

Enclosure 1
ADAMS Accession
No. ML112690064
Monthly 10 CFR 2.206,
“Requests for Action
Under This Subpart,”
Status Report

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CLOSED PETITION

EDO # G20110043 (Petition Age: 10 months)

Facility: Vermont Yankee Nuclear Power Station
Licensee Type: Reactor
Petitioner(s): Thomas Saporito, SaproDani Associates
Date of Petition: January 14, 2011
DD To Be Issued by: Office of Nuclear Reactor Regulation
Proposed DD Issuance: July 14, 2011
Final DD Issuance: September 9, 2011
Last Contact with Petitioner: September 9, 2011
Petition Manager: James Kim
Case Attorney: N/A

Issues/Actions Requested:

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:

- On January 14, 2011, 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.”
- For a complete summary of U.S. Nuclear Regulatory Commission (NRC) actions before July 31, 2011, please refer to the August 2011 monthly 10 CFR 2.206 status report (Agencywide Documents Access and Management System (ADAMS) Accession No. ML112490132).

Current Status/Next Steps:

- On August 1, 2011, the petitioner provided comments on the proposed Director’s Decision (DD) (ADAMS Accession No. ML11223A004).
- On September 9, 2011, the NRC issued the final DD (ADAMS Accession No. ML112240960). The petitioner’s comments were dispositioned in the final DD. All NRC actions on this petition are closed.

CLOSED PETITION

EDO # G20110398 (Petition Age: 4 months)

Facility: Limerick Nuclear Generating Station
Licensee Type: Reactor
Petitioner(s): Thomas Saporito, Saprodani Associates
Date of Petition: June 1, 2011
DD To Be Issued by: Office of Nuclear Reactor Regulation
Proposed DD Issuance: N/A
Final DD Issuance: N/A
Last Contact with Petitioner: September 2, 2011
Petition Manager: Peter Bamford
Case Attorney: N/A

Issues/Actions Requested:

For detailed reasons described in the petition, the petitioner requests that the NRC take enforcement action against Exelon Generation, Exelon Nuclear, Limerick Nuclear Generating Station, and John Rowe. The basis for the petition is that on, or about, May 30, 2011, Limerick Nuclear Generating Station, Unit 2, experienced an unexpected shutdown (or SCRAM) event in which two reactor recirculation pumps tripped offline during reactor startup operations. A similar event occurred less than 36 hours earlier at the same reactor. The petitioner states that the licensee's failure to properly analyze, determine, and correct the root cause of the initial SCRAM event before restarting the reactor significantly undermines any confidence that the NRC may have that the licensee will comply with the NRC's regulations under 10 CFR Part 50, "Domestic Licensing of Production and Utilization Facilities." In a teleconference dated June 13, 2011, the petitioner cited additional Limerick events dated February 25, April 2, and June 3, 2011, as part of the basis for the requested actions.

Background:

- On June 1, 2011, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.
- For a complete summary of NRC actions before July 31, 2011, please refer to the August 2011 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML112490132).

Current Status/Next Steps:

- On August 17, 2011, the Petition Review Board (PRB) met to consider the information provided by the petitioner during the second teleconference (held on June 30, 2011). The PRB's final recommendation was that the petition still did not meet the criteria for review because the petitioner did not provide any element of support beyond the basic assertions to warrant further inquiry.
- On September 2, 2011, the NRC issued a closure letter (ADAMS Accession No. ML112371884), which documents the PRB's final recommendation. All NRC actions on this petition are closed.

CLOSED PETITION

EDO # G20110477 (Petition Age: 3 months)

Facility: Palisades Nuclear Plant and Vermont Yankee Nuclear Power Station
Licensee Type: Reactor
Petitioner(s): Thomas Saporito, SaproDani Associates
Date of Petition: June 20, 2011
DD To Be Issued by: Office of Nuclear Reactor Regulation
Proposed DD Issuance: N/A
Final DD Issuance: N/A
Last Contact with Petitioner: September 19, 2011
Petition Manager: Lynnea Wilkins
Case Attorney: N/A

Issues/Actions Requested:

For detailed reasons described in the petition, the petitioner requests that the NRC take enforcement action against Entergy Nuclear Generation; Entergy Nuclear, Inc.; Entergy Nuclear Northeast; Entergy Nuclear Operations, Inc.; Entergy Nuclear Palisades, LLC; Entergy Nuclear Vermont Yankee, LLC; Entergy Operations, Inc.; and J. Wayne Leonard. The basis for the petition stems from an NRC public meeting discussion, held with licensees on June 20, 2011. The discussion was related to a change in the structure for which quality control (QC) and quality assurance (QA) licensed activities are conducted at nuclear power plants. The petitioner states that the licensees failed to comply with the NRC regulations and standards when making material changes to their QC/QA programs and the licensees failed to submit a license amendment request, failed to update the final safety analysis report, and failed to update the technical specifications for each material change made to the QC/QA program.

