

Enclosure 1
ML111220067
Monthly 10 CFR 2.206,
“Requests for Action
Under this Subpart”
Status Report

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



CLOSED PETITION
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: APRIL 26, 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: ~5 MONTHS

<p>The petitioner filed a petition for an enforcement action under 10 CFR 2.206.</p>	<p>12/10/10</p>	<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. 	<p>01/31/11</p>
<p>On December 16, 2010, the NRC Petition Manager, contacted the petitioner to explain the 10 CFR 2.206 petition review process.</p>	<p>11/22/10</p>	<ul style="list-style-type: none"> On February 17, 2011, the petitioner addressed the PRB by teleconference. 	<p>02/17/11</p>
<p>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.</p>	<p>12/17/10</p>	<ul style="list-style-type: none"> 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. 	<p>02/28/11</p>
<p>On January 13, 2011, the petitioner addressed the PRB by teleconference to provide additional information in support of his petition request.</p>	<p>01/13/11</p>	<ul style="list-style-type: none"> On March 3, 2011, the PRB met internally to discuss the supplemental information provided during the February 17, 2011, teleconference. 	<p>03/03/11</p>
<p>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.</p>	<p>01/20/11</p>	<ul style="list-style-type: none"> By letter dated April 26, 2011 (ADAMS Accession No. ML111020301), the PRB provided its final recommendation to the petitioner that the petition did not meet the criteria for review. The issues raised within the petition are already being considered within the rulemaking process and therefore the petition does not meet the criteria for review. All NRC actions on this petition are closed. 	<p>04/26/11</p>

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



CLOSED PETITION
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: APRIL 20, 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: ~2 MONTHS

The petitioner filed a petition for an enforcement action under 10 CFR 2.206.	02/22/11	<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. 	03/07/11	
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 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. 	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 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 evaluated the additional information provided by the petitioner and determined that the petition still did not meet the criteria for review because sufficient facts were not provided to warrant further inquiry. By letter dated April 20, 2011 (ADAMS Accession No. ML111010414), the PRB issued a closure letter to convey the PRB's final recommendation. All NRC actions on this petition are closed. 	03/24/11 03/31/11 04/20/11

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



CLOSED PETITION
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 28, 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: ~1 MONTH	
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 20, 2011, the petitioner was informed via telephone and email of the PRB's initial recommendation. The petitioner was offered a second opportunity to address the PRB but did not respond to the petition manager to accept or decline this second opportunity. By letter dated April 28, 2011, (ADAMS Accession No. ML111160151) the PRB issued the closure letter documenting the PRB's final recommendation that the petition did not meet the criteria for review, on the basis that the petition did not contain sufficient facts to warrant further inquiry. All NRC actions on this petition are closed. 	04/20/11
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		04/28/11
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		
On April 19, 2011, the PRB met internally to discuss the petition and made an initial recommendation that the petition did not meet the criteria for review because the petition fails to provide sufficient facts to support the requests and simply states a safety concern.	04/19/11		

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: ~20 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 30, 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: ~17 MONTHSMAY	
The petitioner filed a petition for an enforcement action under 10 CFR 2.206.	12/05/09	<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. 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. 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. 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. 	03/04/10
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.	12/09/09		06/24/10
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		10/17/10
On January 7, 2010, the petitioner addressed the PRB by teleconference 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		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: 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: ~14 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"> 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
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		
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		
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 Pohakuloa Training Area (PTA) and to provide an update on the status of the 2.206 petition.	02/02/11		

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: APRIL 6, 2011
FINAL DD ISSUANCE: JUNE 6, 2011
LAST CONTACT WITH PETITIONER: APRIL 6, 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: ~7 MONTHS

The petitioner filed a petition for enforcement action under 10 CFR 2.206.	09/30/10
To review the status of this petition prior to January 31, 2011, please refer to prior monthly status reports.	10/18/2010
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 March 9, 2011, the petition manager informed the petitioner of the schedule change via telephone.	03/09/11

