse and/or other customers.

"Schulz Electric will perform an evaluation to identify:

1. All projects that had acceleration calculations performed as part of a motor dedication prior to June 7, 2002.
2. The methodology used to perform the calculations.
3. Whether the actual acceleration times meet the acceleration/performance requirements of the applicable customers.

"Schulz Electric has the capability and chooses to perform the evaluation to determine if a defect exists. It is the responsibility of Schulz Electric to inform the purchaser(s), and any affected licensees.

"Schulz Electric will complete the specified evaluation of the circumstances within sixty (60) days of discovery of the potential defect. The NRC will be provided a copy of Schulz Electric's evaluation report.

"If you have any questions, please feel free to contact me [Charles 'Bill' Eldredge] by phone 203.562.5811, by fax 203.562.1082, or email me at Eldredge@schulzelectric.com."

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Power Reactor	Event Number: 50430
Facility: BEAVER VALLEY Region: 1 State: PA Unit: [ ] [2] [ ] RX Type: [1] W-3-LP,[2] W-3-LP NRC Notified By: PATRICK A. HARTIG HQ OPS Officer: HOWIE CROUCH	Notification Date: 09/06/2014 Notification Time: 11:18 [ET] Event Date: 09/06/2014 Event Time: 09:51 [EDT] Last Update Date: 09/07/2014
Emergency Class: NON EMERGENCY 10 CFR Section: 50.72(b)(2)(xi) - OFFSITE NOTIFICATION	Person (Organization): MARC FERDAS (R1DO)

Unit	SCRAM Code	RX CRIT	Initial PWR	Initial RX Mode	Current PWR	Current RX Mode
2	N	Y	100	Power Operation	100	Power Operation

**Event Text**

**OFFSITE NOTIFICATION DUE TO ONSITE OIL SPILL**

"At 0951 EDT on September 6, 2014, it was determined that Beaver Valley Unit 2 had experienced an oil spill to the catch basin system that progressed to the Ohio River, requiring notification of:

National Response Center (incident report #1094523),  
 Pennsylvania (PA) Department of Environmental Protection,  
 Beaver County Emergency Management Agency,  
 PA Emergency Management Agency and,  
 Downstream water authorities (Midland Water Authority, Allegheny Ludlum, East Liverpool Water Co.)

"This notification is a required 4-hour report per 10CFR50.72(b)(2)(xi).

"Oil was inadvertently pumped from a transformer spill catch area during routine seasonal water removal efforts. Oil was not expected in the catch area and the spill catch area had tested negative for oil during pre-removal testing. An oil sheen has been detected on the Ohio River immediately surrounding the outfall. The source of the spill has been terminated, however some residual oil is washing out of the catch basin system into the river. It is estimated that less than 5 gallons entered the river.

"Clean up efforts for the catch basins are currently underway and containment efforts for the oil in the river are being evaluated. A press release is currently being planned.

"The NRC Resident Inspector has been notified."

\* \* \* UPDATE FROM BLASE BARTKO TO HOWIE CROUCH AT 1025 EDT ON 9/7/14 \* \* \*

The licensee has decided not to issue a press release concerning this event.

The licensee will notify the NRC Resident Inspector.

Notified R1DO (Ferdas).

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**!!!! THIS EVENT HAS BEEN RETRACTED. THIS EVENT HAS BEEN RETRACTED !!!!**

Fuel Cycle Facility	Event Number: 50384
Facility: PORTSMOUTH AMERICAN CENTRIFUGE RX Type: URANIUM ENRICHMENT FACILITY Comments: 2 DEMOCRACY CENTER 6903 ROCKLEDGE DRIVE BETHESDA, MD 20817 Region: 2	Notification Date: 08/20/2014 Notification Time: 18:21 [ET] Event Date: 08/20/2014 Event Time: 08:20 [EDT] Last Update Date: 09/08/2014

City: PIKETON State: OH County: PIKE License #: SNM-2011 Agreement: Y Docket: 70-7004 NRC Notified By: ERIC SPAETH HQ OPS Officer: MARK ABRAMOVITZ	
Emergency Class: NON EMERGENCY 10 CFR Section: 70.50(b)(2) - SAFETY EQUIPMENT FAILURE	Person (Organization): JAMES HICKEY (R2DO) ROBERT JOHNSON (NMSS)

**Event Text**

AN ISOLATION VALVE DID NOT CLOSE DURING A MAINTENANCE EVOLUTION

"On 8/20/2014, 0820 hrs [EDT], the Plant Shift Superintendent was notified of the following condition:

"During a maintenance evolution to change the machine drive unit (MDU) software, one of the four primary isolation valves comprising the machine isolation valve (MIV) set did not close as required. Specifically, the purge vacuum (PV) isolation valve did not close. All other isolation valves did close as required.