Background:

- On June 20, 2011, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.
- For a complete summary of NRC actions before July 31, 2011, please refer to the August 2011 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML112490132).
- On August 4, 2011, the petitioner addressed the PRB by telephone to discuss the petition before the PRB met internally to make an initial recommendation.
- On August 31, 2011, the PRB met internally and made an initial recommendation that the petition met the criteria for rejection because the NRC has already reviewed, evaluated, and resolved the issues or concerns raised.

Current Status/Next Steps:

- On September 6, 2011, the petition manager informed the petitioner of the PRB's initial recommendation and offered the petitioner a second opportunity to address the PRB. The petitioner declined the second opportunity; therefore, the initial PRB recommendation became final.
- On September 19, 2011, the NRC issued a closure letter documenting the PRB's final recommendation (ADAMS Accession No. ML112550383). All NRC actions on this petition are closed.

OPEN PETITION

EDO # G20090487 (Petition Age: 25 months)

Facility: Indian Point Nuclear Generating, Units 2 and 3; Vermont Yankee Nuclear Power Station; River Bend Station

Licensee Type: Reactor

Petitioner(s): Sherwood Martinelli

Date of Petition: August 22, 2009

DD To Be Issued by: Office of Nuclear Reactor Regulation

Proposed DD Issuance: September 8, 2011

Final DD Issuance: November 22, 2011

Last Contact with Petitioner: September 8, 2011

Petition Manager: Doug Pickett

Case Attorney: Patricia Jehle

Issues/Actions Requested:

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:

- On August 22, 2009, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.
- For a complete summary of NRC actions before July 31, 2011, please refer to the August 2011 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML112490132).

Current Status/Next Steps:

- On September 8, 2011, the NRC issued the proposed DD (ADAMS Accession No. ML101100607). The petitioner and licensee were both given 30 days to provide written comments on the proposed DD. The staff will disposition any comments received in the final DD.

OPEN PETITION

EDO # G20090690 (Petition Age: 22 months)

Facility: Crystal River Nuclear Generating Plant, Unit 3
Licensee Type: Reactor
Petitioner(s): Thomas Saporito, SaproDani Associates
Date of Petition: December 5, 2009
DD To Be Issued by: Office of Nuclear Reactor Regulation
Proposed DD Issuance: December 2, 2012
Final DD Issuance: N/A
Last Contact with Petitioner: August 23, 2011
Petition Manager: Farideh Saba
Case Attorney: Michael Clark

Issues/Actions Requested:

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 Nuclear Generating Plant, Unit 3, containment building.

Background:

- On December 5, 2009, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.
- For a complete summary of NRC actions before July 31, 2011, please refer to the August 2011 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML112490132).

Current Status/Next Steps:

- On August 23, 2011, the petition manager contacted the petitioner by e-mail to inform him that the staff's review was still in progress.

OPEN PETITION

EDO # G20100136 (Petition Age: 20 months)

Facility: U.S. Army Installation Command
Licensee Type: Materials
Petitioner(s): Isaac Harp
Date of Petition: March 4, 2010
DD To Be Issued by: Office of Federal and State Materials and Environmental Management Programs
Proposed DD Issuance: August 8, 2011
Final DD Issuance: October 31, 2011
Last Contact with Petitioner: August 9, 2011
Petition Manager: Kenneth Kalman
Case Attorney(s): Brett Klukan and Kimberly Sexton

Issues/Actions Requested:

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:

- On March 4, 2010, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.
- For a complete summary of NRC actions before July 31, 2011, please refer to the August 2011 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML112490132).

Current Status/Next Steps:

- On August 8, 2011, the NRC issued a proposed DD (ADAMS Accession No. ML111990193). The petitioner and licensee were both given 30 days to provide written comments on the proposed DD. The staff will disposition any comments received in the final DD.

OPEN PETITION

EDO # G20110171 (Petition Age: 7 months)

Facility: U.S. Nuclear Power Reactors
Licensee Type: Reactor
Petitioner(s): Thomas Saporito, Saprodani Associates
Date of Petition: March 12, 2011
DD To Be Issued by: Office of Nuclear Reactor Regulation
Proposed DD Issuance: October 25, 2011
Final DD Issuance: N/A
Last Contact with Petitioner: August 26, 2011
Petition Manager: Peter Tam
Case Attorney: Michael Clark

Issues/Actions Requested:

For detailed reasons described in the petition, the petitioner seeks immediate enforcement action as it requests that the NRC issue an order for 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:

- On March 12, 2011, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.
- For a complete summary of NRC actions before July 31, 2011, please refer to the August 2011 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML112490132).

