

Enclosure 1
ML110970499
Monthly 10 CFR 2.206,
“Requests for Action
Under this Subpart”
Status Report

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



CLOSED PETITION
EDO # G20100027

DATE OF PETITION: JANUARY 12, 2010
DIRECTOR'S DECISION (DD) TO BE ISSUED BY: NRR
PROPOSED DD ISSUANCE: JANUARY 20, 2011
FINAL DD ISSUANCE: MARCH 11, 2011
LAST CONTACT WITH PETITIONER: MARCH 11, 2011
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 disclose 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: ~14 MONTHS

The petitioner filed a petition for an enforcement action under 10 CFR 2.206.	01/12/10	<ul style="list-style-type: none"> On March 11, 2011, the NRC issued the Final Director's Decision (ADAMS ML110540558). On April 5, 2011, the Office of Secretary Rulemakings and Adjudications Staff issued a letter to the petitioner stating that the Commission declined to review the Director's Decision. Accordingly, the decision became final agency action on April 4, 2011. 	03/11/11
To review the status of this petition prior to January 1, 2011, please refer to prior 10 CFR monthly status reports.	01/01/11		04/05/11
On January 20, 2011, the NRC issued the Proposed Director's Decision (ADAMS Accession No. ML103350566). The petitioner and licensee were given 30 days to provide written comments, however, no comments were provided to the NRC.	01/20/11		

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



CLOSED PETITION
EDO # G20100074

DATE OF PETITION: FEBRUARY 8, 2010
DIRECTOR'S DECISION (DD) TO BE ISSUED BY: NRR
PROPOSED DD ISSUANCE: JANUARY 20, 2011
FINAL DD ISSUANCE: MARCH 11, 2011
LAST CONTACT WITH PETITIONER: MARCH 11, 2011
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.

BACKGROUND, ACTIONS & KEY MILESTONES		CURRENT STATUS AND NEXT STEPS	
		PETITION AGE: ~13 MONTHS	
The petitioner filed a petition for an enforcement action under 10 CFR 2.206.	02/08/10	<ul style="list-style-type: none"> On March 11, 2011, the NRC issued the Final Director's Decision (ADAMS ML110540558). On April 5, 2011, the Office of Secretary Rulemakings and Adjudications Staff issued a letter to the petitioner stating that the Commission declined to review the Director's Decision. Accordingly, the decision became final agency action on April 4, 2011. 	03/11/11
To review the status of this petition prior to January 1, 2011, please refer to prior 10 CFR monthly status reports.	01/01/11		04/05/11
On January 20, 2011, the NRC issued the Proposed Director's Decision (ADAMS Accession No. ML103350566). The petitioner and licensee were given 30 days to provide written comments, however, no comments were provided to the NRC.	01/20/11		

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



CLOSED PETITION
EDO # G20100098

DATE OF PETITION: FEBRUARY 20, 2010
DIRECTOR'S DECISION (DD) TO BE ISSUED BY: NRR
PROPOSED DD ISSUANCE: JANUARY 20, 2011
FINAL DD ISSUANCE: MARCH 11, 2011
LAST CONTACT WITH PETITIONER: MARCH 11, 2011
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

CURRENT STATUS AND NEXT STEPS

PETITION AGE: ~13 MONTHS

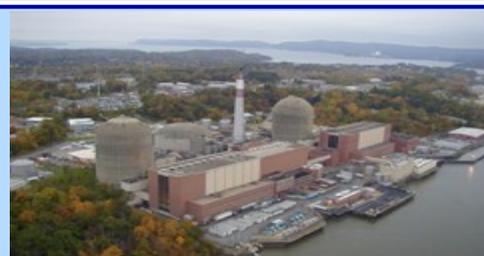
The petitioner filed a petition for an enforcement action under 10 CFR 2.206.	02/20/10	<ul style="list-style-type: none"> On March 11, 2011, the NRC issued the Final Director's Decision (ADAMS ML110540558). All NRC actions on this petition are closed. On April 5, 2011, the Office of Secretary Rulemakings and Adjudications Staff issued a letter to the petitioner stating that the Commission declined to review the Director's Decision. Accordingly, the decision became final agency action on April 4, 2011. 	03/11/11
To review the status of this petition prior to January 1, 2011, please refer to prior 10 CFR monthly status reports.	01/01/11		04/05/11
On January 20, 2011, the NRC issued the Proposed Director's Decision (ADAMS Accession No. ML103350566). The petitioner and licensee were given 30 days to provide written comments, however, no comments were provided to the NRC.	01/20/11		

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



CLOSED PETITION
EDO # G20100655

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: MARCH 31, 2011
PETITION MANAGER: JOHN BOSKA
CASE ATTORNEY: KIMBERLY SEXTON