"This event is being reported as a loss or degradation of an IROFS [Item Relied on for Safety] that results in a failure to meet the performance requirements of Section 70.61 [and is reportable per 70.50(b)(2)]."

The licensee will notify the NRC Resident Inspector.

\* \* \* RETRACTION PROVIDED BY ERIC SPAETH TO JEFF ROTTON AT 1543 EDT ON 09/08/2014 \* \* \*

"On 09/08/2014, the Plant Shift Superintendent, with concurrence of USEC-ACP RO [Regulatory Oversight] determined that this event can be retracted.

"Engineering Evaluation, EE-2101-0053 Rev. 0, establishes the basis for retracting Event Number 50384. The retraction is based upon an analysis showing that failure of the purge vacuum (PV) isolation valve in the machine isolation valve (MIV) IROFS does not create a condition that results in a failure to meet the performance requirements of 10 CFR 70.61."

The licensee will notify the NRC Resident Inspector.

Notified R2DO (Seymour) and NMSS EO (Habighorst).

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Part 21	Event Number: 50371
Rep Org: ABB, INC Licensee: ABB, INC Region: 1 City: FLORENCE State: SC County:	Notification Date: 08/15/2014 Notification Time: 11:00 [ET] Event Date: 08/15/2014 Event Time: [EDT] Last Update Date: 09/12/2014

License #: Agreement: Y Docket: NRC Notified By: DAVID BROWN HQ OPS Officer: JEFF ROTTON	
Emergency Class: NON EMERGENCY 10 CFR Section: 21.21(d)(3)(i) - DEFECTS AND NONCOMPLIANCE	Person (Organization): SILAS KENNEDY (R1DO) GEORGE HOPPER (R2DO) MICHAEL KUNOWSKI (R3DO) JACK WHITTEN (R4DO) PART 21 GROUP (EMAI)

**Event Text**

**NOTICE OF DEVIATION REGARDING K-LINE CIRCUIT BREAKER SECONDARY CLOSE LATCH**

The following information was excerpted from a facsimile received from ABB, Inc:

"This letter provides notification of a failure to comply with specifications associated with a secondary close latch, part number 716610K01, used in K-Line 225/800 and 1600/2000 amp electrically operated Model 7 circuit breakers. This does not affect previous models of these same breakers that have not been upgraded to include the interlocking primary and secondary close latches. It also does not affect manually operated Kline breakers or K3000/4000 circuit breakers. Information is provided as specified in 10CFR21 paragraph 21.21(d)(4).

"Notifying individual: Jay Lavrinc, Vice President & General Manager, ABB (Medium Voltage Service), 2300 Mechanicsville Road, Florence, SC 29501

"Identification of the Subject component: ABB part number 716610K01 secondary close latch. This secondary close latch is used on new legacy K-Line Model 7 electrically operated circuit breakers. It is also used during breaker refurbishments when a secondary close latch is required to be replaced because of damage or wear. The secondary close latch is available as a component part and is also used in K-Line Model 7 up-grade kits.

"If a breaker is sent in for refurbishment the primary and secondary latches are replaced unless it is required in the customer PO that they not be replaced unless they are damaged or worn.

"Nature of the deviation: During outgoing inspection a breaker went trip free during the operational phase of the testing procedure. The inspector found that the cam attached to the top of the secondary close latch, 716610K01, was not properly riveted in place. The head of the rivet was not pushed down flush against the side of the cam. Since the rivet was not seated properly, the other end of the rivet did not project through the other side of the latch and therefore the bradded end of the rivet was not deformed in a manner to sufficiently apply the required holding force to keep the cam in its proper and secure operating position.

"Corrective actions include:

- a. Perform 100% inspection all part number 716610K01 secondary close latches in inventory to identify the nonconforming latches. (Action complete)

- b. Trained inspectors and breaker assemblers on identifying this condition (Action Complete)
- c. Contact primary vendor to investigate cause and correct on future orders. (Action Complete)
- d. Verified that this is the only assembly with bradding that this vendor provides. (Action complete)
- e. Notification of the potential existence of this deviation to affected customers (Action to be completed by 18 August 2014)

"Affected Customers: Constellation Energy, **DTEEnergy**, Entergy Operations, Exelon Corporation

"Recommendations: It is recommended that affected Licensees that have received latches that were identified as having been provided from parts that fall under this notification take the following actions:

"If the latch is in their inventory as a component, in a kit or in a breaker that is not currently in use it is suggested that the secondary trip latch be inspected for this condition. Inspection should include visual inspection of the rivets to confirm they are properly seated and bradded and physical manipulation of the cam to determine that it is securely held in place in the assembly.

