Enclosure 1
ML103410230
Monthly 10 CFR 2.206, "Requests for Action Under this Subpart" Status Report

PETITIONS CLOSED DURING THIS PERIOD		
FACILITY	**PETITIONER/EDO No.**	**Page**
None		
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Crystal River Nuclear Generating Plant, Unit 3	Thomas Saporito G20090690	3
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FACILITY: Indian Point (IP), Units 2 & 3; Vermont Yankee Nuclear Power Station; River Bend Nuclear Power Plant
LICENSEE TYPE: Reactor
PETITIONER: Sherwood Martinelli

OPEN PETITION
EDO # G20090487

DATE OF PETITION:	**AUGUST 22, 2009**
DIRECTOR'S DECISION (DD) TO BE ISSUED BY:	**NRR**
PROPOSED DD ISSUANCE:	**JANUARY 21, 2011**
FINAL DD ISSUANCE:	**N/A**
LAST CONTACT WITH PETITIONER:	**NOVEMBER 1, 2010**
PETITION MANAGER:	**DOUG PICKETT**
CASE ATTORNEY:	**N/A**

ACTIONS REQUESTED AND ISSUES

The petitioner requests that the NRC suspend the operations of Entergy owned plants, (specifically for Indian Point Units 2 (IP2) and 3 (IP3), Vermont Yankee Nuclear Station, and River Bend Nuclear Power Plant) until Entergy brings the decommissioning funds for all of its licensed nuclear reactors to the adequate minimum levels required by the NRC regulations.

BACKGROUND, ACTIONS & KEY MILESTONES	
The petitioner filed a petition for an enforcement action under 10 CFR 2.206.	08/22/09
For a complete summary of NRC actions prior to 12/17/09, please refer to the August 2010 monthly status report (ML102510120).	12/17/09
On December 17, 2009, the PRB issued an acknowledgement letter to the petitioner, accepting the petition in part for review for Vermont Yankee Nuclear Station and River Bend Nuclear Power Plant, under 10 CFR 2.206 (ADAMS Accession No. ML093440334).	12/17/09
On December 22, 2009, the petitioner provided supplemental information in support of his petition by email.	12/22/09
On December 28, 2009, Mr. Martinelli submitted an email to the NRC, which was tracked under G20090722 (now a closed petition). In G20090722, Mr. Martinelli referenced his petition of August 22, 2009 (G20090487) and voiced objections to the PRB denying his petition with respect to Indian Point.	12/28/09

CURRENT STATUS AND NEXT STEPS PETITION AGE: ~15 MONTHS	
• The PRB met internally on January 14, 2010, and concluded that in accordance with MD 8.11, Mr. Martinelli's email dated December 28, 2009 (G20090722), would be better handled as a supplement to G20090487. Therefore, the information provided in G20090722 will be reviewed as a supplement to G20090487. The OEDO has terminated G20090722.	01/14/10
• On March 2, 2010, the OEDO approved an extension request until May 28, 2010, to support the NRC's staff's resolution of decommissioning funding issues.	03/02/10
• On May 14, 2010, the OEDO approved an extension request until August 20, 2010, to support the NRC staff's resolution of decommissioning funding issues.	05/14/10
• On July 26, 2010, the OEDO approved an extension request until January 21, 2011, to support the NRC staff's resolution of decommissioning funding issues.	07/26/10
• On September 2, 2010, the petition manager informed the petitioner of the schedule change.	09/02/10

FACILITY: Crystal River Nuclear Generating Plant, Unit 3
LICENSEE TYPE: Reactor
PETITIONER: Thomas Saporito

U.S.NRC
UNITED STATES NUCLEAR REGULATORY COMMISSION

OPEN PETITION
EDO # G20090690

DATE OF PETITION:	**DECEMBER 5, 2009**
DIRECTOR'S DECISION (DD) TO BE ISSUED BY:	**NRR**
PROPOSED DD ISSUANCE:	**JUNE 3, 2011**
FINAL DD ISSUANCE:	**N/A**
LAST CONTACT WITH PETITIONER:	**NOVEMBER 23, 2010**
PETITION MANAGER:	**FARIDEH SABA**
CASE ATTORNEY:	**MICHAEL CLARK**

ACTIONS REQUESTED AND ISSUES

For reasons specified within the petition request, the petitioner requests that the NRC take enforcement action against Progress Energy Company, the licensee for Crystal River Nuclear Generating Plant, Unit 3, in the interest of protecting the public health and safety regarding the structural failure of the Crystal River, Unit 3, containment building.

BACKGROUND, ACTIONS & KEY MILESTONES	
The petitioner filed a petition for an enforcement action under 10 CFR 2.206.	12/05/09
On December 9, 2009, the petition manager contacted the petitioner (by telephone and email) to discuss the 2.206 process. The petitioner informed the petition manager by email that he requested an opportunity to address the PRB by telephone before the PRB meets to make the initial recommendation to accept or reject the petition for review under 10 CFR 2.206. A call is scheduled with the petitioner on January 7, 2010.	12/09/09
On December 11, 2009, the OEDO approved an extension request until March 8, 2010, to support the PRB with scheduling of the initial telephone phone call with the petitioner, the PRB internal meetings, a possible second presentation by the petitioner to the PRB by phone, and issuance of the acknowledgement letter.	12/11/09
On January 7, 2010, the petitioner addressed the PRB by telephone to provide additional information in support of the petition.	01/07/10
On January 21 and February 1, 2010, the PRB met internally and made an initial recommendation to accept the petition for review, in part.	01/21/10 & 02/1/10
On February 3, 2010, the petitioner was informed of the PRB's initial recommendation and offered a second opportunity to address the PRB.	02/03/10
On February 12, 2010, the petitioner declined the opportunity to address the PRB.	02/12/10

