



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 7, 1996

Ms. Jane A. Fleming
8 Oceanwood Drive
Duxbury, MA 02332

SUBJECT: 10 CFR 2.206 PETITION (TAC M94673)

Dear Ms. Fleming:

By letter dated January 25, 1996, you requested that the Chairman of the Nuclear Regulatory Commission take action with regard to the Watts Bar Nuclear Plant Unit 1. As an alternative to direct action by the Chairman, you requested that your letter be considered as a petition pursuant to 10 CFR 2.206. You requested that the low-power license for Watts Bar Unit 1 be revoked or suspended until the issues raised in your letter were resolved.

You supplemented your January 25, 1996, letter with another letter dated January 30, 1996. The Director of the Office of Nuclear Reactor Regulation responded by letter dated February 7, 1996, and indicated that your request would be treated as a petition pursuant to 10 CFR 2.206. The NRC procedures for review of 2.206 petitions are contained in NRC Management Directive (MD) 8.11, Review Process for 10 CFR 2.206 petitions. Because these procedures have recently been changed, we have enclosed the latest version for your information (Enclosure).

In his response, the Director of NRR reviewed the issues raised in your petition and determined that no immediate action regarding suspension or revocation of the low-power license for Watts Bar Unit 1 was warranted. Later, on February 7, 1996, the Nuclear Regulatory Commission issued Facility Operating License NPF-90 which is the full-power operating license for Watts Bar Unit 1. The full-power license superseded the low-power license (Facility Operating License NPF-20) which you requested be suspended or revoked. However, the NRC staff will continue to review your petition in accordance with 10 CFR 2.206 and MD 8.11, and will take whatever action is appropriate, including suspension or revocation of the full-power license, if warranted. Subsequent to the Director's letter, you forwarded several E-mail messages which questioned the staff's interpretation of the issues in your petition. The staff has reviewed these messages and concludes that your concerns were adequately characterized in the Director's February 7, 1996 letter and that no immediate actions are warranted.

Your petition includes references to several specific technical issues. For example, on page 8 of your January 25, 1996 letter, you describe three specific issues associated with the radiation monitors at Watts Bar. These issues are restatements of issues that have been previously raised in discussion with you. Because you have raised these issues in the 2.206

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Ms. J. Fleming

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context, it is our intent to address those issues through the 2.206 process. Your recent E-Mail messages characterize these issues as only examples of the main problem and not the main point of the petition. The NRC staff recognizes that these examples were offered as evidence of your broader concern. Indeed, such examples are essential to provide the supporting facts required by 10 CFR 2.206 to permit the staff to evaluate your broader concern. Consequently, we will pursue these issues through the 2.206 process as examples of the problem you portray.

In your petition, you note, "There are serious concerns as to whether or not the MIC [microbiologically induced corrosion] procedures have been followed since 1993. There are serious outstanding issues with the security system (Due to the sensitive nature of security I have requested the I.G.'s office to act as vehicle for that information)." These statements do not provide sufficient supporting facts to permit consideration pursuant to 10 CFR 2.206. Thus, I request that you provide additional factual information if you wish these issues or other issues to be considered as support for the concerns expressed in your 2.206 petition.

As required by MD 8.11, by copy of the Director's February 7, 1996, letter, the staff provided a copy of your January 25, and January 30, 1996, letters to TVA. By letter dated the same date as this letter, the staff has requested that TVA respond to each of the points raised in your letters. In accordance with MD 8.11, the staff has requested that TVA provide the response by April 7, 1996. A copy of TVA's response will be provided to you.

As required by MD 8.11 the staff will keep you informed of the status of the review of your petition. The staff will place you on distribution for NRC correspondence with TVA pertaining to your petition, and any other NRC correspondence relating to the issues raised in your petition, including relevant generic letters or bulletins that are issued during the pendency of the NRC's consideration of your petition. In addition, I have requested that TVA place you on distribution for any responses to the NRC pertaining to your petition. Finally, I will notify you at least every 60 days of the status of your petition, or more frequently if significant actions occur. If you identify additional information relative to your petition, I request that you forward it to me in writing as soon as possible.

In accordance with the provisions of MD 3.53, "NRC Records Management Program," please be aware that your E-mail messages to the NRC concern agency business and, upon receipt by the NRC, become agency records. Hard copies of your E-mails are also agency records and are handled in the same manner as other correspondence received by the NRC. Agency records pertaining to a specific facility are usually placed in the appropriate docket file and the

Local and central public document rooms unless information contained in the record can be withheld under law or NRC policy. Thus, your E-mail messages that are not withholdable under either law or NRC policy are being placed in the docket file and public document rooms.