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: ~5 MONTHS	
The petitioner filed a petition for an enforcement action under 10 CFR 2.206.	10/25/10	<ul style="list-style-type: none"> On December 8, 2010, the OEDO granted an extension to April 7, 2011, to allow time for an NSIR review. On December 15, 2010, the petition manager informed the petitioner that the PRB's initial recommendation would be delayed until February 2011. On February 14, 2011, the PRB met internally and made an initial recommendation that the petition met the criteria for rejection because the issues raised have already been the subject of NRC review, for which a resolution has been achieved at IP2 and IP3. On February 18, 2011, the petitioner was informed of the PRB's initial recommendation and requested a second opportunity to provide additional explanation in support of the petition. On March 3, 2011, the petitioner addressed the PRB by teleconference. The PRB determined that no additional information was provided by the petitioner that had not already been considered by the PRB. Thus, the initial recommendation because the PRB's final recommendation. By letter dated March 31, 2011, the PRB documented its final recommendation in a closure letter (ADAMS Accession No. ML110890309). All NRC actions on this petition are closed. 	12/08/10
On November 2, 2010, the petitioner addressed the PRB by teleconference. During the call, the petitioner requested a delay and asked the PRB to reschedule the call at a later date.	11/02/10		12/15/10
On November 4, 2010, the EDO approved an extension until February 24, 2011, to support the PRB's ability to make an initial and final recommendation on the petition.	11/04/10		02/14/11
On November 5, 2010, the petitioner submitted a supplement to his petition.	11/05/10		02/18/11
On November 9, 2010, the petitioner addressed the PRB by teleconference to provide additional information in support of his petition.	11/09/10		03/03/11
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 in mid-February 2011.	11/17/10		03/31/11

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



CLOSED PETITION
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: MARCH 11, 2011
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: ~5 MONTHS

The petitioner filed a petition for an enforcement action under 10 CFR 2.206.	11/12/10	<ul style="list-style-type: none"> On January 26, 2011, the petitioner was informed of the PRB's initial recommendation and offered a second opportunity to address the PRB. The petitioner manager requested that the petitioner respond to the email message by January 27, 2011, if he wanted a second opportunity to address the PRB. No response was provided by the petitioner. On January 31, 2011, the petition manager contacted the petitioner with a duplicate email message (derived from 1/26/11) to ensure receipt of the 1/26/11 information. After February 1, 2011, the petitioner is presumed to have declined the invitation to present additional information to the PRB. By letter dated March 11, 2011 (ADAMS Accession No. ML110620471), the PRB issued a closure letter stating that the petition did not meet the criteria for review because the issue raised by the petitioner has been reviewed, evaluated and resolved by the NRC. All NRC actions on this petition are closed. 	01/26/11
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		
On November 19, 2010, the PRB members met to discuss if there were any immediate safety concerns which would warrant that the NRC require the licensee to remain in cold shutdown. The PRB members agreed that there was no immediate safety concern to the plant or to the public health or safety. Therefore, the PRB denied the request to prevent the restart of Duane Arnold Energy Center. The petitioner was informed of the PRB's decision on November 22, 2010.	11/19/10		01/31/11
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		03/11/11
On January 4, 2011, the PRB met internally to discuss the petition. During the meeting, the PRB evaluated the petition against the criteria in MD 8.11 and determined that the petition met the criteria for rejection, on the basis that the issue raised had been reviewed, evaluated, and resolved by the NRC.	01/04/11		

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



CLOSED PETITION
EDO # G20110050

DATE OF PETITION: JANUARY 18, 2011
DIRECTOR'S DECISION (DD) TO BE ISSUED BY: NRR
PROPOSED DD ISSUANCE: N/A
FINAL DD ISSUANCE: N/A
LAST CONTACT WITH PETITIONER: MARCH 17, 2011
PETITION MANAGER: JAMES KIM
CASE ATTORNEY: N/A



ACTIONS REQUESTED AND ISSUES

For detailed reasons described in the petition, the petitioner is concerned with the NRC's behavior surrounding inspection activities associated with the Advanced Off-Gas (AOG) piping tritium leak and the Vermont Yankee Root Cause Analysis. The petitioner requests that the NRC immediately shutdown Vermont Yankee that that Entergy be prohibited from owning nuclear power plants. Additional requests for the NRC are discussed in the petition.

BACKGROUND, ACTIONS & KEY MILESTONES

CURRENT STATUS AND NEXT STEPS

PETITION AGE: ~2 MONTHS

<p>The petitioner filed a petition for an enforcement action under 10 CFR 2.206.</p>	<p>01/18/11</p>	<ul style="list-style-type: none"> On February 3, 2011, the petitioner addressed the PRB by teleconference to provide additional relevant information in support of his petition, before the PRB met internally to make the initial recommendation 	<p>02/03/11</p>
<p>On January 21, 2011, the petitioner requested an opportunity to address the PRB by teleconference prior to the PRB's initial meeting to make the initial recommendation.</p>	<p>01/21/11</p>	<ul style="list-style-type: none"> On February 10, 2011, the PRB met internally to discuss the petition and made the initial recommendation that some aspects of this petition were outside the scope of the 10 CFR 2.206 process, and the other requests did not meet the criteria for review because the petitioner failed to provide sufficient facts to warrant further inquiry. 	<p>02/10/11</p>
<p>On January 24, 2011, the PRB met internally to discuss the request for immediate action only. The PRB determined that there was no immediate safety concern to the public health and safety and no technical basis to warrant an immediate shutdown of Vermont Yankee. The petitioner was informed of the PRB's decision to deny the request for immediate action.</p>	<p>01/24/11</p>	<ul style="list-style-type: none"> On February 23, 2011, the petitioner was informed of the PRB's initial recommendation and requested a second opportunity to address the PRB by teleconference. On March 2, 2011, the petitioner addressed the PRB by teleconference. The PRB determined that no new information was provided by the petitioner that had not already been evaluated by the PRB. Thus, the initial PRB recommendation became final. By letter dated March 17, 2011, the PRB issued a closure letter (ADAMS Accession No. ML110740495) stating that some aspects of the petition were outside the scope of the 2.206 process and others did not meet the criteria for review. All NRC actions on this petition are closed. 	<p>02/23/11 03/02/11 03/17/11</p>