CURRENT STATUS AND NEXT STEPS PETITION AGE: ~12 MONTHS	
• On March 4, 2010, the PRB issued an acknowledgement letter (ADAMS Accession No. ML100471416) to the petitioner. The acknowledgement letter conveyed the final recommendation to accept the petition for review, in part.	03/04/10
• On June 24, 2010, the OEDO approved an extension request until December 4, 2010, to permit additional time for the staff to issue the Proposed Director's Decision. An extension was needed because of the complexity of the activities that need to be completed by the licensee and for the NRC to review and evaluate these actions. The petition manager informed the petitioner of this change on June 24, 2010.	06/24/10
• In an email dated October 17, 2010, the petitioner requested another opportunity to present additional information to the PRB as a direct result of information shared during a NRC public meeting held with the licensee on June 30, 2010. In accordance with MD 8.11, the petition manager informed the petitioner that additional information should be submitted in writing to the EDO for PRB consideration. If the PRB determines that a call is warranted with the petitioner to clarify any additional information provided, a conference call will be coordinated. To date, the petitioner has not provided any new information to the EDO for PRB consideration.	10/17/10
• On November 23, 2010, the OEDO approved an extension request until June 3, 2011, to permit additional time for the staff to issue the Proposed Director's Decision. The petition manager informed the petitioner of this change on November 23, 2010.	11/23/10

FACILITY: U.S. Army Installation Command
LICENSEE TYPE: Materials
PETITIONER: Isaac Harp

OPEN PETITION
EDO # G20100136

DATE OF PETITION:	**MARCH 4, 2010**
DIRECTOR'S DECISION (DD) TO BE ISSUED BY:	**FSME**
PROPOSED DD ISSUANCE:	**JANUARY 28, 2011**
FINAL DD ISSUANCE:	**N/A**
LAST CONTACT WITH PETITIONER:	**OCTOBER 20, 2010**
PETITION MANAGER:	**KENNETH KALMAN**
CASE ATTORNEY:	**N/A**

NO IMAGE AVAILABLE

ACTIONS REQUESTED AND ISSUES

For detailed reasons described in the petition, the petitioner filed a Notice of Appeal in the matter of the Atomic Energy Safety and Licensing Board Memorandum and Order (Denying Requests for Hearing) (LBP-10-04), US Army Installation Command, Docket No. 40-9083, served February 24, 2010. In the Notice of Appeal, the petitioner requested that the NRC take enforcement action by initiating an investigation into a potential violation of License SUB-459 and if it is determined that a violation has occurred to apply the full penalty permissible by law. In addition, the petitioner requests that any monetary fines should go toward environmental remediation of depleted uranium contamination at Schofield and Pohakuloa, if the law provides for such action.

BACKGROUND, ACTIONS & KEY MILESTONES	
The petitioner filed a petition for a Notice of Appeal, which was referred to the 10 CFR 2.206 process for review.	03/04/10
On March 25, 2010, the petition manager contacted the petitioner to discuss the 10 CFR 2.206 process and offered the petitioner an opportunity to provide additional information to the PRB. The petitioner accepted this opportunity to address the PRB by telephone.	03/25/10
On April 14, 2010, the petitioner addressed the PRB by telephone to provide additional information in support of the petition.	04/14/10
On April 14, 2010, the PRB met internally to make the initial recommendation. The PRB's initial recommendation was that the petition met the criteria for review, as provided by 10 CFR 2.206.	04/14/10
On April 22, 2010, the petition manager nformed the petitioner of the PRB's initial recommendation. The petitioner was offered a second opportunity to address the PRB and declined. Since no new information was provided, the initial recommendation by the PRB became the final recommendation.	04/22/10

CURRENT STATUS AND NEXT STEPS PETITION AGE: ~9 MONTHS	
• On April 26, 2010, the PRB issued an acknowledgement letter (ADAMS Accession No. ML101100139) to convey the PRB's final recommendation to accept the petition for review under 10 CFR 2.206.	04/26/10
• On June 28, 2010, the petition manager updated the petitioner on the status of the petition review via telephone and followed up the phone conversation with a summary email of the conversation dated June 28, 2010, per the petitioner's request. The petitioner confirmed receipt of the summary email on June 29, 2010.	06/28/10
• On July 30, 2010, the OEDO approved an extension request until January 28, 2011, to support the NRC's ability to obtain additional information from the U.S. Army.	07/30/10
• By a teleconference and emails dated August 24, 2010 and October 13, 2010, the petition manager notified the petitioner that the PRB needed additional information from the Army and was working to obtain it. Although not related to the 2.206 request, by email dated October 20, 2010, and prior teleconference, the petition manager also informed the petitioner that a technical meeting between the NRC and the Army was scheduled for October 29, 2010, to discuss matters related to licensing actions and that the petitioner was welcome to participate in this meeting in person or by teleconference.	10/20/10

FACILITY: Vermont Yankee Nuclear Power Station
LICENSEE TYPE: Reactor
PETITIONER: Representative Paul W. Hodes

U.S.NRC
UNITED STATES NUCLEAR REGULATORY COMMISSION

OPEN PETITION
EDO # G20100235

DATE OF PETITION:	**APRIL 19, 2010**
DIRECTOR'S DECISION (DD) TO BE ISSUED BY:	**NRR**
PROPOSED DD ISSUANCE:	**NOVEMBER 18, 2010**
FINAL DD ISSUANCE:	**FEBRUARY 3, 2011**
LAST CONTACT WITH PETITIONER:	**NOVEMBER 18, 2010**
PETITION MANAGER:	**JOHN BOSKA**
CASE ATTORNEY:	**MOLLY BARKMAN**

ACTIONS REQUESTED AND ISSUES

For detailed reasons described in the petition, the petitioner requested that the NRC prevent Entergy, the licensee for Vermont Yankee Nuclear Power Station, from resuming power production after its scheduled refueling outage until several efforts (as described in the petition) have been completed to the NRC Commission's satisfaction.