Current Status/Next Steps:

- On August 26, 2011, the petition manager left a message with Mr. Saporito to inform him that the staff's review of this petition is in progress (ADAMS Accession No. ML11238A087).

OPEN PETITION

EDO # G20110221 (Petition Age: 6 months)

Facility: Indian Point Nuclear Generating, Units 1, 2, and 3
Licensee Type: Reactor
Petitioner(s): Eric Schneiderman, Office of the Attorney General, State of New York
Date of Petition: March 28, 2011
DD To Be Issued by: Office of Nuclear Reactor Regulation
Proposed DD Issuance: October 27, 2011
Final DD Issuance: N/A
Last Contact with Petitioner: June 30, 2011
Petition Manager: Doug Pickett
Case Attorney: Brett Klukan and Bob Rader

Issues/Actions Requested:

For reasons specified within the petition, the petitioner requests that the NRC immediately issue an order that takes the following actions with respect to Indian Point Nuclear Generating, Units 1, 2, and 3:

- Identify the violations of 10 CFR 50.48, "Fire Protection," and Sections III.F and III.G of Appendix R, "Fire Protection Program for Nuclear Power Facilities Operating Prior to January 1, 1979," to 10 CFR Part 50, that exist as of the date of the petition (i.e., March 28, 2011), at Indian Point Nuclear Generating, Units 1, 2, and 3.
- Compel Entergy and its affiliates to comply on or before September 20, 2011, with the requirements in 10 CFR 50.48 and Sections III.F and III.G of Appendix R to 10 CFR Part 50, for all the fire zones in Indian Point Nuclear Generating, Units 2 and 3, and any Indian Point Nuclear Generating, Unit 1 fire zone or system, structure, or component relied on by Indian Point Nuclear Generating, Unit 2 or 3.
- Convene an evidentiary hearing before the Commission to adjudicate the violations by Entergy and its affiliates of 10 CFR 50.48 and Sections III.F and III.G of Appendix R to 10 CFR Part 50, at Indian Point Nuclear Generating, Units 1, 2, and 3.

Background:

- On March 28, 2011, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.
- For a complete summary of NRC actions before July 31, 2011, please refer to the August 2011 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML112490132).

Current Status/Next Steps:

- The NRC staff plans to issue a proposed DD by October 27, 2011. The petitioner was informed on June 30, 2011, via an acknowledgment letter (ADAMS Accession No. ML111520393).

OPEN PETITION UNDER CONSIDERATION

EDO # G20100454 (Petition Age: 15 months)

Facility:	Pilgrim Nuclear Power Station
Licensee Type:	Reactor
Petitioner(s):	Mary Lampert
Date of Petition:	July 19, 2010
DD To Be Issued by:	Office of Nuclear Reactor Regulation
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

Issues/Actions Requested:

For detailed reasons described in the petition (G20100454), the petitioner requested that the NRC issue a demand for information order requiring Entergy, the licensee for Pilgrim Nuclear Power Station, to 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 Nuclear Power Station, 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:

- On July 19, 2010, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.
- For a complete summary of NRC actions before July 31, 2011, please refer to the August 2011 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML112490132).

Current Status/Next Steps:

- According to the NRC's partial acknowledgment letter dated May 31, 2011 (ADAMS Accession No. ML111160334), this petition is still being held in abeyance with respect to the portion of the petition related to inaccessible cables, until an outcome of the contention submitted by Ms. Lampert is made under the Pilgrim Nuclear Power Station license renewal hearing process.

OPEN PETITION UNDER CONSIDERATION

EDO # G20110262 (Petition Age: 6 months)

Facility: All General Electric Boiling-Water Reactor Mark I Units
Licensee Type: Reactor
Petitioner(s): Paul Gunter, Reactor Oversight Project; Kevin Kamps, Nuclear Waste Specialist
Date of Petition: April 13, 2011
DD To Be Issued by: Office of Nuclear Reactor Regulation
Proposed DD Issuance: N/A
Final DD Issuance: N/A
Last Contact with Petitioner: August 19, 2011
Petition Manager: Siva Lingam
Case Attorney: Michael Clark

Issues/Actions Requested:

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 are 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:

- On April 13, 2011, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.
- For a complete summary of NRC actions before July 31, 2011, please refer to the August 2011 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML112490132).

Current Status/Next Steps:

- On August 16, 2011, the petition manager informed the petitioner of the PRB’s initial recommendation to accept the petition for review, in part. The petitioner requested a second opportunity (via an NRC public meeting) to address the PRB.
- On October 7, 2011, the petitioners will address the PRB during an NRC public meeting. The NRC’s public meeting notice (ADAMS Accession No. ML11250A171) provides the meeting agenda.