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



CLOSED PETITION
EDO # G20110130

DATE OF PETITION: FEBRUARY 24, 2011
DIRECTOR'S DECISION (DD) TO BE ISSUED BY: NRR
PROPOSED DD ISSUANCE: N/A
FINAL DD ISSUANCE: N/A
LAST CONTACT WITH PETITIONER: MARCH 29, 2011
PETITION MANAGER: JAMES KIM
CASE ATTORNEY: N/A



ACTIONS REQUESTED AND ISSUES

For detailed reasons described in the petition, the petitioner requested an emergency shutdown of Vermont Yankee, because Entergy (the licensee for Vermont Yankee) released a public relations video. The petitioner claims that the video, which was made public, contains security-related information.

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.	02/24/11	<ul style="list-style-type: none"> On March 22, 2011, the petitioner was informed of the PRB's initial recommendation and requested a second opportunity to address the PRB. On March 28, 2011, the petitioner addressed the PRB by teleconference to provide additional information in support of the petition. The PRB determined that no new information was provided that had not already been considered by the PRB. Thus, the initial recommendation became final. By letter dated March 29, 2011, the PRB issued a closure letter (ADAMS Accession No. ML110840390) to convey the PRB's final recommendation that the petition did not meet the criteria for review. All NRC actions on this petition are closed. 	03/22/11
On March 1, 2011, 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 March 2, 2011, the petitioner accepted this opportunity to address the PRB.	03/01/11		03/28/11
On March 3, 2011, the PRB met internally to discuss the request for immediate action only. The PRB denied the request for an immediate shutdown because there is no immediate safety concern to the health and safety of the public. In addition, the PRB determined that there was no public release of security-related information. The petitioner was informed of the PRB's decision to deny the request for immediate action on March 7, 2011.	03/03/11		03/29/11
On March 8, 2011, the petitioner addressed the PRB by teleconference to provide additional information in support of the petition.	03/08/11		
On March 14, 2011, the PRB met internally to discuss the petition and supplemental information provided. The PRB's initial recommendation was that the petition did not meet the criteria for review because the petition failed to provide sufficient facts to warrant further inquiry.	03/14/11		

FACILITY: Indian Point (IP), Units 2 & 3; Vermont Yankee Nuclear Power Station;
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: JUNE 24, 2011
FINAL DD ISSUANCE: N/A
LAST CONTACT WITH PETITIONER: MARCH 14, 2011
PETITION MANAGER: DOUG PICKETT
CASE ATTORNEY: PATRICIA JEHL



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		CURRENT STATUS AND NEXT STEPS	
		PETITION AGE: ~19 MONTHS	
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	<ul style="list-style-type: none"> • 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. • 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. • 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. • 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. • On September 2, 2010, the petition manager informed the petitioner of the schedule change. • On December 21, 2010, the OEDO approved an extension request until June 24, 2011, to support the NRC staff's resolution of decommissioning funding issues. The petitioner was informed of this schedule change on December 28, 2010. 	<p>01/14/10</p> <p>03/02/10</p> <p>05/14/10</p> <p>07/26/10</p> <p>09/02/10</p> <p>12/21/10</p>

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



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: MARCH 25, 2011
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

CURRENT STATUS AND NEXT STEPS

PETITION AGE: ~16 MONTHS

<p>The petitioner filed a petition for an enforcement action under 10 CFR 2.206.</p>	<p>12/05/09</p>	<ul style="list-style-type: none"> 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. 	<p>03/04/10</p>
<p>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 teleconference 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.</p>	<p>12/09/09</p>	<ul style="list-style-type: none"> 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. 	<p>06/24/10</p>
<p>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.</p>	<p>12/11/09</p>	<ul style="list-style-type: none"> 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. 	<p>10/17/10</p>
<p>On January 7, 2010, the petitioner addressed the PRB by teleconference to provide additional information in support of the petition.</p>	<p>01/07/10</p>		
<p>On January 21 and February 1, 2010, the PRB met internally and made an initial recommendation to accept the petition for review, in part.</p>	<p>01/21/10 & 02/1/10</p>		
<p>On February 3, 2010, the petitioner was informed of the PRB's initial recommendation and offered a second opportunity to address the PRB.</p>	<p>02/03/10</p>		
<p>On February 12, 2010, the petitioner declined the opportunity to address the PRB.</p>	<p>02/12/10</p>	<ul style="list-style-type: none"> 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. 	<p>11/23/10</p>