BACKGROUND, ACTIONS & KEY MILESTONES		CURRENT STATUS AND NEXT STEPS PETITION AGE: ~8 MONTHS	
The petitioner submitted a letter to the Honorable Gregory B. Jaczko to request that the NRC not allow Vermont Yankee to restart after its scheduled refueling outage until all environmental remediation work and relevant reports on leaking tritium at the plant have been completed. Since the letter requested an enforcement action against Entergy, the letter was referred by the Office of the Secretary to the 10 CFR 2.206 process.	04/19/10	• On May 4, 2010, the petition manager informed the petitioner of the initial recommendation and offered a second opportunity to address the PRB. The petitioner declined. Thus the initial recommendation became the final recommendation.	05/04/10
On April 29, 2010, the Office of Congressional Affairs confirmed that the petitioner was in agreement with the NRC's approach to process the letter in accordance with the 10 CFR 2.206 process. In a subsequent discussion with the petition manager, the petitioner declined an opportunity to address the PRB before it met internally to make the initial recommendation.	04/29/10	• On May 14, 2010, the petitioner submitted a supplement to the petition (ADAMS Accession No. ML101370031).	05/14/10
On May 3, 2010, the PRB met internally to discuss the petition. The PRB's initial recommendation was that the petition met the criteria for review and should be accepted for review under the 10 CFR 2.206 process.	05/03/10	• On May 20, 2010, the EDO issued an acknowledgement letter (ADAMS Accession No. ML101310049) to convey the PRB's final recommendation to accept the petition for review under 10 CFR 2.206.	05/20/10
		• On June 16, 2010, the petitioner submitted a letter to NRC Chairman Jaczko after learning of recent reports of leaking radioactive water at Vermont Yankee.	06/16/10
		• On June 18, 2010, the NRC's Office of Congressional Affairs confirmed that Representative Paul Hodes wanted the June 16, 2010, letter treated as additional information in support of his April 19, 2010, petition request.	06/18/10
		• On September 3, 2010, the OEDO approved an extension until November 12, 2010, to support the PRB's ability to coordinate with Region I, prior to issuing the Proposed Director's Decision.	09/03/10
		• On September 8, 2010, the petition manager informed Congressman Hodes' staff of the extension.	09/08/10
		• On November 18, 2010, the Proposed Director's Decision was issued to the petitioner and the licensee for comment (ADAMS Accession No. ML101250260). A final Director's Decision will be issued by February 3, 2011.	11/18/10

FACILITY: Vermont Yankee Nuclear Power Station
LICENSEE TYPE: Reactor
PETITIONER: Michael Mulligan

U.S.NRC
UNITED STATES NUCLEAR REGULATORY COMMISSION

OPEN PETITION
EDO # G20100027

DATE OF PETITION:	**JANUARY 12, 2010**
DIRECTOR'S DECISION (DD) TO BE ISSUED BY:	**NRR**
PROPOSED DD ISSUANCE:	**JANUARY 21, 2011**
FINAL DD ISSUANCE:	**N/A**
LAST CONTACT WITH PETITIONER:	**OCTOBER 26, 2010**
PETITION MANAGER:	**JAMES KIM**
CASE ATTORNEY:	**MOLLY BARKMAN**

ACTIONS REQUESTED AND ISSUES

The petitioner believes that the radioactive leak at Vermont Yankee poses risks to human health and environment and he requests that Vermont Yankee be immediately shutdown and all leaking paths be isolated. The petitioner also requests that Vermont Yankee discloses its preliminary "root cause analysis" and that the NRC releases its preliminary investigative report on this before plant start-up.

BACKGROUND, ACTIONS & KEY MILESTONES		CURRENT STATUS AND NEXT STEPS PETITION AGE: ~10 MONTHS	
The petitioner filed a petition for an enforcement action under 10 CFR 2.206.	01/12/10	• On February 26, 2010, the PRB obtained approval from the NRR Office Director to consolidate this petition with similar Vermont Yankee 2.206 petitions from Mr. Shadis (G20100074) and Mr. Saporito (G20100098) in accordance with MD 8.11, "Criteria for Consolidating Petitions." The petition manager notified each Vermont Yankee petitioner of the PRB's decision to consolidate all of the similar VY 2.206 petitions.	02/26/10
On January 15, 2010, the petition manager contacted the petitioner by email to discuss the 10 CFR 2.206 process and offer the petitioner an opportunity to address the PRB. On January 20, 2010, the petitioner accepted this opportunity to address the PRB.	01/15/10		
On January 25, 2010, the petitioner addressed the PRB by telephone.	01/25/10		
On February 1 and 4, 2010, the PRB met internally to consider the additional information received and to make an initial recommendation. The PRB's initial recommendation is that the petition meets the criteria for rejection because the issue raised has already been the subject of NRC staff review, and a resolution has been achieved.	02/01/10 & 02/04/10	• The PRB was still evaluating the additional information provided by the petitioner, before it reached a final recommendation.	03/30/10
		• On April 12, 2010, the OEDO approved an extension until July 15, 2010, to issue the acknowledgement letter.	04/12/10
On February 12, 2010, the petition manager informed the petitioner of the PRB's initial recommendation. The petitioner requested a second opportunity to address the PRB.	02/12/10	• On June 25, 2010, the NRC issued an acknowledgement letter (ADAMS Accession No. ML101450004), accepting the petition for review, in part.	06/25/10
		• On October 8, 2010, the OEDO approved an extension request until January 21, 2011, to issue the Proposed Director's Decision. Additional time was needed to support NRR's ability to coordinate with Region I.	10/08//10
On February 23, 2010, the petitioner addressed the PRB by telephone to provide additional information in support of his petition. The PRB planned to evaluate the additional information provided by the petitioner, before it meets internally to make a final recommendation.	02/23/10		
		• On October 26, 2010, the petition manager informed the petitioner of the change in the Proposed Director's Decision due date.	10/26/10

FACILITY: Vermont Yankee Nuclear Power Station
LICENSEE TYPE: Reactor
PETITIONER: Raymond Shadis, New England Coalition (NEC)

OPEN PETITION
EDO # G20100074

DATE OF PETITION:	**FEBRUARY 8, 2010**
DIRECTOR'S DECISION (DD) TO BE ISSUED BY:	**NRR**
PROPOSED DD ISSUANCE:	**JANUARY 21, 2011**
FINAL DD ISSUANCE:	**N/A**
LAST CONTACT WITH PETITIONER:	**OCTOBER 26, 2010**
PETITION MANAGER:	**JAMES KIM**
CASE ATTORNEY:	**MOLLY BARKMAN**

ACTIONS REQUESTED AND ISSUES

For detailed reasons discussed within the petition request, the petitioner requested that the NRC immediately require that Vermont Yankee be placed in cold shutdown and depressurize all systems in order to slow or stop the leak. The NEC also requests that VY be held in cold shutdown until all leaks of radio-contaminants have been repaired, all buried pipes replaced, and until the affected area (of the leaks) is radiologically characterized together with a determination of its potential additional cost of remediation in decommissioning.