"If a suspect latch is installed in a breaker that is currently installed and energized we recommend that at their next maintenance cycle, the secondary close latch in the breaker be inspected for this condition.

"We currently cycle Kline breakers that are refurbished approximately 55 close/open operations before they ship from the Florence facility. New breakers get at least that many operations or more. If a breaker has shipped out of the Florence facility during this period it is unlikely that the breaker would get through inspection without failing with a latch that is improperly riveted. ABB cannot guarantee that no latch on a breaker that shipped is affected but we do not see it as a likely occurrence with the testing that the breaker is subjected to prior to shipment. There have been no field failures reported that were attributed to this manufacturing issue."

\* \* \* UPDATE FROM DAVID BROWN TO JOHN SHOEMAKER ON AT 1654 EDT ON 9/12/14  
\* \* \*

The following information was received from ABB Inc. via email;

"This amendment is being issued to correct 2 errors in the original notification:

1. This 'secondary close latch' was mistakenly referred to as a 'secondary trip latch' in Section 7 [of the report].
2. The manner in which the problem was detected was described improperly as a breaker 'went trip free' when in fact, the breaker 'failed to close'. This is from Section 5 [of the report].

"This [amendment] letter is being submitted to ensure accurate information has been reported. There have been no reported field failures and affected customers have been notified."

For questions, contact;  
 David Brown  
 QA Engineer, ABB Inc.  
 Ph: (843) 413-4782

Notified R1DO (Jackson), R2DO (Shaeffer), R3DO (Riemer), R4DO (Azua), and Part 21 Group via email.

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Power Reactor	Event Number: 50450
Facility: PERRY Region: 3 State: OH Unit: [1] [ ] [ ] RX Type: [1] GE-6 NRC Notified By: DAVID LOCKWOOD HQ OPS Officer: MARK ABRAMOVITZ	Notification Date: 09/12/2014 Notification Time: 10:12 [ET] Event Date: 07/26/2014 Event Time: 13:13 [EDT] Last Update Date: 09/12/2014
Emergency Class: NON EMERGENCY 10 CFR Section: 50.73(a)(1) - INVALID SPECIF SYSTEM ACTUATION	Person (Organization): KENNETH RIEMER (R3DO)

Unit	SCRAM Code	RX CRIT	Initial PWR	Initial RX Mode	Current PWR	Current RX Mode
1	N	Y	100	Power Operation	100	Power Operation

**Event Text**

**ELECTRICAL TRANSIENT CAUSES AN INVALID SYSTEM ACTUATION**

"At 1313 [EDT] on 7/26/14, the plant experienced an electrical transient on bus EK-1-B1 (safety-related 120 volt AC distribution panel) that resulted in partial Balance of Plant Division 2 isolation signals and alarms received in the Control Room.

"The following component actuations occurred: valve 1P50F140 closed, resulting in a trip of Containment Vessel Chilled Water C; valve 1G41F140 closed, isolating the Fuel Pool Cooling and Clean-up return from the containment building upper pools; valve 1B33F019 closed, isolating Reactor Water sampling; valve 1D17F071B closed, isolating the Drywell Atmosphere Radiation Monitor; valve 1D17F081B closed, isolating the Containment Atmosphere Radiation Monitor; valves 1G61-F030, 1G61-F150, 1G61-F075, and 1G61-F165 closed, isolating the Containment and Drywell Floor and Equipment drain sumps; valve 1G50-F272 closed isolating the Reactor Water Cleanup Backwash Receiving Tank: 1M25F020B, Control Room HVAC Inboard supply damper, closed and Division 2 indicated an auto initiation (M25-S12, Auto Initiate Active amber light was on).

"This event is considered an invalid system actuation reportable under 10 CFR 50.73(a)(2)(iv)(A).

"The isolation was not initiated in response to actual plant conditions or parameters, and was not a manual initiation. Therefore, this notification is provided via a 60 day optional phone call in accordance with 10 CFR 50.73(a)(1) instead of submitting a written Licensee Event Report.

