

Enclosure 1
ADAMS Accession
No. ML111430675
Monthly 10 CFR 2.206,
“Requests for Action
Under this Subpart,”
Status Report

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



CLOSED PETITION
EDO # G20110239

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: MAY 3, 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 U.S. Nuclear Regulatory Commission (NRC) immediately issue an order against Progress Energy, representing Florida Power Corporation (the licensee), for Crystal River Nuclear Generating Plant, Unit 3. The petitioner requests that the NRC permanently shut down Crystal River Nuclear Generating Plant, Unit 3, in the interest of protecting public health and safety regarding the structural failure of the Crystal River Nuclear Generating Plant, Unit 3, containment building.

BACKGROUND, ACTIONS, & KEY MILESTONES

CURRENT STATUS AND NEXT STEPS

PETITION AGE: ~2 MONTHS

The petitioner filed a petition for an enforcement action under Title 10 of the Code of Federal Regulations (10 CFR) 2.206, "Requests for Action Under this Subpart."

03/28/11

- In a letter dated May 3, 2011 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML11116A065), the NRC staff stated that the petition did not meet the criteria for review under 10 CFR 2.206, on the basis that, per Management Directive (MD) 8.11, "Review Process for 10 CFR 2.206 Petitions," dated October 25, 2000, the staff will not treat a general assertion of a safety problem without supporting facts as a formal petition under 10 CFR 2.206. All NRC actions on this petition are closed.

05/03/11

FACILITY: Indian Point Nuclear Generating Units 2 & 3; Vermont Yankee Nuclear Power Station;
LICENSEE TYPE: Reactor
PETITIONER: Sherwood Martinelli



OPEN PETITION
EDO # G20090487

DATE OF PETITION: AUGUST 22, 2009
DD TO BE ISSUED BY: NRR
PROPOSED DD ISSUANCE: OCTOBER 31, 2011
FINAL DD ISSUANCE: N/A
LAST CONTACT WITH PETITIONER: MAY 23, 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 Indian Point Nuclear Generating Units 2 and 3, Vermont Yankee Nuclear Power Station, and River Bend Station) until Entergy brings the decommissioning funds for all of its licensed nuclear reactors to the adequate minimum levels required by NRC regulations.

BACKGROUND, ACTIONS, & KEY MILESTONES		CURRENT STATUS AND NEXT STEPS	
		PETITION AGE: ~21 MONTHS	
The petitioner filed a petition for an enforcement action under 10 CFR 2.206.	08/22/09	<ul style="list-style-type: none"> The Petition Review Board (PRB) met internally on January 14, 2010, and concluded that, in accordance with MD 8.11, Mr. Martinelli's e-mail 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 Office of the Executive Director for Operations (OEDO) terminated G20090722. 	01/14/10
For a complete summary of NRC actions before December 17, 2009, please refer to the August 2010 monthly status report (ADAMS Accession No. 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 Power Station and River Bend Station, under 10 CFR 2.206 (ADAMS Accession No. ML093440334).	12/17/09	<ul style="list-style-type: none"> On March 2, 2010, OEDO approved an extension request until May 28, 2010, to support the NRC's staff's resolution of decommissioning funding issues. 	03/02/10
On December 22, 2009, the petitioner provided supplemental information in support of his petition by e-mail.	12/22/09	<ul style="list-style-type: none"> On May 14, 2010, OEDO approved an extension request until August 20, 2010, to support the NRC staff's resolution of decommissioning funding issues. 	05/14/10
On December 28, 2009, Mr. Martinelli submitted an e-mail 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 Nuclear Generating Units 2 & 3.	12/28/09	<ul style="list-style-type: none"> On July 26, 2010, 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, OEDO approved an extension request until June 24, 2011, to support the NRC staff's resolution of decommissioning funding issues. The petition manager informed the petitioner of this schedule change on December 28, 2010. On May 17, 2011, OEDO approved an extension request until October 31, 2011, to support the NRC staff's resolution of decommissioning funding issues at River Bend Station. The petition manager informed the petitioner of this schedule change on May 23, 2011. 	07/26/10 09/02/10 12/21/10 05/17/11