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: JUNE 30, 2011
FINAL DD ISSUANCE: N/A **NO IMAGE AVAILABLE**
LAST CONTACT WITH PETITIONER: FEBRUARY 2, 2011
PETITION MANAGER: KENNETH KALMAN
CASE ATTORNEYS: BRETT KLUKAN & KIMBERLY SEXTON

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

CURRENT STATUS AND NEXT STEPS

PETITION AGE: ~13 MONTHS

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	<ul style="list-style-type: none"> On February 2, 2011, the petition manager contacted the petitioner to address the petitioner's January 22, 2011, email concerning the Army's intent to modernize the Pohakaloa Training Area (PTA) and to provide an update on the status of the 2.206 petition. 	02/02/11
To review the status of this petition prior to January 1, 2011, please refer to prior 10 CFR 2.206 Monthly Status Reports.	01/01/10	<ul style="list-style-type: none"> By letter dated April 5, 2011, the staff requested the Army's response to unresolved questions/issues related to the 2.206 enforcement action. The NRC staff anticipates holding a pre-enforcement conference with the Army during the second week of May 2011. 	04/05/11
On January 27, 2011, NRC staff held an enforcement panel to disposition some recently identified potential issues as a prerequisite to a possible Preliminary Enforcement Conference with the U.S. Army.	01/27/11		
The OEDO approved an extension request to support FSME's issuance of the Proposed Director's Decision by June 30, 2011.	01/31/11		

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



OPEN PETITION
EDO # G20100619

DATE OF PETITION: SEPTEMBER 30, 2010
DIRECTOR'S DECISION (DD) TO BE ISSUED BY: FSME
PROPOSED DD ISSUANCE: MAY 13, 2011
FINAL DD ISSUANCE: N/A
LAST CONTACT WITH PETITIONER: MARCH 9, 2011
PETITION MANAGER: JOHN BUCKLEY
CASE ATTORNEY: PATTY JEHL

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

CURRENT STATUS AND NEXT STEPS

PETITION AGE: ~6 MONTHS

The petitioner filed a petition for enforcement action under 10 CFR 2.206.	09/30/10		<ul style="list-style-type: none"> 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
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 teleconference.	10/18/2010		<ul style="list-style-type: none"> 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
On October 19, 2010, the petitioner addressed the PRB by teleconference to provide additional information in support of the petition. A transcript of the call is available in ADAMS at ML103120216.	10/19/10		<ul style="list-style-type: none"> On February 14, 2011, the OEDO approved an extension request, until May 13, 2011, to provide FSME with additional time to issue the Proposed Director's Decision. 	02/14/11
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		<ul style="list-style-type: none"> On March 9, 2011, the petition manager informed the petitioner of the schedule change via telephone. 	03/09/11
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		<ul style="list-style-type: none"> On April 6, 2011, the petition manager called the petitioner to inform him that the proposed Director's Decision (DD) was being transmitted for review and comment. On April 6, 2011, a copy of the Proposed DD and transmittal letter were sent to the petitioner and licensee via email, with a hard copy sent by mail. The petitioner and licensee were requested to provide comments on the Proposed DD by April 20, 2011. 	04/06/11
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			

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



OPEN PETITION
EDO # G20110043

DATE OF PETITION: JANUARY 14, 2011
DIRECTOR'S DECISION (DD) TO BE ISSUED BY: NRR
PROPOSED DD ISSUANCE: JULY 25, 2011
FINAL DD ISSUANCE: N/A
LAST CONTACT WITH PETITIONER: MARCH 28, 2011
PETITION MANAGER: JAMES KIM
CASE ATTORNEY: N/A



ACTIONS REQUESTED AND ISSUES

For detailed reasons described in the petition, the petitioner is concerned with the safety of the plant and requested that "the NRC take escalated enforcement action against the licensee, to include, but not to be limited to, (1) issuing a confirmatory order requiring the licensee to immediately bring the reactor in question to a cold shutdown mode of operation; (2) issuing a civil penalty against the licensee, (3) cause the removal of licensee employees responsible for this matter from NRC licensed activities for a period of no less than 5 years; and (4) cause an immediate NRC investigation and inspection of the licensee's Vermont Yankee facility to ensure that all nuclear safety-related systems are properly operational in accordance with the licensee's technical specifications and NRC license."

