

From: Tam, Peter
Sent: Tuesday, March 29, 2011 5:36 PM
To: thomas@saprodani-associates.com
Subject: Meeting by phone re. your 3/12/2011 Petition per 10 CFR 2.206 (G20110171; TAC ME5840)

Mr. Saporito:

This is to confirm that the PRB will meet with you by phone on **Thursday April 14, 2011, 9:00 – 10:30 a.m. EST**. Please join the meeting by calling **1-800-772-3842, using passcode 2206**. **Note that this meeting will be recorded and transcribed by a court reporter.**

I acknowledge that you requested a representative from Office of the Inspector General (OIG) attend the PRB meeting. In the past, the OIG has provided feedback that they do not attend the NRC staff's 2.206 meetings in order to maintain their independence from the process. However, we can forward a copy of the transcript of the meeting to the OIG if you so indicate during the meeting that your presentation contains information for the OIG's consideration.

Peter S. Tam

Senior Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Tel. 301-415-1451

From: Thomas Saporito [<mailto:thomas@saprodani-associates.com>]
Sent: Tuesday, March 29, 2011 11:31 AM
To: Tam, Peter
Cc: Lingam, Siva; Horne, Ronnie; Ninh, Son; Wert, Leonard; Heller, James; Kugler, Andrew; NRCEXecSec Resource; R2ORA_EICSMailCenter Resource; Whited, Ryan; Jaczko, Gregory; Paige, Jason; Hamman, Jeffrey; Orf, Tracy; Sykes, Marvin; Saba, Farideh; Checkle, Melanie; Gody, Tony; Kryk, Scott; Evans, Carolyn; DeMiranda, Oscar; Jonathan Cantu; Kasey M. Dunton
Subject: Re: Your 3/12/2011 Petition Under 10 CFR 2.206 - Address the PRB before its initial recommendation (G20110171; TAC ME5840)

Mr. Tan:

Thank you for your timely response in this important matter. Yes, April 14th from 09:00-10:30 hrs EST is acceptable and confirmed via this electronic communication.

Please ensure that a representative from the NRC Office of Inspector General is present during the proposed meeting - due to information which Saprodani Associates recently obtained; and which appears to show that NRC employees in various agency departments may have acted

improperly and outside the law and/or agency regulations with respect to one or more issues that Petitioners intend to present to the NRC Petition Review Board (PRB) in connection with the instant 2.206 Petition filed with the NRC.

Should you have any questions regarding the above, please do not hesitate to contact me at your convenience.

Kind regards,
Thomas Saporito

Thomas Saporito, Senior Consulting Associate
Email: thomas@saprodani-associates.com
Web: <http://Saprodani-Associates.com>
Post Office Box 8413, Jupiter, Florida 33468
Phone: (561) 972-8363 Fax: (561) 247-6404
Saprodani-Associates - Advocate/GreenPeace USA

On 3/29/2011 8:51 AM, Tam, Peter wrote:
Mr. Saporito:

Let me offer April 14th from 9:00 – 10:30 am EDT. I hope this date and time work; we have to coordinate about 20 PRB members to support any proposed date.

Peter S. Tam

Senior Project Manager
Plant Licensing Branch III-1
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Office of Nuclear Reactor Regulation

Tel. 301-415-1451

From: saporito3@live.com [<mailto:saporito3@live.com>] **On Behalf Of** Thomas Saporito
Sent: Monday, March 28, 2011 7:48 PM
To: Tam, Peter
Subject: Re: Your 3/12/2011 Petition Under 10 CFR 2.206 - Address the PRB before its initial recommendation (G20110171; TAC ME5840)

Mr. Tam:

That date and time does not work for me - please try to schedule the meeting in the morning on a Tuesday or a Thursday.

Kind regards,
Thomas Saporito

On 3/28/2011 5:33 PM, Tam, Peter wrote:
Mr. Saporito:

As you requested, I have arranged to have you address, by a recorded phone call, the Petition Review Board (PRB) on Wednesday, April 6th from 3:00 - 4:15 pm EDT. This is prior to the PRB's internal meeting to make its initial recommendation. You will have 1 hour to address the PRB during this engagement. Please confirm that this appointment is acceptable, and I shall provide you with information about how to connect to the PRB by phone.