Original signed by

Frederick J. Hebdon, Director
Project Directorate II-3
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket No. 50-390

Enclosure: MD 8.11

DISTRIBUTION (RELATING TO GT-0000984, 2.206 ACKNOWLEDGMENT LTR DATED 2/7/96):

Docket File (50-390)

PUBLIC

EDO# 0000984

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DOCUMENT NAME: G:FLMLTR.LBM

*see previous concurrence

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NAME	Bclayton	PTam	FHebdon	FHebdon	LMarsh	RHoefling
DATE	02/27/96	02/28/96	02/11/96	02/11/96	02/7/96	02/28/96
OFFICE	DRPE:DD	DRPE:DD	ADP	ADP	NRR	
NAME	JZwolinski	SVarga	RZimmerman	RZimmerman	WRussell	
DATE	2/29/96	2/1/96	5/7/96	5/7/96	1/96	

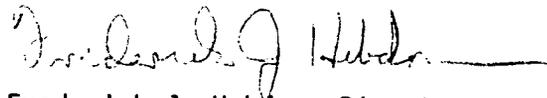
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Ms. J. Fleming

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Local and central public document rooms unless information contained in the record can be withheld under law or NRC policy. Thus, your E-mail messages that are not withholdable under either law or NRC policy are being placed in the docket file and public document rooms.



Frederick J. Hebdon, Director
Project Directorate II-3
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket No. 50-390

Enclosure: MD 8.11

Review Process for 10 CFR 2.206 Petitions

***Directive
8.11***

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Review Process for 10 CFR 2.206 Petitions Directive 8.11

Policy (8.11-01)

It is the policy of the U.S. Nuclear Regulatory Commission under Section 2.206 of Title 10 of the *Code of Federal Regulations* (10 CFR 2.206) to provide members of the public with the means to request action to enforce NRC requirements (see Part III(A) of Handbook 8.11). The Commission may deny or grant a request for enforcement action in whole or in part, and may take action which satisfies the safety concerns raised by the request, but which is not necessarily enforcement action. Requests that raise health and safety issues* without requesting enforcement action will be reviewed by means other than the 10 CFR 2.206 process. It is also the policy of NRC to ensure prompt and appropriate action upon receipt of petitions under 10 CFR 2.206, and to provide for public participation in NRC's decision-making process on 10 CFR 2.206 petitions (hereinafter referred to as "petitions").

Objectives (8.11-02)

- To provide the public with a means to bring to the NRC's attention potential health and safety issues requiring NRC enforcement action. (021)
- To ensure the public health and safety through the prompt and thorough evaluation of any potential safety problem addressed by a petition filed under 10 CFR 2.206. (022)
- To provide for meaningful participation by the petitioners and the public in the activities of NRC and the licensees related to the 10 CFR 2.206 petition process. (023)

*This term does not exclude issues related to other types of NRC regulatory requirements, such as environmental or antitrust requirements applicable to licensees.

Office of the General Counsel (OGC)
(033) (continued)

under 10 CFR 2.206, prepares a draft *Federal Register* notice and a draft letter of acknowledgment to the petitioner. Forwards these documents to the assigned program office director. (a)

- Advises on whether criteria for informal public hearings are met. (b)
- Reviews and indicates whether it has a legal objection to the issuance of all 2.206 acknowledgment letters and director's decisions. (c)
- Coordinates with the program office in drafting portions of director's decisions addressing legal issues raised by the petition. (d)
- Reviews all correspondence written in connection with the petition for legal sufficiency. (e)
- Gives advice to the EDO, office directors, and staff on all 2.206 matters. (f)

**Director, Office of Nuclear Reactor
Regulation (NRR)**
(034)

Provides the EDO a monthly status report of all NRC pending petitions.

**Director, Office of Information
Resources Management (IRM)**
(035)

Provides electronic bulletin board system (BBS) hardware, software, and communication services support for making information publicly available on the status of the petitions.