BACKGROUND, ACTIONS & KEY MILESTONES

CURRENT STATUS AND NEXT STEPS

PETITION AGE: ~3 MONTHS

<p>The petitioner filed a petition for an enforcement action under 10 CFR 2.206.</p>	<p>01/14/11</p>	<ul style="list-style-type: none"> On February 2, 2011, the PRB met internally to discuss the petition and made an initial recommendation that the petition meets the criteria for review. 	<p>02/02/11</p>
<p>On January 19, 2011, the petitioner requested a teleconference with the PRB to provide additional relevant information in support of his petition, before the PRB meets internally to make the initial recommendation</p>	<p>01/19/11</p>	<ul style="list-style-type: none"> On February 8, 2011, the petitioner was informed of the PRB's initial recommendation to accept his petition for review. The petitioner requested a second opportunity to address the PRB by teleconference. 	<p>02/08/11</p>
<p>On January 24, 2011, the PRB met internally to discuss the request for immediate action only. The PRB determined that there was no immediate safety concern to the public health and safety and no technical basis to warrant an immediate shutdown of Vermont Yankee. The petitioner was informed of the PRB's decision to deny the request for immediate action.</p>	<p>01/24/11</p>	<ul style="list-style-type: none"> On Monday, February 14, 2011, the petitioner provided additional information to the PRB in support of his request for an immediate shutdown. The additional information provided did not change the PRB's decision to deny the request for immediate action. 	<p>02/14/11</p>
<p>On January 26, 2011, the petitioner addressed the PRB by teleconference to provide additional information in support of his petition request.</p>	<p>01/26/11</p>	<ul style="list-style-type: none"> By letter dated March 28, 2011, the PRB issued an acknowledgement letter (ADAMS Accession No. ML110601262) to document the PRB's final recommendation that the petition met the criteria for review. A Proposed Director's Decision will be issued within 120 days of issuance of the acknowledgement letter. 	<p>03/28/11</p>

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: FEBRUARY 23, 2011
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: ~9 MONTHS

Please refer to prior 10 CFR 2.206 monthly status reports (on the NRC public website) to review the status of this petition prior to November 2010.		<ul style="list-style-type: none"> The petitioner submitted a late-filed request for hearing of a contention related to Entergy's management of inaccessible cables under the Pilgrim license renewal review proceeding on 12/13/10. Per MD 8.11 (Part III, Section C.1.a(iii)), a 2.206 petition request will not be treated under the 2.206 process if there is an ongoing licensing hearing/proceeding through which the petitioner's concerns could be addressed. The PRB reconvened on January 4, 2011, and determined that the petitioner's concerns related to inaccessible cables would be held in abeyance until an outcome of the contention is made under the Pilgrim license renewal hearing process. On January 25, 2011, the petition manager informed the petitioner of the PRB's determination and confirmed that the aforementioned PRB determination would be documented in a letter. By letter dated February 23, 2011 (ADAMS Accession No. ML103400692), the PRB issued a partial letter to the petitioner, which stated that the portion of her petition related to the hydro-geologic analysis met the criteria for rejection, and that the portion related to inaccessible cables was being held in abeyance until an outcome of the contention is made under the Pilgrim license renewal hearing process. 	01/04/11
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		01/25/11
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		
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		02/23/11
On December 22, 2010, the OEDO approved an extension request until February 26, 2011, to support the staff's ability to document the PRB's final recommendation.	12/22/10		
On December 28, 2010, the petition manager informed the petitioner of this schedule change to issue the acknowledgement letter.	12/28/10		

FACILITY: Oyster Creek Nuclear Generating Station & Nine Mile Point Nuclear Station, Unit 1
LICENSEE TYPE: Reactor
PETITIONER: Mark Edward Leyse



**OPEN PETITION
 UNDER
 CONSIDERATION
 EDO # G20100729**

DATE OF PETITION: DECEMBER 10, 2010
DIRECTOR'S DECISION (DD) TO BE ISSUED BY: NRR
PROPOSED DD ISSUANCE: N/A
FINAL DD ISSUANCE: N/A
LAST CONTACT WITH PETITIONER: FEBRUARY 17, 2011
PETITION MANAGER: ED MILLER
CASE ATTORNEY: BRETT KLUKAN



ACTIONS REQUESTED AND ISSUES

For detailed reasons discussed within the petition request, the petitioner requests that the NRC order Exelon, the licensee for Oyster Creek Nuclear Generating Station (OCNGS), and Constellation Energy, the licensee for Nine Mile Point Nuclear Station (NMPNS), to lower the licensing basis peak cladding temperature in order to provide the necessary margins of safety to help prevent partial or complete meltdowns in the event of loss of coolant accidents (LOCAs). The petitioner also requests that the NRC order the licensees for OCNGS and NMPNS to demonstrate that the emergency core cooling systems would effectively quench the fuel cladding in the event of LOCAs and prevent partial or complete meltdowns.

BACKGROUND, ACTIONS & KEY MILESTONES		CURRENT STATUS AND NEXT STEPS	
		PETITION AGE: ~4 MONTHS	
The petitioner filed a petition for an enforcement action under 10 CFR 2.206.	12/10/10	<ul style="list-style-type: none"> On January 31, 2011, the petition manager informed the petitioner of the PRB's initial recommendation. The petitioner requested a second opportunity to provide additional information to the PRB by teleconference. On February 17, 2011, the petitioner addressed the PRB by teleconference. On February 28, 2011, the OEDO approved an extension until May 5, 2011, to provide the PRB with additional time to coordinate calls with the petitioner and internal PRB meeting discussions. On March 3, 2011, the PRB met internally to discuss the supplemental information provided during the February 17, 2011, teleconference. The PRB is considering the information provided before making a final recommendation. 	01/31/11
On December 16, 2010, the NRC Petition Manager, contacted the petitioner to explain the 10 CFR 2.206 petition review process.	11/22/10		02/17/11
On December 17, 2010, the petitioner requested a teleconference with the PRB to provide additional relevant information in support of his petition, before the PRB meets internally to make the initial recommendation.	12/17/10		02/28/11
On January 13, 2011, the petitioner addressed the PRB by teleconference to provide additional information in support of his petition request.	01/13/11		03/03/11
On January 20, 2011, the PRB met internally to make the initial recommendation. The PRB determined that the petition did not meet the criteria for review in accordance with MD 8.11.	01/20/11		