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BACKGROUND, ACTIONS & KEY MILESTONES	
The petitioner filed a petition for an enforcement action under 10 CFR 2.206.	02/08/10
On February 17, 2010, the PRB met to discuss the request for immediate action. The PRB did not identify any immediate health or safety concerns to warrant an immediate shutdown of Vermont Yankee. Thus the PRB denied the petitioner's request for immediate action.	02/17/10
On February 19, 2010, the petition manager informed the petitioner of the PRB's decision regarding the request for immediate action. The petitioner was also offered an opportunity to address the PRB prior to its internal meeting to make the initial recommendation. The petitioner accepted this opportunity and requested to address the PRB by telephone on March 3, 2010.	02/19/10
On February 26, 2010, the PRB obtained approval from the NRR Office Director to consolidate this petition with similar Vermont Yankee 2.206 petitions from Mr. Mulligan (G20100027) and Mr. Saporito (G20100098) in accordance with MD 811, "Criteria for Consolidating Petitions." The petition manager notified each Vermont Yankee petitioner of the PRB's decision to consolidate all of the similar VY 2.206 petitions.	02/26/10
On March 3, 2010, the petitioner addressed the PRB by telephone to provide additional information in support of the petition, prior to the PRB's internal discussion to make the initial recommendation.	03/03/10
On March 25, 2010, the PRB met internally to make the initial recommendation. The PRB determined that further internal discussions were needed to consider all aspects of the consolidated Vermont Yankee 2.206 petitions. Therefore, a subsequent internal PRB meeting was planned for April 2010 to make the initial recommendation.	3/25/10

CURRENT STATUS AND NEXT STEPS PETITION AGE: ~9 MONTHS	
• On April 22, 2010, the PRB met internally to make the initial recommendation. The PRB determined that the petition met the criteria for acceptance, in part.	04/22/10
• On April 27, 2010, the petitioner was informed of the PRB initial recommendation and requested a second opportunity to address the PRB.	04/27/10
• On May 5, 2010, the petitioner addressed the PRB by telephone.	05/05/10
• On May 10, 2010, the PRB met internally to discuss the additional information provided during the call and to make a final recommendation.	05/10/10
• On June 25, 2010, the NRC issued an acknowledgement letter (ADAMS Accession No. ML101450004), accepting the petition for review, in part.	06/25/10
• On October 8, 2010, the OEDO approved an extension request until January 21, 2011, to issue the Proposed Director's Decision. Additional time was needed to support NRR's ability to coordinate with Region I.	10/08/10
• On October 26, 2010, the petition manager informed the petitioner of the change in the Proposed Director's Decision due date.	10/26/10

FACILITY: Vermont Yankee Nuclear Power Station
LICENSEE TYPE: Reactor
PETITIONER: Thomas Saporito

OPEN PETITION
EDO # G20100098

DATE OF PETITION:	**FEBRUARY 20, 2010**
DIRECTOR'S DECISION (DD) TO BE ISSUED BY:	**NRR**
PROPOSED DD ISSUANCE:	**JANUARY 21, 2011**
FINAL DD ISSUANCE:	**N/A**
LAST CONTACT WITH PETITIONER:	**OCTOBER 26, 2010**
PETITION MANAGER:	**JAMES KIM**
CASE ATTORNEY:	**MOLLY BARKMAN**

ACTIONS REQUESTED AND ISSUES

For detailed reasons described in the petition, the petitioner requested that the NRC immediately bring the Vermont Yankee to a "cold-shut-down" mode of operation until such time as (1) the "root-cause" of the radioactive tritium leak can be determined; and (2) the tritium leak repaired and verified by an independent NRC contractor or state contractor; and (3) Licensee executives that gave false and misleading information to state officials are removed from positions of authority in the oversight and operation of Vermont Yankee.

BACKGROUND, ACTIONS & KEY MILESTONES	
The petitioner filed a petition for an enforcement action under 10 CFR 2.206.	02/20/10
On February 25, 2010, the PRB met to discuss the request for immediate action. The PRB did not identify any immediate health or safety concerns to warrant an immediate shutdown of Vermont Yankee. Thus the PRB denied the petitioner's request for immediate action.	02/25/10
On February 26, 2010, the PRB obtained approval from the NRR Office Director to consolidate this petition with similar Vermont Yankee 2.206 petitions from Mr. Mulligan (G20100027) and Mr. Shadis (G20100074) in accordance with MD 811, "Criteria for Consolidating Petitions." The petition manager has notified each Vermont Yankee petitioner of the PRB's decision to consolidate all of the similar VY 2.206 petitions.	02/26/10
On March 1, 2010, the petition manager informed the petitioner of the PRB's decision regarding the request for immediate action. The petitioner was also offered an opportunity to address the PRB prior to its internal meeting to make the initial recommendation. The petitioner accepted this opportunity and requested to address the PRB by telephone on March 8, 2010.	03/01/10
On March 8, 2010, the petitioner addressed the PRB by telephone to provide additional information in support of the petition, prior to the PRB's internal discussion to make the initial recommendation.	03/08/10
On March 25, 2010, the PRB met internally to make the initial recommendation. The PRB determined that further internal discussions were needed to consider all aspects of the consolidated Vermont Yankee 2.206 petitions. Therefore, a subsequent internal PRB meeting was planned for April 2010 to make the initial recommendation.	03/25/10

CURRENT STATUS AND NEXT STEPS PETITION AGE: ~9 MONTHS	
• On April 22, 2010, the PRB met internally to make the initial recommendation. The PRB determined that the petition met the criteria for acceptance, in part.	04/22/10
• On April 27, 2010, the petitioner was informed of the PRB initial recommendation and requested a second opportunity to address the PRB by telephone.	04/27/10
• On May 5, 2010, the petitioner addressed the PRB by telephone.	05/05/10
• On May 10, 2010, the PRB met internally to discuss the additional information provided during the call and to make a final recommendation.	05/10/10
• On June 25, 2010, the NRC issued an acknowledgement letter (ADAMS Accession No. ML101450004), accepting the petition for review, in part.	06/25/10
• On October 8, 2010, the OEDO approved an extension request until January 21, 2011, to issue the Proposed Director's Decision. Additional time was needed to support NRR's ability to coordinate with Region I.	10/08/10
• On October 26, 2010, the petition manager informed the petitioner of the change in the Proposed Director's Decision due date.	10/26/10