"The event meets reporting criteria specified in 10 CFR 50.73(a)(2)(iv)(B)(2) as a general containment isolation valve signal affecting containment isolation valves in more than one system. All affected systems functioned as expected in response to the electrical transient on bus EK-1-B1 that resulted in the partial Balance of Plant Division 2 isolation signals. The valves were reopened in accordance with plant procedures. The failure mechanism that caused the electrical transient was a failed capacitor in regulating transformer EFB1B2. The capacitor was replaced and tested with satisfactory results.

"The NRC Resident Inspector has been notified."

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## News

### Rules are needed for closing reactors -- NRC chief

Hannah Northey, E&E reporter

Published: Wednesday, September 3, 2014

The Nuclear Regulatory Commission chief hopes to formulate new rules for reactors that companies want to mothball, an issue that sparked partisan fights on Capitol Hill earlier this year.

NRC Chairwoman Allison Macfarlane said in an interview last week that the agency doesn't currently have separate regulations for decommissioning nuclear plants. Those units are instead governed by rules for operating reactors but must seek exemptions if parts of the regulations don't apply.

"We need a rule that specifically deals with decommissioned plants," Macfarlane said from her office along Rockville Pike in Washington, D.C.'s Maryland suburbs. "I'm hopeful we'll be able to get to a decommissioning rule, but rulemaking takes a long time."

Power companies that want to close reactors permanently must follow NRC rules governing how the plants are shut down, cleanup of radioactively contaminated plant systems and structures, and removal of radioactive fuel -- standards that protect workers and the public, according to the agency.

U.S. companies are also required to establish or obtain a "financial mechanism," such as a trust fund or a guarantee from their parent company, to ensure there's enough money to pay for closing the plant. Such funds generally range between \$300 million and \$400 million, according to the NRC.

Macfarlane said the NRC started to address the need for separate decommissioning rules in the early 2000s when a "nuclear renaissance" was on the horizon, but that quickly dissipated.

"That never really came to fruition," she said. "But we are going to have plants to decommission. ... We have to be more responsive to that."

The closure of a handful of aging reactors in California, Vermont and Massachusetts -- a trend that's seen as likely to continue -- prompted three members of the Senate Environment and Public Works Committee earlier this year to float legislation that would give states a greater say in the decommissioning process ([E&ENews PM](#), May 13).

Environment and Public Works Chairwoman Barbara Boxer (D-Calif.) and Sens. Ed Markey (D-Mass.) and Bernie Sanders (I-Vt.) -- all lawmakers with closing or shuttered nuclear plants in their districts -- introduced the bills in May to fast-track the movement of waste from wet pools to dry casks, ensure that the NRC does not ease regulations for closed plants, and require operators to consult with states within a 50-mile radius before submitting closure plans.

Boxer is focused on the now-shuttered San Onofre nuclear reactors in California, which were closed after a steam generator malfunction; Markey on the Pilgrim nuclear plant in

Massachusetts, where spent fuel is being stored in wet pools; and Sanders on the looming closure of the 42-year-old Vermont Yankee nuclear plant.

Republicans on the committee later blasted the legislation, saying the NRC has a decades-old "proven process" for decommissioning nuclear plants and operators for years have been required to set aside funds for each unit.

Sen. James Inhofe (R-Okla.) said during a Senate hearing on the matter in May that the nuclear industry is already weighed down by "new and unnecessary regulations" and the NRC can handle the decommissioning plants ([Greenwire](#), May 14).

Twitter: [@HMNorthey](#) | Email: [hnorthey@eenews.net](mailto:hnorthey@eenews.net)

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## **NRC approves first new reactor design in 3 years following DOJ probe**

Hannah Northey, E&E reporter

Published: Tuesday, September 16, 2014

Federal regulators today approved the first new nuclear reactor design in three years -- slated for use in Virginia and Michigan -- following a yearslong review in which the developer was fined for allegedly concealing safety information.

The Nuclear Regulatory Commission found GE-Hitachi Nuclear Energy's Economic Simplified Boiling-Water Reactor (ESBWR) meets the agency's safety standards.

Today's decision marks the first new design to be approved in the United States since the NRC signed off on the AP1000 model in the winter of 2011 ([Greenwire](#), Dec. 22, 2011).

The 1,594-megawatt reactor includes "passive" cooling features that use gravity -- not human intervention -- to cool the reactor during emergencies. GE Hitachi said in a statement the reactors would be able to cool themselves for more than seven days without operator intervention or outside power, making the unit the "world's safest approved nuclear reactor design."