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



OPEN PETITION
EDO # G20090690

DATE OF PETITION: DECEMBER 5, 2009
DD TO BE ISSUED BY: NRR
PROPOSED DD ISSUANCE: DECEMBER 2, 2012
FINAL DD ISSUANCE: N/A
LAST CONTACT WITH PETITIONER: MAY 27, 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 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: ~18 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 November 23, 2010, 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. On May 27, 2011, OEDO approved an extension request until December 2, 2012, to permit additional time for the staff to issue the proposed director's decision. The petition manager informed the petitioner of this change on May 27, 2011. 	
<p>For a complete summary of NRC actions before March 1, 2010, please refer to the April 2011 monthly status report (ADAMS Accession No. ML111220348).</p>	<p>03/01/10</p>		<p>05/27/11</p>
<p>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>	<p>03/04/10</p>		
<p>On June 24, 2010, 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 the licensee needs to complete and for the NRC to review and evaluate these actions. The petition manager informed the petitioner of this change on June 24, 2010.</p>	<p>06/24/10</p>		
<p>In an e-mail dated October 17, 2010, the petitioner requested another opportunity to present additional information to the PRB as a direct result of information shared during an NRC public meeting held with the licensee on June 30, 2010. In accordance with Management Directive (MD) 8.11, the petition manager informed the petitioner that additional information should be submitted in writing to the OEDO 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>	<p>10/17/10</p>		

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



OPEN PETITION
EDO # G20100136

DATE OF PETITION:	MARCH 4, 2010	
DD TO BE ISSUED BY:	FSME	
PROPOSED DD ISSUANCE:	JUNE 30, 2011	
FINAL DD ISSUANCE:	N/A	NO IMAGE AVAILABLE
LAST CONTACT WITH PETITIONER:	APRIL 28, 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, U.S. 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: ~15 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 10 CFR 2.206 enforcement action. On April 28, 2011, the petition manager notified the petitioner that a pre-decisional enforcement conference was scheduled for Tuesday, May 10, 2011, to discuss apparent violations of NRC requirements involving possession of source material (depleted uranium from Davy Crockett spotting rounds) without a license. On May 10, 2011, the NRC staff held a pre-decisional enforcement conference with the Army. 	04/05/11
To review the status of this petition before January 1, 2011, please refer to prior 10 CFR 2.206 monthly status reports.	01/01/11		04/28/11
On January 27, 2011, the 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		05/10/11
OEDO approved an extension request to support the Office of Federal and State Materials and Environmental Management Programs' (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, e-mail concerning the Army's intent to modernize the Pohakuloa Training Area and to provide an update on the status of the 10 CFR 2.206 petition.	02/02/11		

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



OPEN PETITION
EDO # G20100619

DATE OF PETITION: SEPTEMBER 30, 2010
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 requiring FirstEnergy Nuclear Operating Company to provide the NRC with site-specific information and financial guarantees that demonstrate and verify that the licensee has adequate funding in place to decommission and decontaminate Three Mile Island Nuclear Station, Unit 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: ~8 MONTHS	
The petitioner filed a petition for enforcement action under 10 CFR 2.206.	09/30/10	<ul style="list-style-type: none"> On April 6, 2011, the petition manager called the petitioner to inform him that the NRC was transmitting the proposed director's decision for review and comment. On April 6, 2011, the NRC sent a copy of the proposed director's decision and transmittal letter to the petitioner and licensee via e-mail, 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. 	04/06/11
To review the status of this petition before January 31, 2011, please refer to prior monthly status reports.	10/18/2010		
On February 14, 2011, 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		04/29/11

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



OPEN PETITION
EDO # G20110043

DATE OF PETITION: JANUARY 14, 2011
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: ~5 MONTHS	
The petitioner filed a petition for an enforcement action under 10 CFR 2.206.	01/14/11	<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 NRC informed the petitioner 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. The NRC will issue a proposed director’s decision within 120 days of issuance of the acknowledgement letter. 	02/02/11
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 met internally to make the initial recommendation.	01/19/11		02/08/11
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 Nuclear Power Station. The petition manager informed the petitioner of the PRB’s decision to deny the request for immediate action.	01/24/11		02/14/11
On January 26, 2011, the petitioner addressed the PRB by teleconference to provide additional information in support of his petition request.	01/26/11		03/28/11

FACILITY: Pilgrim Nuclear Power Station LICENSEE TYPE: Reactor PETITIONER: Mary Lampert		OPEN PETITION UNDER CONSIDERATION EDO # G20100454
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DATE OF PETITION:	JULY 19, 2010
DD TO BE ISSUED BY:	NRR
PROPOSED DD ISSUANCE:	N/A
FINAL DD ISSUANCE:	N/A
LAST CONTACT WITH PETITIONER:	MAY 31, 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 Power Station, demonstrate that all inaccessible cables at Pilgrim Nuclear Power Station are capable of performing their required function, be it safety or nonsafety related.