FACILITY: Davis-Besse Nuclear Plant
LICENSEE TYPE: Reactor
PETITIONER: David Lochbaum, Union of Concerned Scientists

OPEN PETITION
EDO # G20100192

DATE OF PETITION:	**APRIL 5, 2010**
DIRECTOR'S DECISION (DD) TO BE ISSUED BY:	**NRR**
PROPOSED DD ISSUANCE:	**NOVEMBER 10, 2010**
FINAL DD ISSUANCE:	**JANUARY 10, 2011**
LAST CONTACT WITH PETITIONER:	**NOVEMBER 10, 2010**
PETITION MANAGER:	**MICHAEL MAHONEY**
CASE ATTORNEY:	**MAURI LEMONCELLI**

ACTIONS REQUESTED AND ISSUES

As described in detail in the petition, the petitioner requests that the NRC take enforcement action against the licensee for Davis-Besse nuclear plant to prevent the reactor from restarting until such time the NRC determines that applicable adequate protection standards have been met and reasonable assurance exists that these standards will continue to be met after operation is resumed. The specific technical issue of concern pertains to the UCS conclusion that Davis-Besse has operated repeatedly for longer than six hours after the onset of pressure boundary leakage, and that the Davis-Besse technical specifications do not allow any pressure boundary leakage.

BACKGROUND, ACTIONS & KEY MILESTONES		CURRENT STATUS AND NEXT STEPS PETITION AGE: ~7 MONTHS	
The petitioner filed a petition for an enforcement action under 10 CFR 2.206.	04/05/10	• On April 28, 2010, the OEDO approved an extension request until July 16, 2010, to support additional coordination with Region III.	04/28/10
On April 7, 2010, the petition manager contacted the petitioner by email to discuss the 10 CFR 2.206 process and offer the petitioner an opportunity to address the PRB. The petition manager spoke on the telephone with the petitioner or April 8, 2010 to discuss the process. The petitioner confirmed his understanding of the 10 CFR 2.206 process and declined an opportunity to address the PRB before it met internally to make the initial recommendation.	04/07/10	• The PRB met internally on June 14, 2010, to make the initial recommendation. The PRB determined that the petition met the criteria for review. The petition manager informed the petitioner by email on June 22, 2010.	06/14/10
On April 14, 2010, the PRB met internally to discuss the petition and to make the initial recommendation. The PRB was unable to make an initial recommendation regarding if the petition met the criteria for review and recommended additional coordination with Region III.	04/14/10	• On July 13, 2010, the NRC issued an acknowledgement letter (ADAMS Accession No. ML101890876) to the petitioner.	07/13/10
On April 21, 2010, the petition manager informed the petitioner that additional time was needed to coordinate with Region prior to making the initial recommendation. The petitioner confirmed by email that he had no questions or concerns at this time.	04/21/10	• A proposed Director's Decision was issued on November 10, 2010 (ADAMS Accession No. ML103020469) to the petitioner and the licensee for comment.	11/10/10
		• On November 23, 2010, the petitioner provided written comments on the Proposed Director's Decision. The final Director's Decision, scheduled for issuance by January 10, 2011, will disposition the petitioner's comments.	11/23/10

FACILITY: Three Mile Island, Unit 2
LICENSEE TYPE: Materials
PETITIONER: Eric Epstein

U.S.NRC UNITED STATES NUCLEAR REGULATORY COMMISSION

OPEN PETITION
EDO # G20100619

DATE OF PETITION:	**SEPTEMBER 30, 2010**
DIRECTOR'S DECISION (DD) TO BE ISSUED BY:	**FSME**
PROPOSED DD ISSUANCE:	**N/A**
FINAL DD ISSUANCE:	**N/A**
LAST CONTACT WITH PETITIONER:	**OCTOBER 19, 2010**
PETITION MANAGER:	**JOHN BUCKLEY**
CASE ATTORNEY:	**PATTY JEHLE**

NO IMAGE AVAILABLE

ACTIONS REQUESTED AND ISSUES

For detailed reasons described in the petition, the petitioner seeks enforcement action in the form of a Demand for Information (DFI) requiring FirstEnergy Nuclear Operating Company (FENOC) to provide the NRC with site-specific information and financial guarantees that demonstrate and verify the licensee has adequate funding in place to decommission and decontaminate Three Mile Island, Unit 2 (TMI-2), and that any proposed mergers will not place additional financial pressures on FirstEnergy's ability to satisfy its decommissioning obligations in 2036.

BACKGROUND, ACTIONS & KEY MILESTONES	
The petitioner filed a petition for enforcement action under 10 CFR 2.206.	09/30/10
On October 18, 2010, the petition manager contacted the petitioner to discuss the 10 CFR 2.206 process and offered the petitioner an opportunity to provide additional information to the PRB. The petitioner accepted this opportunity to address the PRB by telephone.	10/18/2010
On October 19, 2010, the petitioner addressed the PRB by telephone to provide additional information in support of the petition. A transcript of the call is available in ADAMS at ML103120216.	10/19/10
On October 19, 2010, and October 25, 2010, the PRB met internally to make the initial recommendation. The PRB's initial recommendation was that the petition met the criteria for review, as provided by 10 CFR 2.206.	10/25/2010

CURRENT STATUS AND NEXT STEPS PETITION AGE: ~2 MONTHS	
• On October 27, 2010, the petition manager informed the petitioner of the PRB's initial recommendation. The petitioner was offered a second opportunity to address the PRB and declined. Since no new information was provided, the initial recommendation by the PRB became the final recommendation.	10/27/10
• By letter dated November 9, 2010, the PRB issued an acknowledgement letter (ML103010346) to accept the petition for review under 10 CFR 2.206.	11/09/10
• By letter dated November 9, 2010 (ADAMS Accession No. ML103200528) FENOC submitted "Information Regarding the Mr. Epstein petition on Three Mile Island Nuclear Station, Unit No. 2 Decommissioning Funding."	11/09/10
• By letter dated November 22, 2010, the NRC issued a meeting report for the October 19, 2010, PRB meeting to the TMI-2 Distribution List (which includes the Petitioner, Mr. Epstein). The meeting report states that the official transcript of the PRB meeting is available in ADAMS at ML103120216.	11/22/10