FACILITY: Palisades Nuclear Plant
REACTOR TYPE: Pressurized Water Reactor
PETITIONER: Michael Mulligan



**OPEN PETITION
 UNDER
 CONSIDERATION
 EDO # G20110127**

DATE OF PETITION: FEBRUARY 22, 2011
DIRECTOR'S DECISION (DD) TO BE ISSUED BY: NRR
PROPOSED DD ISSUANCE: N/A
FINAL DD ISSUANCE: N/A
LAST CONTACT WITH PETITIONER: MARCH 31, 2011
PETITION MANAGER: MAHESH (MAC) CHAWLA
CASE ATTORNEY: N/A



ACTIONS REQUESTED AND ISSUES

For detailed reasons discussed in the petition, Mr. Mulligan requested an emergency shutdown of Palisades, citing among many reasons that the Reactor Oversight Program is ineffective and that Entergy, the licensee for Palisades Nuclear Plant, has a documented history of a culture of falsification and thumbing their noses at recurring violations.

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.	02/22/11		03/07/11
On February 24, 2011, 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 February 24, 2011, the petitioner accepted this opportunity to address the PRB.	02/24/11	<ul style="list-style-type: none"> • On March 7, 2011, the petitioner addressed the PRB by teleconference to provide additional information in support of the petition. 	03/21/11
On March 3, 2011, the PRB met internally to discuss the request for immediate action only. The PRB denied the request for an immediate shutdown because there is no immediate safety concern to the health and safety of the public. The petitioner was informed of the PRB's decision to deny the request for immediate action on March 4, 2011.	03/03/11	<ul style="list-style-type: none"> • On March 21, 2011, the PRB met internally to discuss the petition and supplemental information provided. The PRB's initial recommendation was that the petition did not meet the criteria for review because the petitioner did not provide sufficient facts to warrant further inquiry. • On March 24, 2011, the petitioner was informed of the PRB's initial recommendation and was offered a second opportunity to address the PRB. • On March 31, 2011, the petitioner addressed the PRB by teleconference to provide additional information in support of the petition. The PRB is evaluating the additional information provided by the petitioner. 	03/24/11 03/31/11

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



**OPEN PETITION
 UNDER
 CONSIDERATION
 EDO # G20110191**

DATE OF PETITION: MARCH 17, 2011
DIRECTOR'S DECISION (DD) TO BE ISSUED BY: NRR
PROPOSED DD ISSUANCE: N/A
FINAL DD ISSUANCE: N/A
LAST CONTACT WITH PETITIONER: APRIL 6, 2011
PETITION MANAGER: JAMES KIM
CASE ATTORNEY: M. CLARK & K. SEXTON



ACTIONS REQUESTED AND ISSUES

For detailed reasons described in the petition, the petitioner is concerned that the side of the reactor building at Vermont Yankee Nuclear Power Station has large concrete cracks and that the plant never met the design bases earthquake due to this construction defect. Additional requests for the NRC are discussed 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.	03/17/11	<ul style="list-style-type: none"> On April 6, 2011, the petitioner addressed the PRB by teleconference to provide additional information in support of the petition. The PRB plans to meet internally to discuss the petition and supplemental information provided. 	04/06/11
On March 23, 2011, 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 March 23, 2011, the petitioner accepted this opportunity to address the PRB.	03/23/11		
On April 4, 2011, the PRB met internally to discuss the request for immediate action only. The PRB denied the request for an immediate shutdown because there is no immediate safety concern to the health and safety of the public. The petitioner was informed of the PRB's decision to deny the request for immediate action on April 4, 2011.	04/04/11		

FACILITY: Nuclear Power Reactors
LICENSEE TYPE: Reactor
PETITIONER: Thomas Saporito



**OPEN PETITION
 UNDER
 CONSIDERATION
 EDO # G20110171**

DATE OF PETITION: MARCH 12, 2011
DIRECTOR'S DECISION (DD) TO BE ISSUED BY: N/A
PROPOSED DD ISSUANCE: N/A
FINAL DD ISSUANCE: N/A **NO IMAGE AVAILABLE**
LAST CONTACT WITH PETITIONER: APRIL 4, 2011
PETITION MANAGER: PETER TAM
CASE ATTORNEYS: MICHAEL CLARK & KIMBERLY SEXTON

ACTIONS REQUESTED AND ISSUES

For detailed reasons described in the petition, the petitioner seeks immediate enforcement action for the NRC to issue an Order requesting the immediate shutdown of all nuclear power reactors in the USA which are known to be located on or near an earthquake fault-line.