Office Directors
(036)

- Have overall responsibility for assigned petitions. (a)
- Approve or sign all documents pertaining to 2.206 actions. (b)

Office Directors
(036) (continued)

- When “Notification of Issuance of a Director’s Decision” is formally made to the Secretary of the Commission, ensure that the notification also addresses that the petition met the criteria for an informal public hearing where that is the case, indicates whether a hearing was held, and provides any specific results of the informal public hearing (new information presented, agreements reached with petitioner, etc.). The additional notifications to the Commission serve to highlight the heightened level of interest in the specific 2.206 petition and its special consideration during its evaluation. (j)

Regional Administrators
(037)

- Refer any 2.206 petitions they may receive to the EDO. (a)
- Ensure that OI or OIG is promptly notified of any allegations of suspected wrongdoing contained in petitions they may receive. (b)
- Ensure that the priority assigned to an OI or OIG investigation is in accordance with Commission-approved guidance specified in MD 8.8. (c)
- As needed, provide support and information for the preparation of an office director’s response to a 2.206 petition. (d)

Petition Manager
(038)

- Coordinates the 2.206 package, serves as the NRC point of contact with the petitioner, works closely with the OGC case attorney, and monitors the progress of any OI investigation and related enforcement actions. (a)
- Prepares the initial draft of the decision on the petition for the office director’s consideration, including coordination with the appropriate staff supporting the review. (b)
- Ensures appropriate documentation of all 10 CFR 2.206 petition determinations, including the determination on whether an informal public hearing is offered. (c)

References

(8.11-07) (continued)

NRC Enforcement Manual (Office of Enforcement).

NRC Management Directive 3.5, "Public Attendance at Certain Meetings Involving the NRC Staff."

— 8.8, "Management of Allegations."

Nuclear Regulatory Commission Issuances, published quarterly as NUREG-0750.