Peter S Tam, Senior Project Manager
Plant Licensing Branch 3-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Tel. 301-415-1451

From: Thomas Saporito [<mailto:saporito3@gmail.com>] **On Behalf Of** Thomas Saporito
Sent: Monday, March 21, 2011 10:20 AM
To: Tam, Peter
Cc: NRCExecSec Resource; DeMiranda, Oscar; Checkle, Melanie; Jaczko, Gregory
Subject: Re: Your 3/12/2011 Petition Under 10 CFR 2.206 (G20110171; TAC ME5840)

Mr. Tam:

In further consideration of your statements in your most recent email communication in connection with the instant 2.206 petition - and in comparison to NRC MD 8.11, it appears that Petitioners have two opportunities to engage the NRC PRB. Therefore, I request to engage the PRB: (1) prior to the PRB's internal meeting to make the initial recommendation; and (2) after the PRB has made its initial recommendation. Please ensure that I have 1-hour of time allotted for each engagement - along with providing me with a call-in number and passcode accordingly.

Should you have any questions regarding this matter, please do not hesitate to contact me at your convenience.

Kind regards,
Thomas Saporito

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Saprodani-Associates - Advocate/GreenPeace USA

On 3/21/2011 8:05 AM, Tam, Peter wrote:
Mr. Saporito:

According to Management Directive 8.11, a petitioner has two opportunities to address the PRB. The first opportunity is prior to the PRB's internal meeting to make the initial recommendation, the second opportunity is after the PRB has made the initial recommendation.
Please confirm which of these in which you would like to be involved.

Peter

From: saporito3@gmail.com [<mailto:saporito3@gmail.com>] **On Behalf Of** Thomas Saporito
Sent: Monday, March 21, 2011 8:04 AM
To: Tam, Peter
Cc: Kugler, Andrew; NRCEXecSec Resource; Gody, Tony; Evans, Carolyn; Jaczko, Gregory; Horne, Ronnie; Heller, James; Paige, Jason; Hamman, Jeffrey; Wert, Leonard; Sykes, Marvin; Checkle, Melanie; Ninh, Son; R2ORA_EICSMailCenter Resource; DeMiranda, Oscar; Whited, Ryan; Saba, Farideh; Kryk, Scott; Lingam, Siva; Orf, Tracy
Subject: Re: Your 3/12/2011 Petition Under 10 CFR 2.206 (G20110171; TAC ME5840)

Mr. Tam:

This serves to acknowledge the NRC's notice of receipt of a 2.206 petition filed on behalf of myself and Saprodani-Associates in connection with a request for enforcement action by the NRC as more fully described in the petition.

Please make arrangements for me to engage the NRC Petition Review Board (PRB) via a teleconference call. Please ensure that I am allowed 1-hour to make my presentation to the PRB. In addition, please provide me with a call-in number and passcode.

Kind regards,
Thomas Saporito

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On Mon, Mar 21, 2011 at 6:54 AM, Tam, Peter <Peter.Tam@nrc.gov> wrote:
Mr. Thomas Saporito:

I have been assigned as the Petition Manager for the 10 CFR 2.206 petition you submitted to the NRC on March 12, 2011, “seeking enforcement action against licensees of the U.S. Nuclear Regulatory Commission.”

Section 2.206 of Title 10 of the Code of Federal Regulations describes the petition process – the primary mechanism for the public to request enforcement action by the NRC in a public process. This process permits anyone to petition NRC to take enforcement-type action related to NRC licensees or licensed activities. Depending on the results of its evaluation, NRC could modify, suspend, or revoke an NRC-issued license or take any other appropriate enforcement action to resolve a problem. The NRC staff’s guidance for the disposition of 2.206 petition requests is in Management Directive 8.11, which is publicly available.

The 2.206 process provides a mechanism for any member of the public to request enforcement action against NRC licensees. Therefore, because you specifically requested in your letter that “the NRC ORDER the immediate shut-down of all nuclear power reactors in the USA which are known to be located on or near an earthquake fault-line.” it was referred to the 2.206 process. The 2.206 process is separate from the allegations process which affords individuals who raise safety concerns a degree of protection of their identity. In the 2.206 process, all of the information in your letter will be made public, including your identity.

In addition, in accordance with NRC Management Directive 8.11 (which I have attached for your reference), you have the opportunity to address the NRC Petition Review Board (PRB) to further discuss your petition, either in person at the NRC Headquarters in Rockville, MD, or by telephone conference.

I would appreciate if you could advise me by March 24, 2011, if you agree to the NRC’s processing your request under the 2.206 process. In addition, please advise me if you would like to address the PRB. If you would like to meet in person, I will need to schedule a formal public meeting at the NRC Headquarters. If you would prefer to address the PRB via telephone, I will also work with you to coordinate a date/time during the upcoming weeks.

Thank you,

Peter S Tam, Senior Project Manager
Plant Licensing Branch 3-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Tel. [301-415-1451](tel:301-415-1451)