Detroit Edison Co. is hoping to use the reactor design at its Fermi Unit 3 in Monroe County, Mich., as is Dominion for its North Anna Unit 3 in Louisa County, Va. To move forward, those developers would still need to maneuver environmental and safety reviews and account for any adaptations to the design, according to the NRC.

GE first sought approval in 2005, triggering a lengthy review that included safety implications from the earthquake and tsunami that jarred Japan in 2011, causing three reactors there to meltdown in the Fukushima Prefecture.

The licensing review also triggered NRC questions -- and a rule supplement -- about the so-called steam dryer between 2011 and 2013, an issue that also drew Department of Justice scrutiny.

In January, DOJ fined GE Hitachi \$2.7 million for allegedly concealing flaws in the equipment ([E&ENews PM](#), Jan. 24).

GE-Hitachi Nuclear Energy said the fine would resolve accusations -- flagged by a whistleblower -- that the company made false statements to the NRC and Energy Department between 2007 and 2012 about equipment in its ESBWR.

The DOJ said GE Hitachi knowingly concealed flaws in its steam dryer, which removes liquid water droplets from steam produced by the nuclear reaction that generates electricity in boiling-water-type reactors. The government accused GE Hitachi of concealing flaws in an analysis the NRC requires to ensure vibrations from the dryer won't damage the plant.

LeRay Dandy, a former GE Hitachi employee, flagged the issue in a lawsuit filed under the False Claims Act that allows private citizens to sue on behalf of the government and share in any recovery. Dandy's share of the settlement hasn't been determined, DOJ said.

GE Hitachi, which is partially owned by Tokyo-based Hitachi Ltd., received funding from DOE between 2007 and 2012 to cover half the cost of developing, engineering and obtaining a design certification for the reactor design.

The nuclear commission at the time backed the settlement, while Christopher White, a spokesman for GE Hitachi, said the company was fully denying the allegations and noted DOJ has made clear that "claims resolved by the settlement are allegations only, and there has been no determination of liability."

The NRC today said the rule will go into effect 30 days after it is published in the *Federal Register*.

and Energy Department between 2007 and 2012 about equipment in its ESBWR.

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## **Nuclear giants criticize EPA's handling of reactors in carbon proposal**

Hannah Northey and Jean Chemnick, E&E reporters

Published: Thursday, September 25, 2014

U.S. EPA "missed the boat" on crediting new and existing nuclear projects under its greenhouse gas proposal for existing power plants and changes are in order before the rule is finalized, Southern Co.'s senior director of governmental affairs said today.

"We've scratched our heads and think maybe EPA missed the boat on addressing that," Ray Harry said at a Bipartisan Policy Center event in Washington, D.C.

U.S. nuclear operators like Southern and Exelon Corp. in recent months have expressed frustration with EPA's treatment of nuclear power in reaching national climate goals under the new proposal.

Broadly, EPA is asking states to meet carbon emission targets that would result in a 30 percent CO2 reduction nationwide compared with 2005 levels by 2030.

EPA Administrator Gina McCarthy said this morning on the sidelines of an event hosted by the group Resources for the Future that agency staff are hearing from stakeholders about the way the June 2 proposal treats nuclear and might make adjustments.

"I think we all know that nuclear plays a significant part of a low-carbon strategy in terms of providing a lot of baseload capacity in this country for electricity," she said. "And that needs to be factored."

The proposal "puts some markers down" in the hopes of encouraging utilities to keep plants online, but "we really needed a broader discussion, and we're in that discussion right now."

EPA in its proposal tries to encourage states to retain their existing nuclear capacity by building 6 percent of that capacity into state carbon intensity targets -- so if a nuclear unit shuts, that host state would have to make up that zero-carbon power somewhere else. The U.S. Energy Information Administration estimates that 6 percent of the nation's nuclear fleet is "at risk" of retirement.

EPA also included nuclear projects currently under construction in Georgia, Tennessee and South Carolina in those states' baselines, so power from those four units is not

considered additional, and in fact those states would be penalized if the projects didn't go forward or were delayed.

Harry said the agency's draft rule penalizes Georgia, North Carolina and Tennessee, states where companies like Southern have invested billions of dollars in new reactors. Southern is partnering with Georgia Power and a group of municipal and electric cooperatives to build two units for \$14 billion at the Alvin W. Vogtle nuclear plant about 30 miles southwest of Augusta, Ga.

"You shouldn't be penalized for things that reduce carbon," Harry said.