***Review Process for
10 CFR 2.206 Petitions***

***Handbook
8.11***

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Part I

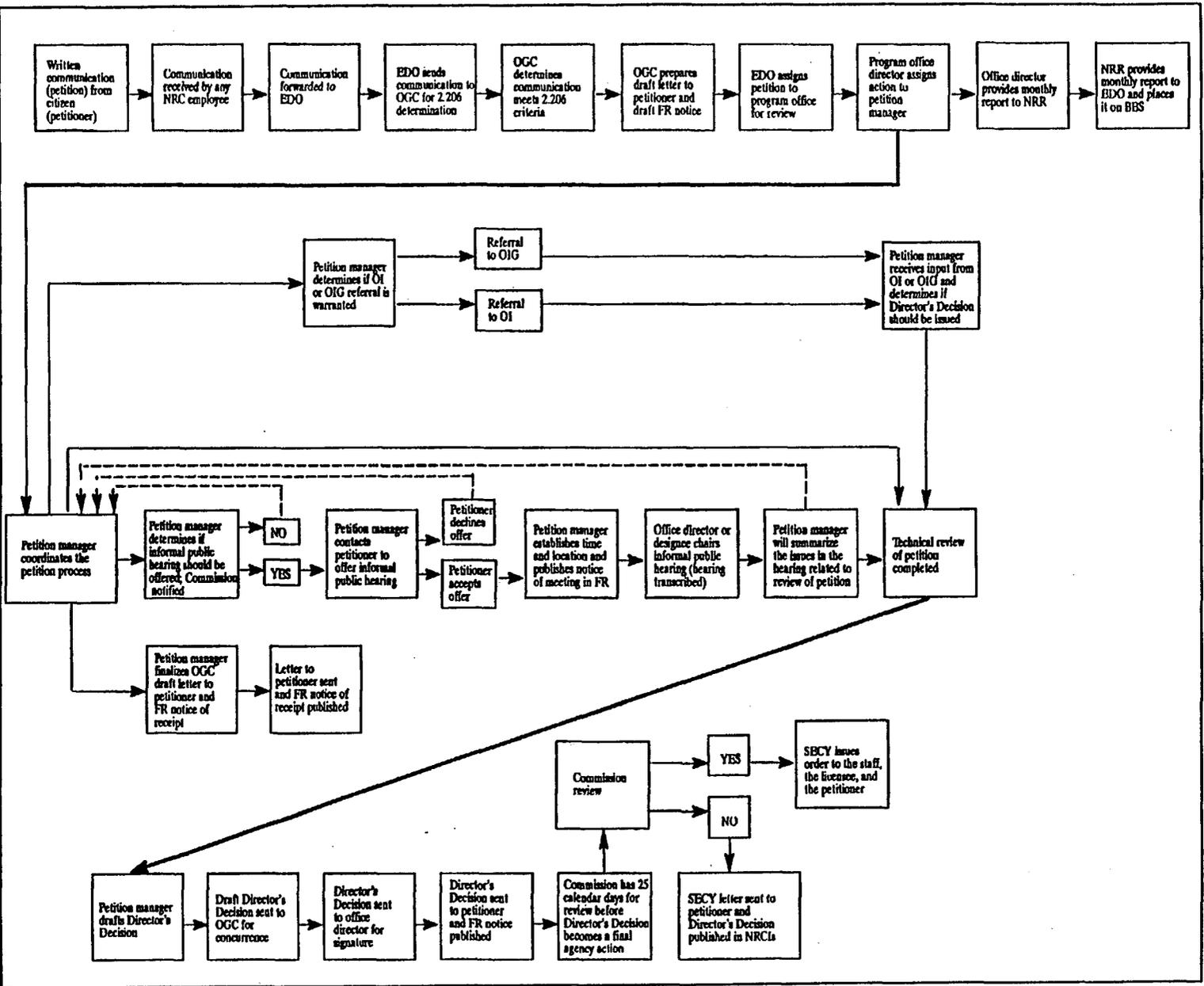
Introduction

Section 2.206 of Title 10 of the *Code of Federal Regulations* (10 CFR 2.206) has been a part of the Commission's regulatory framework since the Commission was established in 1975. Section 2.206 permits any person to file a petition to request that the Commission institute a proceeding to take enforcement action. (A)

Section 2.206 provides a formal procedure that allows any person to file a request to institute such a proceeding and requires that the petition be submitted in writing and provide sufficient grounds for taking the proposed action. General opposition to nuclear power or a general assertion of a safety problem, without supporting facts, should not be treated as a formal petition under 10 CFR 2.206. These requests should be treated as routine correspondence. The petition must request that a license be modified, suspended, or revoked, or that other appropriate enforcement action be taken and must provide sufficient facts that constitute the bases for taking the particular action. (B)

After NRC receives a petition, it is assigned to the director of the appropriate program office for evaluation and response. The filing of a petition does not automatically initiate a hearing and, in the past, hearings associated with 2.206 petitions have been rare. The official response is a written decision of the office director that addresses the issues raised in the petition. The director's decision can grant, partially grant, or deny the petition. The Commission may, on its own initiative, review the director's decision to determine if the director has abused his or her discretion, but no petition or other request for Commission review of the director's decision will be entertained by the Commission. (C)

Historically, the NRC has granted petitions in whole or in part on only about 10 percent of petitions submitted to the agency. This practice has led to a longstanding public perception that the NRC was unresponsive to 2.206 petitions. Therefore, because of the importance of the 2.206 process as a mechanism for the public to bring concerns to the NRC's attention and seek



Process for Reviewing Petitions Submitted Under 10 CFR 2.206

Acknowledgment of the Request and Preparation of the Federal Register Notice (A) (continued)

Office Directors (3)

The assigned office director will sign and issue the final version of the acknowledgment letter and the *Federal Register* notice by the date specified for the action. The action will remain active until the final director's decision is made. (a)

The office director will ensure that the appropriate licensee is sent a copy of the acknowledgment letter and a copy of the incoming request at the same time as the petitioner. If appropriate, the licensee will be requested to provide a response to the NRC on the issues specified in the petition, usually within 60 days. When an unannounced technical inspection or an Office of Investigations (OI) investigation is involved, the staff will not release information that (1) would indicate to the licensee or the public that an unannounced technical inspection or an OI investigation will be undertaken or (2) would undermine the inspection or the investigation. The decision to release information to the licensee in this case shall be made by the director of the assigned office. If the licensee is to be asked to respond to the petition, inform the petitioner in the acknowledgment letter and indicate that a copy of the licensee's response will be forwarded to the petitioner when it is received. All acknowledgment letters are to be signed by the office director. (b)

In addition, on each petition, the office director should consider the need to ensure, as much as practicable, objectivity in the evaluation of the petition when assigning personnel to review it. The director will give special attention to those petitions that would be evaluated by the same staff who previously addressed the matter that is again at issue. In the director's decision, the office director will ensure that the evaluation addresses and is responsive to the concerns and issues expressed in the petition. (c)

Petition Manager (4)