FACILITY: Pilgrim Nuclear Station
LICENSEE TYPE: Reactor
PETITIONER: Mary Lampert

OPEN PETITION UNDER CONSIDERATION
EDO # G20100454

DATE OF PETITION:	**JULY 19, 2010**
DIRECTOR'S DECISION (DD) TO BE ISSUED BY:	**NRR**
PROPOSED DD ISSUANCE:	**N/A**
FINAL DD ISSUANCE:	**N/A**
LAST CONTACT WITH PETITIONER:	**NOVEMBER 10, 2010**
PETITION MANAGER:	**RICHARD GUZMAN**
CASE ATTORNEY:	**MAURI LEMONCELLI**

ACTIONS REQUESTED AND ISSUES

For detailed reasons described in the petition (G20100454), the petitioner requested that the NRC issue a Demand For Information Order that Entergy, the licensee for Pilgrim Nuclear Station (PNS), demonstrate that all inaccessible cables at Pilgrim NPS are capable of performing their required function, be it safety or non-safety related.

As supplemented on August 13, 2010 (G20100527), the petitioner requested that the NRC issue an Order that requires Entergy, the licensee for Pilgrim Nuclear Station (PNS), to immediately perform an updated hydro-geologic analysis. On November 15, 2010 (G20100689), the petitioner requested that the Commission review the PRB's decision with respect to G20100527.

BACKGROUND, ACTIONS & KEY MILESTONES		CURRENT STATUS AND NEXT STEPS PETITION AGE: ~5 MONTHS	
The petitioner filed a petition for an enforcement action under 10 CFR 2.206.	07/19/10	• On September 1, 2010, the petitioner submitted her August 13, 2010, petition (G20100527) as a supplement to be considered with the review of her original petition dated July 19, 2010 (G201000454).	09/01/10
On July 27, 2010, the petition manager contacted the petitioner to discuss the 10 CFR 2.206 process and offer the petitioner an opportunity to address the PRB. The petitioner requested an opportunity to address the PRB by telephone before it meets internally to make the initial recommendation.	07/27/10	• On September 27, 2010, the petitioner addressed the PRB by telephone to provide additional information in support of the petition request.	09/27/10
The petition manager confirmed that the petitioner could support a call on August 9, 2010.	07/31/10	• On October 4, 2010, the OEDO approved an extension request until November 16, 2010, for the PRB to issue the acknowledgement letter.	10/04/10
On August 6, 2010, the petitioner submitted a supplement to her petition dated July 19, 2010	08/06/10	• On November 4, 2010, the PRB met internally to discuss the supplemental information (G201000527) received prior to making the final recommendation. The PRB determined that the information submitted under G20100454 met the criteria for review. The supplemental information provided under G20100527, met the criteria for rejection because the issues raised on the hydro-geological analysis were reviewed, evaluated, and resolved by the NRC.	11/04/10
On August 9, 2010, the petitioner addressed the PRB by telephone to provide additional information in support of her petition.	08/09/10		
On August 12, 2010, the OEDO approved an extension request until October 19, 2010, to permit additional time for the staff to conduct its PRB meeting and to issue the acknowledgement letter. An extension was needed in part, to support limited availability of PRB members and for the staff to review and evaluate the petition and supplement dated August 6, 2010.	08/12/10	• On November 5, 2010, the OEDO approved an extension request until December 30, 2010.	11/05/10
		• On November 10, 2010, the petitioner was informed of the PRB's final recommendation and of the schedule change.	11/10/10
On August 23, 2010, the PRB met internally to discuss the petition and to make the initial recommendation. The PRB's initial recommendation was that the petition met the criteria for review.	08/23/10	• By letter dated November 15, 2010 (G20100689), the petitioner requested that the Commission review the PRB's decision to reject the portion of the petition relevant to the hydro-geologic analysis for review under 10 CFR 2.206. The NRC acknowledgement letter to the petitioner will address G20100454, G20100527, and G20100689.	11/15/10
On September 1, 2010, the petition manager informed the petitioner of the PRB's initial recommendation.	09/01/10		

FACILITY: Callaway Nuclear Power Plant
LICENSEE TYPE: Reactor
PETITIONER: Lawrence S. Criscione

OPEN PETITION UNDER CONSIDERATION
EDO # G20100592

DATE OF PETITION:	**SEPTEMBER 17, 2010**
DIRECTOR'S DECISION (DD) TO BE ISSUED BY:	**NRR**
PROPOSED DD ISSUANCE:	**N/A**
FINAL DD ISSUANCE:	**N/A**
LAST CONTACT WITH PETITIONER:	**DECEMBER 7, 2010**
PETITION MANAGER:	**MOHAN THADANI**
CASE ATTORNEY:	**N/A**

ACTIONS REQUESTED AND ISSUES

As described in detail in the petition, the petitioner requests that the NRC issue a Demand For Information to Ameren Corporation regarding the abnormalities of the October 21, 2003, reactor shutdown at Callaway Plant.

BACKGROUND, ACTIONS & KEY MILESTONES		CURRENT STATUS AND NEXT STEPS PETITION AGE: ~2 MONTHS	
The petitioner filed a petition for an enforcement action under 10 CFR 2.206.	09/17/10	• On November 3, 2010, the PRB met internally to discuss the petition and made an initial recommendation that the petition met the rejection criteria on the basis that the issues raised by the petitioner have already been reviewed, evaluated, and resolved. The petitioner was informed of this decision on November 4, 2010.	11/03/10
On September 29, 2010, the NRC Petition Manager, contacted the petitioner to explain the 10 CFR 2.206 petition review process. During the discussions, the petitioner requested an opportunity to address the PRB in person to discuss the petition request, after the PRB met internally to make the initial recommendation.	09/20/10		
On October 19, 2010, the petitioner confirmed his availability to address the PRB in person during a public meeting at NRC Headquarters. The public meeting, scheduled for December 13, 2010, is an opportunity for the petitioner to address the PRB.	10/19/10		