Harry warned that forcing a state to make up reactors -- during refueling or should problems arise -- would make compliance "very risky and more challenging and more expensive."

EPA is receiving plenty of comment, he said, noting the agency asked for feedback early on the nuclear piece of its ruling. Harry also said he's hopeful the agency will return to the language dealing with nuclear power. The comment period for the draft rule closes Dec. 1.

Southern's partners have expressed similar frustration.

Ron Shipman, vice president of Georgia Power's environmental affairs, [told](#) regulators at an EPA public hearing in Atlanta in July that his company partnered with Southern Co. and others to build the new Vogtle reactors to bolster fuel diversity and address carbon reductions. Those units are slated to come online in the fourth quarter of 2017 and 2018, respectively.

But Shipman said EPA, instead of rewarding that project, has penalized Georgia for its early action by setting a more aggressive reduction goal for the state that assumes the reactors will be built.

"In fact, EPA admits that it ignores the investment we are making in Vogtle 3 and 4, yet it relies on the CO2 reductions in setting Georgia's limit," he said. "As a result, EPA's proposal forces Georgians to take on significant additional cost to further reduce CO2. The message from EPA is clear -- it does not pay to plan ahead. If you take early action, you will be forced to carry an even greater burden."

Exelon Corp., the country's largest nuclear operator, has criticized the EPA proposal for not going far enough to support nuclear power plants that are facing economic challenges.

Judy Rader, a spokeswoman for Exelon, said in an email that the draft rule appropriately recognizes the importance of supporting continued operation of the nation's nuclear fleet but needs to be improved to achieve its intended objective. "As it finalizes this regulation, EPA should treat zero-carbon resources the same and ensure states do not double-count these resources," Rader said.

Kathleen Barrón, senior vice president of federal regulatory affairs and wholesale market policy for Exelon, told Illinois regulators earlier this week that whatever compliance plan is adopted by Illinois should put nuclear power on an equal footing with other noncarbon energy sources, including wind and solar energy. As in other states, the status of Exelon's nuclear fleet, which provides half the state's power, looms large in the plan ([EnergyWire](#), Sept. 24).

"All zero-carbon resources should be treated similarly," Barrón said.

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## Information Notices

Unless otherwise noted, these are ADAMS Accession documents, are 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> or to access generic communications files on the NRC Homepage: <http://www.nrc.gov/reading-rm/doc-collections/gen-comm/reg-issues/2013/>. To access these documents use the ADAMS Accession number listed with the title. This is in the format of : ML #####A###

## Part 21 and Miscellaneous

Assignment of Project Managers Within the U.S. Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Japan Lessons-Learned Division  
ADAMS Accession No.: ML14248A308

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Information Notice 2014-11, Recent Issues Related to the Qualification of Safety-Related Components, dated September 19, 2014  
ADAMS Accession No. ML14149A520

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Information Notice 2014-10, Imfused DC Ammeter Circuits and Potential for Fire Events, dated September 16, 2014  
ADAMS Accession No. ML14169A264

\*\*\*\*\*

RIS 2014-10, Requirements for Exempt Distribution Licensee Annual Transfer Reports, dated September 18, 2014  
ADAMS Accession No. ML14157A110

\*\*\*\*\*

BVPS, Unit No. 1, BVPS (ISFSI) Davis-Besse Nuclear Power Station ISFSI, Perry Nuclear Power Plant, Unit 1, and Perry Nuclear Power Plant ISFSI - Annual Financial Test For FirstEnergy Nuclear Operating Company Parent Company Guarantee (MF3748 and MF3749).  
ADAMS Accession No. ML14142A292

\*\*\*\*\*

Forthcoming Pre-Application Meeting with FirstEnergy Nuclear Operating Company Regarding Submission of a Combined Emergency Plan  
Accession Number: ML14273A278

\*\*\*\*\*

## Davis-Besse

Beaver Valley Power Station, Unit Nos. 1 and 2, **Davis-Besse Nuclear Power Station**, Unit No.1, and Perry Nuclear Power Plant, Unit No. 1 - Amendments to Indemnity Agreements (Tac Nos. MF0701, M0702, MF0703 and MF0704)  
ADAMS Accession No. ML14205A619

\*\*\*\*\*

MID-CYCLE ASSESSMENT LETTER FOR DAVIS-BESSE  
NUCLEAR POWER STATION

ADAMS Accession Number: ML14245A106

\*\*\*\*\*

NRC Staff Answer to CRAFT Petition for Leave to Intervene and Request for Public Hearing.  
ADAMS Accession No. ML14255A495

\*\*\*\*\*

Intervenors Motion to Amend and Supplement Contention No. 7 on Worsening Shield Building Cracking and Inadequate AMPs in Shield Building Monitoring Program.