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.	03/12/11	<ul style="list-style-type: none"> On April 14, 2011, the petitioner is planning to address the PRB by telephone, before the PRB meets internally to discuss the petition and to make an initial recommendation. 	04/14/11
On March 21, 2011, 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 March 21, 2011, the petitioner accepted this opportunity to address the PRB.	03/21/11		
On April 4, 2011, the PRB met internally to discuss the request for immediate action only. The PRB denied the request for an immediate shutdown because there is no immediate safety concern to the health and safety of the public. The petitioner was informed of the PRB's decision to deny the request for immediate action on April 4, 2011.	04/04/11		

FACILITY: Nuclear Power Reactors
LICENSEE TYPE: Reactor
PETITIONER: Bill Linton



**OPEN PETITION
 UNDER
 CONSIDERATION
 EDO # G20110197**

DATE OF PETITION: MARCH 18, 2011
DIRECTOR'S DECISION (DD) TO BE ISSUED BY: N/A
PROPOSED DD ISSUANCE: N/A
FINAL DD ISSUANCE: N/A **NO IMAGE AVAILABLE**
LAST CONTACT WITH PETITIONER: APRIL 4, 2011
PETITION MANAGER: FRED LYON
CASE ATTORNEYS: MICHAEL CLARK & KIMBERLY SEXTON

ACTIONS REQUESTED AND ISSUES

For detailed reasons described in the petition, the petitioner seeks immediate enforcement action for the NRC to immediately cease extending the licenses of old nuclear power plants and shut down for inspection those which have already been extended through the license renewal process.

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.	03/18/11	<ul style="list-style-type: none"> On April 4, 2011, the PRB met internally to discuss the request for immediate action only. The PRB denied the request for an immediate shutdown because there is no immediate safety concern to the health and safety of the public. The petitioner was informed of the PRB's decision to deny the request for immediate action on April 4, 2011. The PRB plans to meet internally to discuss the petition and to make an initial recommendation. 	04/04/11
On March 31, 2011, the petition manager contacted the petitioner by phone to discuss the 10 CFR 2.206 process and offer the petitioner an opportunity to address the PRB. On March 31, 2011, the petitioner declined an opportunity to address the PRB.	03/31/11		

FACILITY: Indian Point (IP) Units 2 & 3
LICENSEE TYPE: Reactor
PETITIONER: Deborah Brancato, Esq., Riverkeeper, Inc.



**OPEN PETITION
 UNDER
 CONSIDERATION
 EDO # G20110218**

DATE OF PETITION: MARCH 28, 2011
DIRECTOR'S DECISION (DD) TO BE ISSUED BY: NRR
PROPOSED DD ISSUANCE: N/A
FINAL DD ISSUANCE: N/A
LAST CONTACT WITH PETITIONER: APRIL 5, 2011
PETITION MANAGER: JOHN BOSKA
CASE ATTORNEY: BRETT KLUKAN



ACTIONS REQUESTED AND ISSUES

For reasons specified within the petition, the petitioner requests that the NRC lower the licensing basis peak cladding temperatures of IP Units 2 & 3, in order to provide necessary safety margins of safety in the event of loss-of-coolant accidents.

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.	03/28/11	<ul style="list-style-type: none"> On April 18, 2011, the petitioner is planning to address the PRB by telephone, before the PRB meets internally to discuss the petition and to make an initial recommendation. 	04/18/11
On March 31, 2011, the petition manager contacted the petitioner by phone to discuss the 10 CFR 2.206 process and offer the petitioner an opportunity to address the PRB. On April 1, 2011, the petitioner requested an opportunity to address the PRB by telephone.	03/31/11		

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



**OPEN PETITION
 UNDER
 CONSIDERATION
 EDO # G20110192**

DATE OF PETITION: MARCH 17, 2011
DIRECTOR'S DECISION (DD) TO BE ISSUED BY: NRR
PROPOSED DD ISSUANCE: N/A
FINAL DD ISSUANCE: N/A
LAST CONTACT WITH PETITIONER: MARCH 30, 2011
PETITION MANAGER: JAMES KIM
CASE ATTORNEY: N/A



ACTIONS REQUESTED AND ISSUES

For detailed reasons described in the petition, the petitioner requests that the NRC immediately shutdown VY and all Entergy nuclear power plants and that "they replace their relief valve o ring Buna-N material with silicone." The petitioner bases his petition on a Licensee Event Report (LER) 05000271/2010-002-01, "Inoperability of Main Steam Safety Relief Valves due to Degraded Thread Seals," which cites the use of Buna-N material instead of the originally used silicone.