FACILITY: Indian Point (IP)
LICENSEE TYPE: Reactor
PETITIONER: Paul Blanch

OPEN PETITION UNDER CONSIDERATION
EDO # G20090655

DATE OF PETITION:	**OCTOBER 25, 2010**
DIRECTOR'S DECISION (DD) TO BE ISSUED BY:	**NRR**
PROPOSED DD ISSUANCE:	**N/A**
FINAL DD ISSUANCE:	**N/A**
LAST CONTACT WITH PETITIONER:	**NOVEMBER 9, 2010**
PETITION MANAGER:	**JOHN BOSKA**
CASE ATTORNEY:	**N/A**

ACTIONS REQUESTED AND ISSUES

For reasons specified within the petition request, the petitioner requests that the NRC issue a Demand For Information to Entergy, for Indian Point (IP), to demonstrate its capability to protect the public in the event of a natural gas line rupture, explosion, or fire in the proximity of and passing directly through the IP site.

BACKGROUND, ACTIONS & KEY MILESTONES		CURRENT STATUS AND NEXT STEPS PETITION AGE: ~1 MONTH	
The petitioner filed a petition for an enforcement action under 10 CFR 2.206.	10/25/10	• On November 2, 2010, the petitioner addressed the PRB by telephone. During the call, the petitioner requested a delay and asked the PRB to reschedule the call at a later date.	11/02/10
		• On November 5, 2010, the petitioner submitted a supplement to his petition.	11/05/10
		• On November 9, 2010, the petitioner addressed the PRB by telephone to provide additional information in support of his petition.	11/09/10
		• On November 17, 2010, the PRB met internally to discuss the petition. The PRB was not able to reach an initial recommendation because additional support is needed from the NRO and NSIR technical leads. The PRB plans to continue its discussion at a future internal meeting, after additional internal followup occurs.	11/17/10

FACILITY: Duane Arnold Energy Center
LICENSEE TYPE: Reactor
PETITIONER: Thomas Saporito

OPEN PETITION UNDER CONSIDERATION
EDO # G20100688

DATE OF PETITION:	**NOVEMBER 12, 2010**
DIRECTOR'S DECISION (DD) TO BE ISSUED BY:	**NRR**
PROPOSED DD ISSUANCE:	**N/A**
FINAL DD ISSUANCE:	**N/A**
LAST CONTACT WITH PETITIONER:	**NOVEMBER 22, 2010**
PETITION MANAGER:	**KARL FEINTUCH**
CASE ATTORNEY:	**MOLLY BARKMAN-MARSH**

ACTIONS REQUESTED AND ISSUES

A cracked weld was discovered by the licensee during a recent Duane Arnold refueling outage. For reasons specified within the petition request, the petitioner requests that the NRC issue a confirmatory order requiring the licensee to bring the plant to cold shutdown and to prevent the licensee from restarting until further testing of system piping throughout the plant occurs, as described in the petition.

BACKGROUND, ACTIONS & KEY MILESTONES		CURRENT STATUS AND NEXT STEPS PETITION AGE: ~1 MONTH	
The petitioner filed a petition for an enforcement action under 10 CFR 2.206.	11/12/10	• On November 22, 2010, the PRB held a call with the petitioner so that he could provide additional information to the PRB. The petitioner also provided a written statement that he identified as the basis for his spoken remarks. The PRB plans to meet internally on January 4, 2011, to make the initial recommendation. The PRB members could not meet earlier due to scheduling conflicts.	11/22/10
On November 17, 2010, the NRC Petition Manager, contacted the petitioner to explain the 10 CFR 2.206 petition review process. The petitioner requested an opportunity to address the PRB by phone to discuss the petition request, before the PRB met internally to make the initial recommendation.	11/17/10		

FACILITY: Autoclear, Scintrex Trace Corporation, and Control Screening
LICENSEE TYPE: Materials
PETITIONER: Thomas Saporito

OPEN PETITION UNDER CONSIDERATION
EDO # G20100706

DATE OF PETITION:	**NOVEMBER 27, 2010**
DIRECTOR'S DECISION (DD) TO BE ISSUED BY:	**FSME**
PROPOSED DD ISSUANCE:	**N/A**
FINAL DD ISSUANCE:	**N/A**
LAST CONTACT WITH PETITIONER:	**DECEMBER 7, 2010**
PETITION MANAGER:	**LISA DIMMICK**
CASE ATTORNEY:	**MOLLY BARKMAN-MARSH**

ACTIONS REQUESTED AND ISSUES

As described in the petition, the petitioner requests that the NRC take enforcement action against the licensee and suspend their NRC license to operate, and manufacture x-ray backscanners used at airports and facilities throughout the United States. The petition also requests that the NRC impose a civil penalty against the licensee and require the licensee to take a number of actions to determine and document the effects of x-ray backscanner equipment radiation emissions on various segments of the population (as described in the petition).

BACKGROUND, ACTIONS & KEY MILESTONES		CURRENT STATUS AND NEXT STEPS PETITION AGE: ~2 WEEKS	
The petitioner filed a petition for an enforcement action under 10 CFR 2.206.	11/27/10	• On December 7, 2010, the NRC Petition Manager, initiated contact with the petitioner by telephone to explain the 10 CFR 2.206 petition review process. Since the petitioner was not available, Ms. Dimmick left a voicemail. She is currently waiting for the petitioner to return her call to discuss next steps.	12/07/10

FACILITY: Vermont Yankee Nuclear Power Station
LICENSEE TYPE: Reactor
PETITIONER: Raymond Shadis, New England Coalition (NEC)

OPEN PETITION UNDER CONSIDERATION
EDO # G20100694

DATE OF PETITION:	**NOVEMBER 17, 2010**
DIRECTOR'S DECISION (DD) TO BE ISSUED BY:	**NRR**
PROPOSED DD ISSUANCE:	**N/A**
FINAL DD ISSUANCE:	**N/A**
LAST CONTACT WITH PETITIONER:	**DECEMBER 8, 2010**
PETITION MANAGER:	**JAMES KIM**
CASE ATTORNEY:	**N/A**

ACTIONS REQUESTED AND ISSUES

For detailed reasons discussed within the petition request, the petitioner requested that the NRC act to restore assurance of public health and safety by requiring Entergy to do a thorough root cause analysis of Vermont Yankee's recent reactor feedwater piping-system inspection-port leak and perform a comprehensive extent-of-condition review; all under close NRC supervision.