<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. On April 29, 2011, the petitioner provided written comments on the Proposed Director's Decision. The staff plans to disposition the comments in the Final Director's Decision. 	<p>04/06/11</p> <p>04/29/11</p>
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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: ~4 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. 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. 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. 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>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>		<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>		<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>		<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: JUNE 23, 2011
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: ~10 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		02/23/11
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		
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: 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: JUNE 24, 2011
FINAL DD ISSUANCE: N/A
LAST CONTACT WITH PETITIONER: APRIL 29, 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: ~1 MONTH

The petitioner filed a petition for an enforcement action under 10 CFR 2.206.	03/17/11	• On April 6, 2011, the petitioner addressed the PRB by teleconference to provide additional information in support of the petition.	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 19, 2011, the PRB met internally to discuss the petition and supplemental information provided. The PRB's initial recommendation is that the petition does not meet the criteria for review because the petitioner failed to provide sufficient facts to warrant further inquiry. Specifically, the petition contains general assertions that safety concerns exist, however the petitioner failed to provide the PRB with sufficient facts to support his requests. The PRB attempted to obtain additional clarification and supporting facts during a call that was held with Mr. Mulligan on April 6, 2011. The petitioner confirmed during that call that he did not have any facts to support his petition request.	04/19/11
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	• On April 29, 2011, the petitioner was informed of the PRB's initial recommendation. The petitioner requested a second teleconference with the PRB. The petition manager is in the process of coordinating a date for the teleconference to occur.	04/29/11

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 14, 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 addressed the PRB by telephone. During the call, the petitioner provided supplemental information in support of the petition request. Directly following the teleconference, the petitioner emailed supplemental information to the petition manager for PRB consideration. The PRB is currently evaluating the petition and supplemental information provided. 	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		04/28/11
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: 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 18, 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: ~1 MONTH	
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 addressed the PRB by telephone to discuss the petition and provide additional information to the PRB. On April 25, 2011, the PRB met internally to discuss the petition. The PRB is still evaluating the petition to support its ability to make the initial recommendation to accept or reject the petition for review. 	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		04/25/11

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: ~1 MONTH

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 addressed the PRB by telephone to discuss the petition before the PRB meets internally to make an initial recommendation. On April 26, 2011, the PRB met internally to discuss the petition. The PRB is still evaluating the petition to support its ability to make the initial recommendation to accept or reject the petition for review. 	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		04/26/11
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 12, 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: ~1 MONTH

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 addressed the PRB by telephone, before the PRB meets internally to discuss the petition and to make an initial recommendation. On April 25, 2011, the PRB met internally to discuss the petition. The PRB is still evaluating the petition to support its ability to make the initial recommendation to accept or reject the petition for review. 	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		04/25/11
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 29, 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 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: ~1 MONTH

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 public meeting is scheduled for Monday, May 9, 2011. Meeting details are provided in an NRC public meeting notice (ADAMS Accession No. ML111090949). • On April 12, 2011, the petitioner was informed of the PRB's decision to deny the request for immediate action. 	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		
On April 5, 2011, the PRB met internally to discuss the request for immediate action only. The PRB denied the request for immediate action because: <ul style="list-style-type: none"> • The licensee has submitted a request for exemptions in accordance with NRC guidance and enforcement policy. Enforcement discretion is currently applicable during the staff review. • The licensee has evaluated the credited operator manual actions against the acceptance criteria of NRC Inspection Procedure 71111.05T and confirmed them to be feasible and reliable operator actions during the post-fire coping scenario. Therefore, NRC staff concludes that 1) the licensee's actions are within NRC defined process, 2) enforcement discretion is applicable, 3) there are no identifiable safety concerns, and 4) there is no basis to take immediate action	04/05/11		04/12/11

FACILITY: Crystal River Nuclear Generating Plant, Unit 3 LICENSEE TYPE: Reactor PETITIONER: Thomas Gurdziel		OPEN PETITION UNDER CONSIDERATION EDO # G20110239
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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:	N/A
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 immediately issue an Order against Progress Energy, representing Florida Power Corporation (the licensee) for Crystal River Nuclear Generating Plant, Unit 3, to permanently shut them down 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: ~1 MONTH	
The petitioner filed a petition for an enforcement action under 10 CFR 2.206.	03/28/11	<ul style="list-style-type: none"> The NRC staff is evaluating the petition request. 	04/25/11