The petition manager should ensure that the petitioner receives copies of all NRC correspondence with the licensee pertaining to the petition by placing the petitioner on distribution for all relevant NRC

Acknowledgment of the Request and Preparation of the *Federal* Register Notice (A) (continued)

Petition Manager (4) (continued)

If the petition contains a request for immediate enforcement action by the NRC, such as a request for immediate suspension of facility operation until final action is taken on the request, the acknowledgment letter must respond to the immediate action requested. If the immediate action is denied, the staff must explain the basis for the denial in the acknowledgment letter. The petitioner will not be advised of any wrongdoing investigation being conducted by OI. (c)

Updating the Status of Petitions on the Electronic Bulletin Board System (BBS) (B)

The assigned office director or designee will provide information monthly on the status of each open petition to the Director, Office of Nuclear Reactor Regulation (NRR) or a designee. This information will be provided upon receipt of the petition package from OGC and updated during the first week of each month. The monthly updates will list all correspondence on the petition and provide a brief statement on the status of the petition. The Director, NRR, will combine all reports and prepare a monthly status report of all open petitions to the EDO. (1)

The monthly EDO status report on all open petitions will be placed on the BBS. A summary of all petitions closed for each calendar year will also be placed on the BBS. (2)

The final version of the director's decision will be placed on the BBS. (3)

If the information on the status of the petition is "sensitive" information that may need to be protected from disclosure, such as safeguards or facility security information, proprietary or confidential commercial information, information relating to an ongoing investigation of wrongdoing or enforcement actions under development, or information about referral of matters to the Department of Justice, the petition manager should ensure that this information is protected from disclosure and not placed on the BBS. (4)

U.S. NUCLEAR REGULATORY COMMISSION

DIRECTIVE TRANSMITTAL

TN: DT-95-26

To: NRC Management Directives Custodians

Subject: Transmittal of New Management Directive 8.11, "Review Process for 10 CFR 2.206 Petitions"

Purpose: Directive and Handbook 8.11 are being revised in their entirety to include the Commission's directive in COMIS-95-002, dated May 19, 1995, and to incorporate NRC comments from the Offices of Nuclear Reactor Regulation and Enforcement.

Office and Division of Origin: Office of Nuclear Reactor Regulation
Division of Reactor Projects I/II

Contact: Mohan C. Thadani, 415-1476

Date Approved: Approved September 23, 1994 (Revised December 12, 1995)

Volume: 8 Licensee Oversight Programs

Directive: 8.11 "Review Process for 10 CFR 2.206 Petitions"

Availability: U.S. Government Printing Office, (202) 512-2409

Criteria for Reviewing Petitions Under 10 CFR 2.206 (A) (continued)

- Incoming correspondence does not ask for an enforcement action against a licensee or fails to provide sufficient supporting facts to constitute a 2.206 petition but simply alleges wrongdoing, violations of NRC regulations, or existence of safety concerns. These assertions will be treated as allegations and referred for appropriate action in accordance with Management Directive (MD) 8.8. (a)

CAUTION: If a petitioner's request does not meet the criteria for consideration under 10 CFR 2.206, the petition manager will write to the petitioner explaining why the request is not being reviewed under 10 CFR 2.206.

- A request to reconsider or reopen a previous enforcement action will not be treated as a 2.206 petition if it does not present significant new information that indicates that the previous enforcement action was in error as provided in the enforcement policy (NUREG-1600). (b)
- A request under 10 CFR 2.206 should be distinguished from a request to deny a pending license application or amendment. The latter type of request should initially be addressed within the relevant licensing action, not under 10 CFR 2.206. (c)

Criteria for Consolidating Petitions (B)

In general, all requests submitted by different individuals will be treated and evaluated separately. When two or more petitions request the same action, specify the same bases, provide adequate supporting information, and are submitted at about the same time, the staff will consider the benefits of consolidating the petitions against the potential of diluting the importance of any petition. If the staff believes that consolidation is appropriate, the assigned office director will determine whether to consolidate the petitions.

