



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

May 31, 2011

Ms. Mary Lampert  
Pilgrim Watch, Director  
148 Washington Street  
Duxbury, MA 02332

Dear Ms. Lampert:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letters dated February 2 and February 4, 2011, which supplement your petition filed under Title 10 of the *Code of Federal Regulations*, Section 2.206, dated July 19, 2010, regarding the management by Entergy Nuclear Operations, Inc. (Entergy or the licensee) of non-environmentally qualified inaccessible cables and wiring at Pilgrim Nuclear Power Station (Pilgrim). Your February letters, (herein, referred to as your supplemental letters) are available from the NRC's Agencywide Documents Access and Management System (ADAMS) in the public Electronic Reading Room on the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> under ADAMS Accession Nos. ML110340343 and ML110450021, respectively.

Your supplemental letter dated February 4, 2011, stated the following concerns:

- (1) ...Pilgrim Watch now avers, the issue raised in its 2.206 petition is a current operational issue, not addressable in the Pilgrim license renewal proceeding, simply because it is not within the scope of license renewal proceedings. It is however clearly within the scope of the 10 CFR 2.206 process.

Pilgrim Watch believes that there is a very clear distinction between current operating issues of the plant that occur before Pilgrim's 40th birthday, a present safety concern, and Pilgrim Watch's contentions that deal only with the content of the Pilgrim License Renewal Application ("LRA"); in particular, the sufficiency of the proposed Aging Management Program ("AMP") going forward from 2012 to 2032.

- (2) ...Pilgrim Watch cannot find any rule that states that Intervenor's in the license renewal process must give up their right of redress on current operating hazards. If there is such a rule, we would appreciate your providing a copy or citation to us.

In addition attached are Pilgrim Watch's Requests for New Hearings (December 2010 and January 2011) to the Atomic Safety Licensing Board [ASLB]. The information in both requests provides updated information that pertains not only to aging management going forward but also to current operating issues.

With regard to your concern in item (1), you state that it is Pilgrim Watch's understanding that the 2.206 process is meant to address present safety concerns; and the license renewal

adjudication process is limited to addressing future safety concerns, specifically the adequacy of the LRA regarding aging management of in-scope systems, structures, and components.

Based on Management Directive (MD) 8.11, "Review Process for 10 CFR 2.206 Petitions," the 2.206 process is not intended to distinguish between current or future safety issues when evaluating requests for the Commission to take enforcement-related action. Rather, the process is meant to ensure the public health and safety, through the prompt and thorough evaluation of any potential problems or issues raised by the requester.

To support the thorough evaluation of your petition request, as supplemented, and to ensure that the facts that constitute the bases for your concerns remain as originally specified in your July 19, 2010, petition, the PRB concludes it is prudent to handle your petition of July 19, 2010, without separating "current" and "future" safety issues, since they both were presented as such, and reviewed by the PRB, in part, as the basis for your requested enforcement-related actions.

The PRB acknowledges that your July 19, 2010, petition, as supplemented, cites multiple sections of both the Pilgrim license renewal application and the associated safety evaluation, to support the basis for your 2.206 petition concerns. As previously communicated to you by letter dated February 23, 2011 (ADAMS Accession No. ML103400692), the PRB's initial determination on November 4, 2010, that certain issues related to inaccessible cables met the criteria for review under 10 CFR 2.206, was based, in part, on the premise that your requests for enforcement-related action were supported by both current and future safety operational issues (e.g., as you asserted in your July 19, 2010, petition, "Pilgrim's Aging Management Program going forward from 2012-2032 is insufficient. It does not provide the public with reasonable assurance," (ADAMS Accession No. ML102090024)).

In your February 4, letter, you also requested a teleconference with the PRB to discuss the aforementioned distinction. The PRB notes that it has held teleconferences with you on August 9 and September 27, 2010, in which you requested to provide additional information to the PRB as further explanation and support for the July 19, 2010, petition. Per the MD 8.11, additional review meetings with the petitioner may be held whenever the staff believes that such a meeting (or teleconference) would be beneficial to the staff's review of the petition. Upon review of the additional information provided in your supplemental letters, the PRB has determined that the stated request to discuss the distinction between present safety concerns and future safety concerns, does not currently warrant the need for an additional teleconference. If the PRB determines that additional clarification on your petition is needed in the future, the petition manager will coordinate with you to identify a mutually agreeable date and time for a future teleconference.