As supplemented on August 13, 2010 (G20100527), the petitioner requested that the NRC issue an order that requires Entergy, the licensee for Pilgrim, to immediately perform an updated hydrogeologic 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: ~11 MONTHS
Please refer to prior 10 CFR 2.206 monthly status reports (on the NRC public Web site) to review the status of this petition before November 2010.	
On November 4, 2010, the PRB met internally to discuss the supplemental information (G201000527) received before 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 NRC reviewed, evaluated, and resolved the issues raised about the hydrogeologic analysis.	<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 December 13, 2010. Per MD 8.11 (Part III, Section C.1.a(iii)), a 10 CFR 2.206 petition request will not be treated under the 10 CFR 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 November 5, 2010, OEDO approved an extension request until December 30, 2010.	<ul style="list-style-type: none"> 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.
On November 10, 2010, the petition manager informed the petitioner of the PRB's final recommendation and of the schedule change.	<ul style="list-style-type: none"> By letter dated February 23, 2011 (ADAMS Accession No. ML103400692), the NRC issued a letter to the petitioner, which stated that the portion of her petition related to the hydrogeologic 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.
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 hydrogeologic analysis for review under 10 CFR 2.206. The NRC acknowledgement letter to the petitioner will address G20100454, G20100527, and G20100689.	<ul style="list-style-type: none"> By letter dated May 31, 2011 (ADAMS Accession No. ML111160334), the NRC issued a letter to address Ms. Lampert's concerns regarding the PRB's decision to hold her petition in abeyance.
On December 22, 2010, OEDO approved an extension request until February 26, 2011, to support the staff's ability to document the PRB's final recommendation.	<ul style="list-style-type: none"> By letter dated May 31, 2011 (ADAMS Accession No. ML111160334), the NRC issued a letter to address Ms. Lampert's concerns regarding the PRB's decision to hold her petition in abeyance.
On December 28, 2010, the petition manager informed the petitioner of this schedule change to issue the acknowledgement letter.	<ul style="list-style-type: none"> By letter dated May 31, 2011 (ADAMS Accession No. ML111160334), the NRC issued a letter to address Ms. Lampert's concerns regarding the PRB's decision to hold her petition in abeyance.

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



**OPEN PETITION
 UNDER
 CONSIDERATION
 EDO # G20110191**

DATE OF PETITION: MARCH 17, 2011
DD TO BE ISSUED BY: NRR
PROPOSED DD ISSUANCE: N/A
FINAL DD ISSUANCE: N/A
LAST CONTACT WITH PETITIONER: MAY 4, 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-basis earthquake due to this construction defect. The petition also includes additional requests for the NRC.

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.	03/17/11		04/29/11
On March 23, 2011, the petition manager contacted the petitioner by e-mail 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	<ul style="list-style-type: none"> On April 29, 2011, the petition manager informed the petitioner of the PRB's initial recommendation. The petitioner requested a second teleconference with the PRB. 	
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 for public health and safety. The NRC informed the petitioner of the PRB's decision to deny the request for immediate action on April 4, 2011.	04/04/11	<ul style="list-style-type: none"> On May 4, 2011, the petitioner addressed the PRB by teleconference to provide additional information in support of the petition. 	05/04/11
On April 6, 2011, the petitioner addressed the PRB by teleconference to provide additional information in support of the petition.	04/06/11	<ul style="list-style-type: none"> On May 12 and May 16, 2011, the PRB met internally to discuss the supplemental information provided by the petitioner. The PRB is still evaluating the petition and supplements before making the final recommendation. 	05/12/11 & 05/16/11
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 telephone call 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		

FACILITY: U.S. Nuclear Power Reactors
LICENSEE TYPE: Reactor
PETITIONER: Thomas Saporito



**OPEN PETITION
 UNDER
 CONSIDERATION
 EDO # G20110171**

DATE OF PETITION: MARCH 12, 2011
DD TO BE ISSUED BY: N/A
PROPOSED DD ISSUANCE: N/A
FINAL DD ISSUANCE: N/A **NO IMAGE AVAILABLE**
LAST CONTACT WITH PETITIONER: MAY 25, 2011
PETITION MANAGER: PETER TAM (RANDY HALL, BACKUP PETITION MANAGER)
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 United States that are known to be located on or near an earthquake fault line.