Criteria for Informal Public Hearings (C)

For petitions meeting the criteria specified in this part, the NRC will offer the petitioner an opportunity for an informal public hearing. An

Criteria for Informal Public Hearings (C) (continued)

- The petition provides new information with reasonable supporting facts that raises the potential for a significant safety issue. For *nuclear reactors*, a significant safety issue is an issue that, if validated, could lead to an occupational exposure dose equivalent exceeding 10 rem, could cause significant core damage, or could otherwise result in a significant reduction of protection of public health and safety. For *nuclear materials licensees*, a significant safety issue is an issue that, if validated, could result in an occupational exposure dose equivalent exceeding 10 rem, or could otherwise result in a significant reduction of protection of public health and safety. The information is considered “new” if one of the following applies: (b)
 - The petition presents a significant safety issue not previously evaluated by the staff. (i)
 - The petition presents new information on a significant safety issue previously evaluated. (ii)
 - The petition presents a new approach for evaluating a significant safety issue previously evaluated and, on preliminary assessment, the new approach appears to have merit and to warrant reevaluation of a significant safety issue previously evaluated. (iii)
- The petition alleges violations of NRC requirements involving a significant safety issue (which usually would include nearly all Severity Level I, most Severity Level II, and possibly some Severity Level III violations under the Commission’s enforcement policy) for which new information or a new approach has been provided and presents reasonable supporting facts that tend to establish that the violation occurred. (c)

- To the extent practicable, informal public hearings held outside the Washington, D.C., area should be scheduled for evening hours to facilitate public attendance. As a general rule, the hearing should not exceed 3 hours. (3)
- The NRC will publish a notice of the informal public hearing in the *Federal Register* 30 days in advance of the hearing. When published in the *Federal Register*, the notice also will be placed on the bulletin board system (BBS) for access by those members of the public who use the BBS to obtain information on the status of the petition. (4)
- The petition manager also will ensure that the scheduled informal public hearing is included in the Public Meeting Notice System, as provided in Management Directive (MD) 3.5, "Public Attendance at Certain Meetings Involving the NRC Staff," and will notify the Office of Public Affairs. (5)
- All informal public hearings will be transcribed, and the transcript will be publicly available. (6)
- The informal public hearing will be chaired by the NRC office director responsible for addressing the petition, or by a designee. (7)
- The informal public hearing will be a public meeting, the purpose of which is to obtain additional information from the petitioner, the licensee, and the public for NRC staff use in evaluating the petition. It is not a forum for the staff to offer any preliminary decisions on the evaluation of the petition. The Chairperson will have the final authority to determine the conduct of the hearing. (8)
- The meeting format will be as follows: (9)
 - The NRC staff representative who chairs the meeting will provide a brief summary of the 2.206 process, the purpose of the informal public hearing, and the petition. (a)
 - The petitioner will then be allowed a reasonable amount of time (approximately 30 minutes) to articulate the basis for the petition. (b)
 - The NRC staff will then have an opportunity to ask the petitioner questions for purposes of clarification. (c)
 - The licensee will then be allowed a reasonable amount of time (approximately 30 minutes) to address the issues raised in the petition. (d)

Part V

Staff Actions

General (A)

After receiving the 2.206 petition, the staff should immediately begin to evaluate the petition and determine if the schedule is reasonable. A goal is to issue the director's decision or partial director's decision within 120 days from the date of issuance of the acknowledgment letter. This date is tracked by the Office of the Executive Director for Operations (OEDO), and any change of the date requires approval by the OEDO. When more time is needed (e.g., when an Office of Investigations (OI) investigation is required or an informal public hearing is indicated), the assigned office director should determine the need for an extension of the schedule and will request the extension from the OEDO. If this goal cannot be met, then the office director or a designee will promptly contact the petitioner explaining the reason(s) for the delay and will maintain a record of such a contact. If there is a suspicion of wrongdoing on the part of licensees, their contractors, or their vendors, OI should be notified immediately. If there is a suspicion of wrongdoing involving an NRC employee, NRC contractors, or NRC vendors, the Office of the Inspector General (OIG) should be notified immediately. (1)

The petition manager is responsible for coordinating all information required from the professional staff within his or her organization and other organizations, and from OI and/or OIG if a wrongdoing issue is under consideration, and for working closely with the Office of the General Counsel (OGC). In addition, the petition manager is responsible for ensuring that the petitioner is notified at least every 60 days of the status of the petition, or more frequently if significant actions occur. The status report to the petitioner will not indicate (a) an OI investigation is underway, unless approved by the Director, OI; (b) the matter has been referred to the Department of Justice (DOJ); or (c) the specific enforcement action taken regarding the matter under consideration. (2)

Director's Decision (B) (continued)