ADAMS Accession No. ML14251A609

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Davis-Besse, Unit 1, Reply to Request for Additional Information for the Review of License Renewal Application (TAC No. ME4640) and License Renewal Application Amendment No. 47.  
ADAMS Accession No. ML14035A164

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Intervenors' Motion for Admission of Contention No. 7 on Worsening Shield Building Cracking and Inadequate AMPs in Shield Building Monitoring Program.

ADAMS Accession No. ML14245A656

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Request for Information Concerning the Endangered Species Act Section 7 Consultation for the Proposed Davis-Bessel Nuclear Power Station, Unit 1, License Renewal

ADAMS Accession No. ML14246A119

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EA-14-129; Davis-Besse NRC Follow-up Inspection 05000346/2014406; Preliminary Greater Than Green Finding (Cover Letter Only)

ADAMS Accession No. ML14261A137

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REQUEST FOR ADDITIONAL INFORMATION FOR THE REVIEW OF THE DAVIS-BESSE NUCLEAR POWER STATION LICENSE RENEWAL APPLICATION (TAC NO. ME4640)

ADAMS Accession No. ML14258A285

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Schedule Revision for the Review of the Davis-Besse Nuclear Power Station License Renewal Application (TAC No. ME4613)

ADAMS Accession No. ML14267A303

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## **Perry**

Perry Nuclear Power Plant-Revised NCV 05000440/2013007-01 In NRC PI&R Inspection Report 050004440/2013007

ADAMS Accession No. ML14246A151

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Beaver Valley Power Station, Unit Nos. 1 and 2, Davis-Besse Nuclear Power Station, Unit No.1, and **Perry Nuclear Power Plant**, Unit No. 1 - Amendments to Indemnity Agreements (Tac Nos. MF0701, M0702, MF0703 and MF0704)

ADAMS Accession No. ML14205A619

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Mid-Cycle Assessment Letter For Perry Nuclear Power Plant

ADAMS Accession No. ML14245A317

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Subject: Perry Nuclear Power Plant, Unit No. 1 - Request for Additional Information Concerning Relocation of Surveillance Frequencies to Control Licensee Control (TAC NO. MF3720)(L-14-106)

ADAMS Accession No.: ML14232A225

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Federal Register Submission by Nancy Hilding During the Powertech Limited Appearance Hearing, Aug 18, 2014.

ADAMS Accession No. ML14259A088

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Submission Presented by Nancy Hiding at the Powertech Limited Appearance Hearing, Aug 18, 2014.

ADAMS Accession No. ML14259A272

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Perry Confirmation of Initial License Exam Letter

ADAMS Accession No. ML14262A367

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## **Beaver Valley**

Beaver Valley Power Station, Unit Nos. 1 and 2, Davis-Besse Nuclear Power Station, Unit No.1, and Perry Nuclear Power Plant, Unit No. 1 - Amendments to Indemnity Agreements (Tac Nos. MF0701, M0702, MF0703 and MF0704)

ADAMS Accession No. ML14205A619

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Beaver Valley Power Station, Unit Nos. 1 and 2 - Mid-Cycle Assessment Letter (Report 05000334/2014006 and 05000412/2014006)

ADAMS Accession No.: ML14239A214

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Beaver Valley Power Station Unit 1 NRC Initial Operator Licensing Exam Rpt 05000334 2014 301

ADAMS Accession No. ML14251A006

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Response to Order For Implementation of Additional Security Measures and Fingerprinting For Unescorted Access For Beaver Valley Power Station Independent Spent Fuel Storage Installation

ADAMS Accession No. ML14251A185

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Beaver Valley Power Station, Unit Nos. 1 and 2 - Issuance of Amendments Regarding Technical Specification 3.1.3, "Moderator Temperature Coefficient Measurement" (TAC Nos. ME9144 and ME9145).

ADAMS Accession No. ML14245A151

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Beaver Valley, Units 1 and 2 - Discharge Monitoring Report (NPDES) Permit No. PA0025615.

ADAMS Accession No. ML14246A391

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Beaver Valley, Units 1 and 2, Water Quality Part II Application for a Dechlorination System.