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BACKGROUND, ACTIONS & KEY MILESTONES		CURRENT STATUS AND NEXT STEPS PETITION AGE: ~3 WEEKS	
The petitioner filed a petition for an enforcement action under 10 CFR 2.206.	11/17/10	• On November 23, 2010, the petitioner requested an opportunity to address the PRB before it met internally to make the initial recommendation. • On December 8, 2010, the petitioner addressed the PRB by telephone to provide additional information in support of the petition request. The PRB plans to meet internally on December 20, 2010, to discuss the petition and additional information provided during the call.	11/23/10 12/08/10
On November 22, 2010, the NRC Petition Manager, contacted the petitioner to explain the 10 CFR 2.206 petition review process.	11/22/10		

Enclosure 2
ML103410230
Age Statistics for Open 10 CFR 2.206 Petitions

AGE STATISTICS FOR AGENCY 10 CFR 2.206 OPEN PETITIONS

Assigned Action Office	Facility/ Petitioner	Incoming Petition	PRB Meeting[1]	Acknowledgment Letter/Days from Incoming Petition[2]	Proposed Director's Decision/Age in Days[3]	Final Director's Decision/Age in Days[4]	Comments on the Completion Goal status
NRR	Indian Point, Units 2 and 3; Vermont Yankee Nuclear Station Sherwood Martinelli **G20090487**	8/22/09	12/08/09 109 days	12/17/09 117 days			The goal to issue the acknowledgement letter was not met. The PRB meeting was delayed to support a request from the petitioner to address the PRB by phone, before it met internally to make an initial recommendation. The delay in holding the PRB meeting impacted our ability to issue an acknowledgement letter in accordance with the NRC's timeliness goals.
NRR	Crystal River Thomas Saporito **G20090690**	12/05/09	01/07/10 33 days	03/04/10 86 days			The goal to issue the acknowledgement letter was not met. The PRB meeting was delayed to support a request from the petitioner to address the PRB by phone, before it met internally to make an initial recommendation. The delay in holding the PRB meeting impacted our ability to issue an acknowledgement letter in accordance with the NRC's timeliness goals.

1 Goal is to hold a Petition Review Board meeting, which the petitioner is invited to participate in, within 2 weeks of receipt of petition.

2 Goal is to issue acknowledgment letter within 35 days of the date of incoming petition.

3 Goal is to issue proposed Director's Decision within 120 days of the acknowledgment letter.

4 Goal is to issue final Director's Decision within 45 days of the end of the comment period.

FSME	U.S. Army Installation Command Isaac Harp **G20100136**	03/04/10	04/14/10 41 days	04/26/10 53 days			The goal to issue the acknowledgement letter was not met. This letter was originally submitted to the NRC as a petition for a Notice of Appeal, which was subsequently referred to the 10 CFR 2.206 process for review. The additional time required to ensure that this letter was in the correct process, in addition to time needed to coordinate a call with the petitioner, contributed to the delay with holding a call with the PRB within two weeks of receipt of the petition and with issuing the acknowledgement letter in accordance with the NRC's timeliness goals.
NRR	Vermont Yankee Representative Paul Hodes **G20101235**	04/19/10	05/03/10 14 days	05/20/10 31 days	11/18/10 182 days		The goal to issue the Proposed Director's Decision was not met. Additional time was requested and approved by the EDO to permit NRR additional time to coordinate with Region I. Specifically, the inspection results from inspections of the tritium leakage, the root cause analysis, leaking pipes and the hydrogeology analysis of offsite consequences and of remediation efforts, all needed to be completed before the NRC could discuss the results in the proposed Director's Decision.

NRR	Vermont Yankee Michael Mulligan **G20100027**	01/12/10	01/25/10 12 days	06/25/10 164 days			The goal to issue the acknowledgement letter was not met. On February 26, 2010, the PRB obtained approval from the NRR Office Director to consolidate this petition with similar VY petitions from Mr. Shadis and Mr. Saporito. The goal to issue the acknowledgement letter within 35 days of the incoming petition was exceeded as a result of the PRB's interactions with all three petitioners. However the delay facilitated the PRB's ability to review all similar VY petitions in a consolidated manner.
NRR	Vermont Yankee Raymond Shadis, NEC **G20100074**	02/08/10	02/17/10 9 days	06/25/10 137 days			The goal to issue the acknowledgement letter was not met. On February 26, 2010, the PRB obtained approval from the NRR Office Director to consolidate this petition with similar VY petitions from Mr. Mulligan and Mr. Saporito. The goal to issue the acknowledgement letter within 35 days of the incoming petition was exceeded as a result of the PRB's interactions with all three petitioners. However the delay facilitated the PRB's ability to review all similar VY petitions in a consolidated manner.

NRR	Vermont Yankee Thomas Saporito **G20100098**	02/20/10	02/25/10 5 days	06/25/10 125 days			The goal to issue the acknowledgement letter was not met. On February 26, 2010, the PRB obtained approval from the NRR Office Director to consolidate this petition with similar VY petitions from Mr. Shadis and Mr. Mulligan. The goal to issue the acknowledgement letter within 35 days of the incoming petition was exceeded as a result of the PRB's interactions with all three petitioners. However the delay facilitated the PRB's ability to review all similar VY petitions in a consolidated manner.
NRR	Davis-Besse David Lochbaum **G20100192**	04/05/10	04/14/10 9 days	07/13/10 99 days	11/10/10 120 days		
FSME	Three Mile Island, Unit 2 G20100619	09/30/10	10/19/10 19 days	11/09/10 40 days			The goal to issue the acknowledgement letter was not met. This petition was originally assigned to NRR. NRR requested that the EDO reassign the petition to FSME since the petition involved a decommissioned plant. Internal coordination resulted between the offices to ensure that the petition was appropriately assigned. This created a minor delay in formally assigning the petition to FSME. This internal delay impacted FSME's ability to issue the acknowledgement letter

							within 35 days of the date of the incoming petition.