When all 2.206 concerns have been satisfactorily addressed, the petition manager will submit a completed decision to his or her management for review. After management's review, the petition manager will incorporate any proposed revisions in the decision. If the decision is based on or references a completed OI investigation, OI must concur with the accuracy and characterization of the OI findings and conclusions that are used in the decision before OGC reviews it. The petition manager will submit a complete decision for OGC management's legal review. Two weeks will be allowed for OGC management to complete its initial legal review, with additional time allowed depending on the length of the decision and its complexity. (5)

The petition manager will incorporate revisions to address OGC's comments and submit the revised decision to his or her management and OGC management for final review. Eight working days will be allowed for final management review by OGC and the finding of "no legal objection" by OGC before the decision is signed by the assigned office director. (6)

Any differences between the assigned office and OGC regarding the scope, format, level of detail, or other issues must be identified and resolved early in the process of preparing a decision. If the petition manager and the OGC case attorney cannot resolve a matter, it should be presented to the management of the assigned office and OGC for resolution. (7)

No changes will be made to the package after the office director has approved and/or signed all documents in the package. (8)

The petition manager will prepare and submit to the office director or designee a monthly status report on 2.206 petitions that will be made available in the PDR and placed on the electronic bulletin board system (BBS). All office directors assigned the petitions will prepare a monthly report of the status of pending petitions and will forward it to the Director, Office of Nuclear Reactor Regulation (NRR). The Director, NRR, will combine all reports in a monthly report to the EDO, and will provide a copy of the monthly report to the BBS operator for placement on the BBS. (9)

Denial of the Petition (D)

Upon denial of the petition in whole or in part, the assigned office should prepare a "Director's Decision Under 10 CFR 2.206" that explains the basis for the denial and discusses all matters raised by the petitioner in support of the request. The office director will send a letter to the petitioner transmitting the director's decision, along with a *Federal Register* notice explaining that the request has been denied. Copies to the licensee and individuals on the service list will be dispatched simultaneously with the petitioner's copy.

CAUTION: If an OI investigation is completed either before granting or denial of the petition, the petition manager should contact OI and OE to coordinate NRC's actions when the wrongdoing matter has been referred to the DOJ. It may be necessary to withhold action on the petition in keeping with the memorandum of understanding with DOJ.

Distribution (E)

A decision under 10 CFR 2.206 consists of a letter to the petitioner, the director's decision, and the *Federal Register* notice. The petition manager will contact the OGC enforcement attorney's office to obtain a director's decision number (i.e., DD-YEAR-00). A director's decision number is assigned to each director's decision in numerical sequence. This number is typed on the letter to the petitioner, the director's decision, and the *Federal Register* notice. (1)

The *Federal Register* notice will be signed by the assigned office director and will include the complete text of the director's decision or cite that the director's decision will be available on BBS. After the *Federal Register* notice is signed, it should be forwarded to the Rules Review and Directives Branch, Office of Administration (RRDB/ADM), for transmittal to the Office of the Federal Register for publication. (2)

The package for publication must include the signed original document, five paper copies, and a copy of the document on a 3.5-inch diskette in WordPerfect. Questions regarding format or preparation of the notice should be directed to RRDB on (301)415-7158. (3)

The administrative staff of the assigned office will review the 10 CFR 2.206 package before it is dispatched and will properly distribute copies. The administrative staff also will perform the following actions on the day the director's decision is issued: (4)

Distribution (E) (continued)

Forward an electronic copy of the director's decision to the electronic BBS operator. (8)

Although 2.206 actions are controlled as green tickets, use the following guidelines when distributing copies internally and externally: (9)

- The original 2.206 petition and any enclosure(s) will accompany the Docket or Central File copy of the first response (acknowledgment letter). Copies are issued to the appropriate licensees and individuals on their docket service lists. (a)
- When action on a 2.206 petition is completed, the petition manager should ensure that all publicly releasable documentation is placed in the PDR, LPDR, and NUDOCS. (b)
- The distribution list should include appropriate individuals and offices as determined by the assigned office. (c)

Commission Actions (F)

SECY will inform the Commission of the availability of the director's decision. The Commission, at its discretion, may review the director's decision within 25 days of the date of the decision and may direct the staff to take some other action than that in the director's decision. If the Commission does not act on the director's decision within 25 days, the director's decision becomes the final agency action and a SECY letter is sent to the petitioner informing the petitioner that the Commission has taken no further action on the petition.