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.	03/17/11	<ul style="list-style-type: none"> On April 13, 2011, the petitioner is planning to address the PRB by telephone, before the PRB meets internally to discuss the petition and to make an initial recommendation. 	04/13/11
On March 23, 2011, 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 March 23, 2011, the petitioner accepted this opportunity to address the PRB.	03/23/11		
On March 29, 2011, the PRB met internally to discuss the request for immediate action only. The PRB denied the request for an immediate shutdown because there is no immediate safety concern to the health and safety of the public. The petitioner was informed of the PRB's decision to deny the request for immediate action on March 30, 2011.	03/29/11		

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



**OPEN PETITION
 UNDER
 CONSIDERATION
 EDO # G20110220**

DATE OF PETITION: MARCH 25, 2011
DIRECTOR'S DECISION (DD) TO BE ISSUED BY: NRR
PROPOSED DD ISSUANCE: N/A
FINAL DD ISSUANCE: N/A
LAST CONTACT WITH PETITIONER: APRIL 5, 2011
PETITION MANAGER: JAMES KIM
CASE ATTORNEY: N/A



ACTIONS REQUESTED AND ISSUES

For detailed reasons described in the petition, the petitioner requests that the NRC immediately shutdown Vermont Yankee because the "Reactor Oversight Program is ineffective and Entergy has a documented history of a culture of falsification and thumbing their noses at reoccurring violations." The petitioner also requests an outside-the-NRC investigation of the NRC behavior for tolerating Entergy's "atrocious regulatory behavior."

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.	03/25/11	<ul style="list-style-type: none"> On April 12, 2011, the petitioner is planning to address the PRB by telephone, before the PRB meets internally to discuss the petition and to make an initial recommendation. 	04/12/11	
On March 31, 2011, 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 March 31, 2011, the petitioner accepted this opportunity to address the PRB.	03/31/11			
On April 5, 2011, the PRB met internally to discuss the request for immediate action only. The PRB denied the request for an immediate shutdown because there is no immediate safety concern to the health and safety of the public. The petitioner was informed of the PRB's decision to deny the request for immediate action on April 5, 2011.	04/05/11			

FACILITY: Indian Point (IP) Units 1, 2, & 3
LICENSEE TYPE: Reactor
PETITIONER: Janice A. Dean, Office of the Attorney General
 State of New York

**OPEN PETITION
 UNDER
 CONSIDERATION
 EDO # G20110233**

DATE OF PETITION: MARCH 28, 2011
DIRECTOR'S DECISION (DD) TO BE ISSUED BY: NRR
PROPOSED DD ISSUANCE: N/A
FINAL DD ISSUANCE: N/A
LAST CONTACT WITH PETITIONER: APRIL 8, 2011
PETITION MANAGER: DOUGLAS PICKETT
CASE ATTORNEY: MAURI LEMONCELLI & BOB RADER



ACTIONS REQUESTED AND ISSUES

For reasons specified within the petition, the petitioner requests that The petitioner requests the NRC to immediately issue an Order that takes the following actions with respect to Indian Point Unit Nos. 1, 2, and 3:

1. Identify the violations of 10 CFR 50.48, Appendix R, Paragraph III, F and G that exist as of the date of the petition (i.e., March 28, 2011) at Indian Point Unit 1, Indian Point Unit 2, and Indian Point Unit 3,,
2. Compel Entergy and its affiliates to comply on or before September 20, 2011 with the requirements contained in 10 CFR 50.48, Appendix R, Paragraph III, F and G for all the fire zones in Indian Point Unit 2 and Indian Point Unit 3 and any Indian Point Unit 1 fire zone or system, structure, or component relied on by Indian Point Unit 2 or Indian Point Unit 3,
3. Convene an evidentiary hearing before the Commission to adjudicate the violations by Entergy and its affiliates of 10 CFR 50.48, Appendix R, Paragraph III, F and G at Indian Point Unit 1, Indian Point Unit 2, and Indian Point Unit 3.

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.	03/28/11	<ul style="list-style-type: none"> • On April 8, 2011, the petitioner confirmed that they would like to address the PRB in an NRC public meeting at NRC Headquarters in Rockville, MD. The PRB is in the process of coordinating a mutually agreeable date and time for this meeting. 	04/08/11
On March 31, 2011, 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 petitioner accepted this opportunity to address the PRB in person. The petition manager is waiting for the petitioner to confirm if they want to address the PRB by telephone or in person (public meeting).	03/31/11		

Enclosure 2
ML110970499
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 Michael Mulligan G20100027	01/12/10	01/25/10 12 days	06/25/10 164 days	1/20/11 209 days	03/11/11 20 days	The goal to issue the Final Director's Decision was met.
NRR	Vermont Yankee Raymond Shadis, NEC G20100074	02/08/10	02/17/10 9 days	06/25/10 137 days	1/20/11 209 days	03/11/11 20 days	The goal to issue the Final Director's Decision was met.
NRR	Vermont Yankee Thomas Saporito G20100098	02/20/10	02/25/10 5 days	06/25/10 125 days	1/20/11 209 days	03/11/11 20 days	The goal to issue the Final Director's Decision was met.

FSME	Three Mile Island, Unit 2 G20100619	09/30/10	10/19/10 19 days	11/09/10 40 days			<p>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.</p>
NRR	Vermont Yankee Thomas Saporito G20110043	01/14/11	01/26/11 12 days	03/28/11 73 days			<p>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. In addition, the petitioner requested a second call following the PRB's 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.</p>