With regard to your concern in item (2), the PRB does not view its determination to hold your petition in abeyance as an action that, as you assert in your February 4, 2011 letter, causes Pilgrim Watch to "give up [its] right of redress on current operating hazards." To the contrary, by holding the petition in abeyance until final disposition of the issues in the license renewal adjudicatory proceeding, the NRC staff is exercising its best efforts to ensure that Pilgrim Watch's concerns are considered and dispositioned in the appropriate forum.

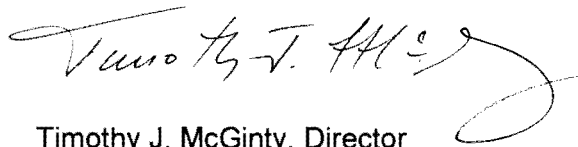
M. Lampert

- 3 -

On February 23, 2011, the PRB issued a letter to you stating, in part, that the portion of your petition related to inaccessible cables was being held in abeyance until the ASLB rules on your hearing request in the Pilgrim license renewal hearing process. Upon review of the additional information provided in your supplemental letters of February 2 and 4, 2011, the PRB maintains this determination and will act on your petition once a ruling is made by the ASLB on your hearing request(s).

As you are aware, Mr. Richard Guzman is the petition manager for your petition and will notify you, as appropriate, if significant action occurs with respect to the review status of your petition. He can be reached at 301-415-1030.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy J. McGinty". The signature is fluid and cursive, with a large loop at the end.

Timothy J. McGinty, Director  
Division of Policy and Rulemaking  
Office of Nuclear Reactor Regulation

Docket No. 50-293

cc: Distribution via Listserv

M. Lampert

- 3 -

On February 23, 2011, the PRB issued a letter to you stating, in part, that the portion of your petition related to inaccessible cables was being held in abeyance until the ASLB rules on your hearing request in the Pilgrim license renewal hearing process. Upon review of the additional information provided in your supplemental letters of February 2 and 4, 2011, the PRB maintains this determination and will act on your petition once a ruling is made by the ASLB on your hearing request(s).

As you are aware, Mr. Richard Guzman is the petition manager for your petition and will notify you, as appropriate, if significant action occurs with respect to the review status of your petition. He can be reached at 301-415-1030.

Sincerely,  
*/RA/*

Timothy J. McGinty, Director  
Division of Policy and Rulemaking  
Office of Nuclear Reactor Regulation

Docket No. 50-293

cc: Distribution via Listserv

DISTRIBUTION: G20110084/EDATS: OEDO-2011-0100 (CLOSEOUT)  
G20110108/EDATS: OEDO-2011-0139 (CLOSEOUT)

See next page

ADAMS Accession Nos: Package: ML111510791

Incoming: ML110340343 and ML110450021

Letter: ML111160334 \*Concurrence via e-mail

OFFICE	LPL1-1/PM	LPL1-1/LA*	DPR/PGCB/PM*	OGC	LPL1-1/BC	DPR/D
NAME	RGuzman	SLittle	TMensah	MLemoncelli	NSalgado	TMcGinty
DATE	4/29/11	04/27/11	04/26/11	5/31/11	5/26/11	5/27/11

OFFICIAL RECORD COPY

Letter to Mary Lampert dated May 31, 2011.

SUBJECT: 2.206 PETITION FOR PILGRIM NUCLEAR POWER STATION

DISTRIBUTION: G20110084/EDATS: OEDO-2011-0100  
G20110108/EDATS: OEDO-2011-0139

PUBLIC

LPL1-1 R/F

RidsNrrDorl

RidsNrrDorlLpl1-1

RidsNrrDpr

RidsNrrPMPilgrim

RidsNrrLASLittle

TBlount

TMensah

RidsAcrcsAcnwMailCenter

RidsNrrMailCenter

RidsOgcRp

RidsOgcMailCenter

RidsEdoMailCenter

RidsOpaMail

RidsRgn1MailCenter

RidsNrrOd

RidsOeMailCenter

RidsOcaMailCenter

RidsOIGMailCenter