FACILITY: All General Electric Boiling Water Reactors Mark I Units
LICENSEE TYPE: Reactor
PETITIONERS: Paul Gunter, Reactor Oversight Project
 Kevin Kamps, Nuclear Waste Specialist



**OPEN PETITION
 UNDER
 CONSIDERATION
 EDO # G20110262**

DATE OF PETITION: APRIL 13, 2011
DIRECTOR'S DECISION (DD) TO BE ISSUED BY: NRR
PROPOSED DD ISSUANCE: N/A **NO IMAGE AVAILABLE**
FINAL DD ISSUANCE: N/A
LAST CONTACT WITH PETITIONER: N/A
PETITION MANAGER: SIVA LINGAM
CASE ATTORNEY: MICHAEL CLARK & KIMBERLY SEXTON

ACTIONS REQUESTED AND ISSUES

For reasons specified within the petition request, the petitioner requests that the NRC immediately suspend the operating licenses of General Electric (GE) Boiling Water Reactors (BWR) Mark I units to ensure public health and safety is not unduly being jeopardized. As stated by the petitioner, this petition focuses on "the unreliability of the GE BWR Mark I containment system to mitigate a severe accident and the lack of emergency power systems to cool high density storage pools and radioactive reactor fuel assemblies."

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.	04/13/11	<ul style="list-style-type: none"> A public meeting is tentatively scheduled for June 1, 2011, so that the petitioners can address the PRB in person. Once the date has been confirmed by the petitioners, a public meeting notice will be issued to announce the meeting to all interested NRC stakeholders. 	04/25/11
<p>On April 19, 2011, the petition manager contacted the petitioners to discuss the 10 CFR 2.206 process and to offer them an opportunity to address the PRB before it meets internally to make the initial recommendation to accept or reject the petition for review. The petitioners requested an opportunity to address the PRB in a public meeting prior to making its initial recommendation.</p> <p>In addition, on April 19, 2011, the PRB met internally to discuss the request for immediate action only. The PRB denied the request for immediate action because there was no immediate safety concern to plant, or to the health and safety of the public. The petitioners expressed a general safety concern regarding the GE BWR Mark I units, but did not provide any facts or information that would lead us to immediately shutdown these plants.</p>	04/19/11		
On April 21, 2011, the petition manager informed the petitioners of the PRB's decision to deny the request for immediate action.	04/21/11		

FACILITY: Salem, Unit 1
LICENSEE TYPE: Reactor
PETITIONER: Thomas Gurdziel



**OPEN PETITION
 UNDER
 CONSIDERATION
 EDO # G20110310**

DATE OF PETITION: APRIL 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: N/A
PETITION MANAGER: RICK ENNIS
CASE ATTORNEY: N/A



ACTIONS REQUESTED AND ISSUES

For reasons specified within the petition request, the petitioner requests that the NRC fine PSEG Nuclear, LLC, the licensee for Salem, Unit 1, \$500,000.00 for failing to have an effective corrective action program that fixes problems promptly.

BACKGROUND, ACTIONS & KEY MILESTONES

CURRENT STATUS AND NEXT STEPS

PETITION AGE: ~1 WEEK

The petitioner filed a petition for an enforcement action under 10 CFR 2.206.

04/22/11

- The NRC staff is evaluating the petition request.

04/28/11

Enclosure 2
ML111220067
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.
FSME	Three Mile Island, Unit 2 G20100619	09/30/10	10/19/10 19 days	11/09/10 40 days	04/06/11 148 days		The goal to issue the Proposed Director's Decision in 120 days was not met. 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. Additional time was needed to support FSME's ability to coordinate with NRR.
NRR	Vermont Yankee Thomas Saporito G20110043	01/14/11	01/26/11 12 days	03/28/11 73 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. 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.
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