ADAMS Accession No. ML14246A392

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Attachment 3 - Beaver Valley Power Station Evaluation to Revise the Emergency Planning Zone, prepared by KLD Engineering, P.C., KLD TR-641, Rev. 1.

ADAMS Accession No. ML14247A515

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Enclosure Attachments 1 - Emergency Preparedness Plan Changes and Attachment 2 - Retyped Emergency Preparedness Plan Pages.  
ADAMS Accession No. ML14247A513

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Beaver Valley Power Station, Units 1 and 2 - License Amendment Request to Modify Emergency Preparedness Plan Regarding the Emergency Planning Zone Boundary.  
ADAMS Accession No. ML14247A514

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Beaver Valley Power Station, Unit 2, Seventeenth Refueling Outage Inservice Inspection Summary Report.  
ADAMS Accession No. ML14234A111

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## **Portsmouth Facilities**

No Documents

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## **Fermi 1**

No Documents

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## **Fermi 2**

Mid-Cycle Assessment Letter For Fermi Power Plant  
ADAMS Accession No. ML14245A234

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FERMI 2: PLAN FOR THE AGING MANAGEMENT PROGRAM REGULATORY AUDIT REGARDING THE FERMI 2 LICENSE RENEWAL APPLICATION REVIEW (TAC NO. MF4222)  
ADAMS ACCESSION NO.: ML14237A194

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FERMI: License Renewal Environmental Site Audit Regarding Fermi, Unit 2  
ADAMS Accession No. ML14224A353

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FERMI: Public Meeting to Discuss the License Renewal Process and Environmental Scoping Process for Fermi, Unit 2  
ADAMS Accession No. ML14233A450

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Fermi 2 Scoping Meeting Afternoon Transcript.  
ADAMS Accession No. ML14254A465

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Fermi 2 Scoping Meeting Evening Transcript.  
ADAMS Accession No. ML14254A470

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Combined Reply of Citizens' Resistance at Fermi 2 (CRAFT) to NRC Staff and DTE Electric Co. Answers to CRAFT's Petition for Leave to Intervene and Request for a Public Hearing.  
ADAMS Accession No. ML14265A489

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NRC Staff Answer to CRAFT Petition for Leave to Intervene and Request for Public Hearing.  
ADAMS Accession No. ML14255A495

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Comment (11) of Michael J. Keegan on Behalf of Don't Waste Michigan on Fermi 2 Docket ID  
NRC-2014-0109 License Renewal Application.

ADAMS Accession No. ML14252A138

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Comment (00022) of Carol Izant on DTE Electric Co., Fermi, Unit 2; Notice of Intent to Prepare  
an Environmental Impact Statement.

ADAMS Accession No. ML14252A176

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NRC Staff's Answer to Don't Waste Michigan, Citizens Environment Alliance of Southwestern  
Ontario and Beyond Nuclear's Petition for Leave to Intervene and Request for Hearing.

ADAMS Accession No. ML14255A497

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Applicant DTE Electric Company Answer Opposing Petitions to Intervene.

ADAMS Accession No. ML14255A474

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License Renewal Environmental Site Audit Regarding Fermi, Units 2 (TAC NOS. MF4064).

ADAMS Accession No. ML14224A353

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Comment (10) by Vic and Gail Macks on DTE Electric Co Re-license Application for Fermi 2.

ADAMS Accession No. ML14234A339

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Citizens Resistance At Fermi 2 (CRAFT) Corrected Petition For Leave To Intervene And  
Request For A Public Hearing Upon DTE Electric's Request of 20-Year License Extension for  
the Enrico Fermi 2 Nuclear Reactor.

ADAMS Accession No. ML14246A599

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### **Fermi 3**

Minutes of the Advisory Committee on Reactor Safeguards ESBWR Subcommittee Meeting -  
August 20, 2014.

ADAMS Accession No. ML14262A097

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Intervenors' Combined Reply in Support of Petition for Leave to Intervene and Request for  
Hearing of Don't Waste Michigan, Citizens Environment Alliance of Southwestern Ontario and  
Beyond Nuclear.

ADAMS Accession No. ML14262A484

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Report on the Safety Aspects of the DTE Electric Company Combined License Application for  
Fermi Unit 3

ADAMS Accession No. ML14252A294

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Transcript of the 617th ACRS Meeting, September 4, 2014 Pages 1-219.

ADAMS Accession No. ML14261A193

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Transcript of the Advisory Committee on Reactor Safeguards ESBWR Subcommittee on Fermi  
3 - August 20, 2014.

ADAMS Accession No. ML14246A582

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