BACKGROUND, ACTIONS, & KEY MILESTONES

CURRENT STATUS AND NEXT STEPS

PETITION AGE: ~1.5 MONTHS

The petitioner filed a petition for an enforcement action under 10 CFR 2.206.	03/12/11		04/14/11
On March 21, 2011, the petition manager contacted the petitioner by e-mail 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	<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 e-mailed supplemental information to the petition manager for PRB consideration. 	
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 for public health and safety. The petition manager informed the petitioner of the PRB's decision to deny the request for immediate action on April 4, 2011.	04/04/11	<ul style="list-style-type: none"> On April 28, 2011, the PRB met internally to discuss the petition, including supplemental information provided, and made an initial recommendation to accept the petition, in part. On May 12, 2011, the petition manager informed the petitioner of the PRB's initial recommendation. The petitioner requested a second teleconference to address the PRB. On May 25, 2011, the petitioner addressed the PRB by telephone. The PRB plans to evaluate the supplemental information provided by the petitioner before making the final recommendation. 	04/28/11 05/12/11 05/25/11

FACILITY: Indian Point Nuclear Generating Units 2 & 3
LICENSEE TYPE: Reactor
PETITIONER: Deborah Brancato, Esq., Riverkeeper, Inc.



**OPEN PETITION
 UNDER
 CONSIDERATION
 EDO # G20110218**

DATE OF PETITION: MARCH 28, 2011
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 Indian Point Nuclear Generating Units 2 and 3, in order to provide necessary safety margins in the event of loss-of-coolant accidents.

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.	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. 	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	<ul style="list-style-type: none"> 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 an initial recommendation to accept or reject the petition for review. 	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
DD TO BE ISSUED BY: NRR
PROPOSED DD ISSUANCE: N/A
FINAL DD ISSUANCE: N/A
LAST CONTACT WITH PETITIONER: APRIL 13, 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 shut down Vermont Yankee Nuclear Power Station 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 Licensee Event Report 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: ~2 MONTHS	
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 met internally to make an initial recommendation. On April 26, 2011, the PRB met internally to discuss the petition. The PRB is still evaluating the information provided by the petitioner before making the initial recommendation. 	04/13/11
On March 23, 2011, the petition manager contacted the petitioner by e-mail 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 about public health and safety. The NRC informed the petitioner 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
DD TO BE ISSUED BY: NRR
PROPOSED DD ISSUANCE: N/A
FINAL DD ISSUANCE: N/A
LAST CONTACT WITH PETITIONER: MAY 16, 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 shut down Vermont Yankee Nuclear Power Station 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 investigation by an organization outside the NRC of the NRC's behavior in tolerating Entergy's "atrocious regulatory behavior."

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.	03/25/11	<ul style="list-style-type: none"> On April 12, 2011, the petitioner addressed the PRB by telephone before the PRB met 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's initial recommendation was that the petition did 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 the requests. 	04/12/11
On March 31, 2011, the petition manager contacted the petitioner by e-mail 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 for public health and safety. The NRC informed the petitioner of the PRB's decision to deny the request for immediate action on April 5, 2011.	04/05/11		04/29/11
		<ul style="list-style-type: none"> On April 29, 2011, the petition manager informed the petitioner of the PRB's initial recommendation. The petitioner requested another opportunity to address the PRB to provide any comments on the PRB's initial recommendation and additional information in support of the petition. On May 16, 2011, the petitioner addressed the PRB by telephone to discuss the PRB's initial recommendation. The PRB is considering the additional information provided before making a final recommendation. 	05/16/11

FACILITY: Indian Point Nuclear Generating Units 1, 2, & 3
LICENSEE TYPE: Reactor
PETITIONER: Eric Schneiderman, Office of the Attorney General
 State of New York



