

February 24, 2007

Mr. Glenn Adler  
Senior Research Analyst  
Service Employees International Union  
1313 L Street, NW  
Washington, DC 20005

Dear Mr. Adler:

This letter responds to the petition filed by the Service Employees International Union with Mr. Luis Reyes, Executive Director for Operations at the U.S. Nuclear Regulatory Commission (NRC), pursuant to Title 10, Section 2.206, "Requests for Action Under this Subpart," of the *Code of Federal Regulations* (10 CFR 2.206) on May 16, 2006 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML061460041). In the petition, you requested that the NRC issue demands for information (DFIs) to STP Nuclear Operating Company (STPNOC), licensee for the South Texas Project (STP) Electric Generating Station, to provide the results of assessments of the safety-conscious work environment (SCWE) at STP conducted since January 1, 2004; summaries of action plans and results of actions to remedy the problems revealed by the assessments, including documents mentioned at an August 2005 meeting convened to discuss the STP SCWE; summaries of action plans and results of efforts to remedy problems revealed by such assessments in 2001 and 2003; and all correspondence between the NRC, STPNOC, and Wackenhut Corporation concerning the 2001, 2003, and 2005 comprehensive cultural assessments (CCAs).

During a meeting with the Office of Nuclear Reactor Regulation's petition review board, on June 27, 2006, you clarified the bases of your petition and provided the NRC staff with copies of the supplement to your petition (ADAMS Accession No. ML062070008).

The NRC staff sent a copy of the proposed Director's Decision to you and STPNOC for comment by letters dated November 22, 2006. At your request, the NRC extended the end of the comment period from December 21, 2006, to January 12, 2007. You have since informed us that you do not have any comments.

Your petition requested that NRC issue a DFI to obtain information in order to be better informed and to better assess the effectiveness of steps taken by STPNOC regarding Wackenhut and other entities who have had persistent problems. Since the NRC already has reviewed and has ready access to all of the information requested by the petition, issuance of the requested DFI to STPNOC would not result in an Order or other action and is not warranted. Since the requested material was not required by the NRC Order (Confirmatory Order Modifying License (Effective Immediately) of June 9, 1998) and was not submitted to the NRC, and is maintained at the licensee's facility and readily accessible to the NRC staff, docketing the requested information is unwarranted. Accordingly, the NRC denies your requests to issue a DFI to STPNOC, and to docket the documents for which a DFI was requested.

The staff will file a copy of the Director's Decision (DD-07-01) with the Secretary of the Commission for the Commission to review in accordance with 10 CFR 2.206(c). As provided for by this regulation, the decision will constitute the final action of the Commission 25 days after the date of the decision unless the Commission, on its own motion, institutes a review of the decision within that time. The documents cited in the enclosed decision are available at the NRC Public Document Room, located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland, or electronically from the ADAMS Public Electronic Reading Room on the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

I have also enclosed a copy of the "Notice of Issuance of Director's Decision Under 10 CFR 2.206" that has been filed with the Office of the Federal Register for publication.

Please feel free to contact Mr. Mohan Thadani, the NRC Petition Manager, at 301-415-1476 to discuss any questions related to this petition.

Sincerely,

*/RA/*

J. E. Dyer, Director  
Office of Nuclear Reactor Regulation

Enclosures: 1. Director's Decision DD-07-01  
2. Federal Register Notice

cc w/encls: See next page

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I have also enclosed a copy of the "Notice of Issuance of Director's Decision Under 10 CFR 2.206" that has been filed with the Office of the Federal Register for publication.

Please feel free to contact Mr. Mohan Thadani, the NRC Petition Manager, at 301-415-1476 to discuss any questions related to this petition.

Sincerely,

/RA/

J. E. Dyer, Director  
Office of Nuclear Reactor Regulation

Enclosures: 1. Director's Decision DD-07-01  
2. Federal Register Notice

cc w/encls: See next page

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**ADAMS Accession Nos.:**

**Package ML070330052;** [Incoming ML061460041, Ltr to Petitioner ML070330088,  
Final Director's Decision ML070330107, FR Notice ML070330128]

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| OFFICE | NRR/LPL4/PM | Tech Editor* | NRR/LPL4/LA       | NRR/LPL4/BC | OE                             |
| NAME   | MThadani    | HChang       | LFeizollahi       | DTERao      | LJarriel*                      |
| DATE   | 2/16/07     | 2/5/07       | 2/21/07           | 2/16/07     | 2/16/07                        |
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| NAME   | JLongo**    | CHaney       | BMallett: CEJ for | JDyer       |                                |
| DATE   | 2/13/07     | 2/21/07      | 2/12/07           | 2/24/07     |                                |

**OFFICIAL RECORD COPY**

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