**OPEN PETITION
 UNDER
 CONSIDERATION
 EDO # G20110221**

DATE OF PETITION: MARCH 28, 2011
DD TO BE ISSUED BY: NRR
PROPOSED DD ISSUANCE: N/A
FINAL DD ISSUANCE: N/A
LAST CONTACT WITH PETITIONER: MAY 27, 2011
PETITION MANAGER: DOUGLAS PICKETT
CASE ATTORNEY(S): BRETT KLUKAN & 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 Nuclear Generating Units 1, 2, and 3:

1. Identify the violations of 10 CFR 50.48, Appendix R, Sections III.F and III.G, that exist as of the date of the petition (i.e., March 28, 2011) at Indian Point Units 1, 2, and 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, Sections III.F and III.G, for all the fire zones in Indian Point Units 2 and 3 and any Indian Point Unit 1 fire zone or system, structure, or component relied on by Indian Point Unit 2 or 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, Sections III.F and III.G, at Indian Point Units 1, 2, and 3.

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.	03/28/11	<ul style="list-style-type: none"> • On April 8, 2011, the petitioner confirmed that he would like to address the PRB in an NRC public meeting at NRC Headquarters in Rockville, MD. 	04/08/11
On March 31, 2011, the petition manager contacted the petitioner by e-mail 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.	03/31/11	<ul style="list-style-type: none"> • On April 12, 2011, the NRC informed the petitioner of the PRB's decision to deny the request for immediate action. • On May 9, 2011 (ADAMS Accession No. ML111090949), the petitioner addressed the PRB during a public meeting at NRC Headquarters to provide additional information and support for the petition request 	04/12/11 05/09/11
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 (1) the licensee's actions are within the 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	<ul style="list-style-type: none"> • On May 19, 2011, the PRB met internally to discuss the petition. The PRB's initial recommendation is that petition meets the criteria for review. • On May 27, 2011, the petition manager informed the petitioner of the PRB's initial recommendation. The petitioner did not request a second opportunity to address the PRB. Thus the initial recommendation is the PRB's final recommendation. An acknowledgement letter is being prepared to document the PRB's final recommendation to accept the petition for review. 	05/19/11 05/27/11

FACILITY: All General Electric Boiling-Water Reactor Mark I Units
LICENSEE TYPE: Reactor
PETITIONERS: Paul Gunter, Reactor Oversight Project
 Kevin Kamps, Nuclear Waste Specialist
COPETITIONERS: Noted Below Under "Current Status and Next Steps"



**OPEN PETITIONS
 UNDER
 CONSIDERATION
 EDO # G20110262**

DATE OF PETITION: APRIL 13, 2011
DD TO BE ISSUED BY: NRR
PROPOSED DD ISSUANCE: N/A **NO IMAGE AVAILABLE**
FINAL DD ISSUANCE: N/A
LAST CONTACT WITH PETITIONER: APRIL 25, 2011
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 reactor (BWR) Mark I units to ensure that public health and safety is not unduly 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: ~1.5 MONTHS	
The petitioners filed a petition for an enforcement action under 10 CFR 2.206.	04/13/11	<ul style="list-style-type: none"> • In a letter dated May 14, 2011 (G20110355), Pilgrim Watch requested to be added as a copetitioner. 05/14/11 • In a letter dated May 18, 2011 (G20110366), the New England Coalition requested to be added as a copetitioner. 05/18/11 • In a letter dated May 27, 2011 (G20110395), the GE Stockholders' Alliance requested to be added as a copetitioner. 05/27/11 • In a letter dated May 31, 2011 (G20110396), Marvin Lewis requested to be added as a copetitioner. 05/31/11 • In a letter dated May 31, 2011 (G20110400), David Kraft requested to be added as a copetitioner. 05/31/11 • A public meeting was held on June 8, 2011, so that the petitioners could address the PRB in person. The NRC issued a public meeting notice, which contained the agenda (ADAMS Accession No. ML11126A096). 06/08/11 	
<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 before it makes 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 for the plant or for public health and safety. The petitioners expressed a general safety concern about the GE BWR Mark I units but did not provide any facts or information that would lead the NRC to immediately shut down 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: St. Lucie Plant, Units 1 and 2
LICENSEE TYPE: Reactor
PETITIONER: Thomas Saporito



**OPEN PETITION
 UNDER
 CONSIDERATION
 EDO # G20110365**

DATE OF PETITION: APRIL 3, 2011
DD TO BE ISSUED BY: NRR
PROPOSED DD ISSUANCE: N/A
FINAL DD ISSUANCE: N/A
LAST CONTACT WITH PETITIONER: N/A
PETITION MANAGER: TRACY ORF
CASE ATTORNEY: N/A



ACTIONS REQUESTED AND ISSUES

For reasons specified within the petition request, the petitioner requests that the NRC take escalated enforcement action against NextTera Energy, Florida Power & Light Company, and St. Lucie Plant Units 1 and 2 and either suspend or revoke the NRC license granted to the licensee for operation of St. Lucie Units 1 and 2. The petitioner also requests that the NRC issue a notice of violation with a proposed civil penalty against those collectively and singularly named above. The petitioner's basis for the requested action is that on April 19, 2010, the "licensee admitted to the NRC that when St. Lucie Unit 1 was licensed, the facility was not required to incorporate a single failure design capability for a non-safety system." The petitioner contends that the licensee's admission and the NRC's inspection (Inspection Report EA-09-321, dated November 3, 2010) supports a finding that the licensee is operating outside the NRC's regulations. Finally, the petitioner requests that the NRC immediately Order the licensee to bring the St. Lucie Plant, Units 1 and 2, to a cold shutdown mode of operation.

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.

04/03/11

- On May 12, 2011, the petitioner submitted a letter to the NRC stating that the NRC had taken no action under MD 8.11 on the petition dated April 3, 2011. Because the NRC staff was not in receipt of the April 3, 2011, petition, the staff plans to proceed in accordance with MD 8.11 to evaluate the petition.

05/12/11

FACILITY: H.B. Robinson Steam Electric Plant
LICENSEE TYPE: Reactor
PETITIONER: Thomas Saporito



**OPEN PETITION
 UNDER
 CONSIDERATION
 EDO # G20110367**

DATE OF PETITION: APRIL 17, 2011
DD TO BE ISSUED BY: NRR
PROPOSED DD ISSUANCE: N/A
FINAL DD ISSUANCE: N/A
LAST CONTACT WITH PETITIONER: N/A
PETITION MANAGER: TRACY ORF
CASE ATTORNEY: N/A



ACTIONS REQUESTED AND ISSUES

For reasons specified within the petition request, the petitioner requests that the NRC take escalated enforcement action against Progress Energy, William D. Johnson, and H.B. Robinson Steam Electric Plant and either suspend or revoke the NRC license granted to the licensee for operation of H.B. Robinson Steam Electric Plant. The petitioner also requests that the NRC issue a notice of violation with a proposed civil penalty against those collectively and singularly named above. The petitioner's basis for the requested action is that on March 28, 2010, the NRC sent a special inspection team to investigate the circumstances of a significant event that occurred at H.B. Robinson Steam Electric Plant and caused a condition that increased the chance of reactor core damage. The petitioner claims that Progress Energy informed the NRC in writing that certain diagnostics and testing had been performed at H.B. Robinson Steam Electric Plant, when, in fact, those activities had not occurred.

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.	04/17/11	<ul style="list-style-type: none"> On May 12, 2011, the petitioner submitted a letter to the NRC stating that the NRC had taken no action under MD 8.11 on the petition dated April 17, 2011. Because the NRC staff was not in receipt of the April 17, 2011, petition, the staff plans to proceed in accordance with MD 8.11 to evaluate the petition. 	05/12/11

Enclosure 2
ADAMS Accession
No. ML111430675
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/Days from Incoming Petition 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 Nuclear Generating Units 2 and 3; Vermont Yankee Nuclear Power Station Sherwood Martinelli G20090487	8/22/09	12/08/09 109 days	12/17/09 118 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 Nuclear Generating Plant 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, in which the petitioner is invited to participate, within 2 weeks of receipt of the petition.

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

³ Goal is to issue a proposed director's decision within 120 days of the acknowledgment letter.

⁴ Goal is to issue a 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 in holding a call with the PRB within 2 weeks of receipt of the petition and in issuing the acknowledgement letter in accordance with the NRC's timeliness goals.
FSME	Three Mile Island Nuclear Station, 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, 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 Nuclear Power Station 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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