OPEN PETITION UNDER CONSIDERATION

EDO # G20110506 (Petition Age: 3 months)

Facility: Cooper Nuclear Station
Licensee Type: Reactor
Petitioner(s): Thomas Saporito, Saprodani Associates
Date of Petition: July 3, 2011
DD To Be Issued by: Office of Nuclear Reactor Regulation
Proposed DD Issuance: N/A
Final DD Issuance: N/A
Last Contact with Petitioner: August 29, 2011
Petition Manager: Lynnea Wilkins
Case Attorney: Christopher Hair

Issues/Actions Requested:

For detailed reasons described in the petition, the petitioner requests that the NRC take escalated enforcement action against the Cooper Nuclear Station (CNS) and issue a confirmatory order requiring the licensee to bring CNS to cold shutdown. The basis for the petition is that on June 19, 2011, the licensee declared an unusual event in connection with the Missouri River flooding its banks. In summary, the petition contends that the installed flood-protection measures and systems and barriers at CNS are not sufficient to adequately protect the reactor from a full-meltdown scenario; the licensee's station blackout procedures are not sufficient to meet a challenging extended loss of offsite power caused by flooding, natural disasters, or terrorist attacks; the licensee failed to notify the NRC of the declaration of an unusual event within a 1-hour period; and the licensee continues to jeopardize public health and safety by failing to bring CNS to a cold shutdown.

Background:

- On July 3, 2011, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.
- For a complete summary of NRC actions before July 31, 2011, please refer to the August 2011 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML112490132).

Current Status/Next Steps:

- On August 29, 2011, the petitioner addressed the PRB by telephone to discuss the petition before the PRB's internal meeting to make the initial recommendation.
- On September 12, 2011, the PRB met to discuss the petition. The PRB is in the process of planning another internal meeting, to include additional NRC staff to support its ability to make the initial recommendation.

OPEN PETITION UNDER CONSIDERATION

EDO # G20110492 (Petition Age: 3 months)

Facility: Fort Calhoun Station, Unit 1
Licensee Type: Reactor
Petitioner(s): Thomas Saporito, Saprodani Associates
Date of Petition: June 26, 2011
DD To Be Issued by: Office of Nuclear Reactor Regulation
Proposed DD Issuance: N/A
Final DD Issuance: N/A
Last Contact with Petitioner: August 29, 2011
Petition Manager: Lynnea Wilkins
Case Attorney: Christopher Hair

Issues/Actions Requested:

For detailed reasons described in the petition, the petitioner requests that the NRC take escalated enforcement action against the Omaha Public Power District and Fort Calhoun Station, Unit 1. The basis for the petition is that on June 26, 2011, a 2,000-foot berm at Fort Calhoun Station, Unit 1, collapsed from the forces of flood waters. The petitioner states that the licensee's installed flood-protection measures and systems and barriers at Fort Calhoun Station, Unit 1, are insufficient to adequately protect the reactor from a full-meltdown scenario and that the licensee's station blackout procedures are not sufficient to meet the challenging extended loss of offsite power caused by floods and other natural disasters or terrorist attacks.

Background:

- On June 26, 2011, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.
- For a complete summary of NRC actions before July 31, 2011, please refer to the August 2011 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML112490132).

Current Status/Next Steps:

- On August 29, 2011, the petitioner addressed the PRB by telephone to discuss the petition before the PRB's internal meeting to make the initial recommendation.
- On September 12, 2011, the PRB met to discuss the petition. The PRB is in the process of planning another internal meeting, to include additional NRC staff to support its ability to make the initial recommendation.

OPEN PETITION UNDER CONSIDERATION

EDO # G20110563 (Petition Age: 2 months)

Facility:	General Electric Boiling-Water Reactor Mark I and Mark II Units
Licensee Type:	Reactor
Petitioner(s):	David Lochbaum, Union of Concerned Scientists
Date of Petition:	July 29, 2011
DD To Be Issued by:	Office of Nuclear Reactor Regulation
Proposed DD Issuance:	N/A
Final DD Issuance:	N/A
Last Contact with Petitioner:	September 23, 2011
Petition Manager:	Ed Miller
Case Attorney:	N/A

Issues/Actions Requested:

The petitioner requests that the NRC issue a demand for information to the licensees of BWRs with Mark I and Mark II containment designs on how the facility complies with General Design Criterion 44, "Cooling Water," of Appendix A, "General Design Criteria for Nuclear Power Plants," to 10 CFR Part 50, and 10 CFR 50.49, "Environmental Qualification of Electric Equipment Important to Safety for Nuclear Power Plants," with respect to spent fuel pools.

Background:

- On July 29, 2011, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.
- On August 16, 2011, the assigned petition manager informed the petitioner of the 10 CFR 2.206 process and offered the petitioner an opportunity to address the PRB before its internal meeting to make an initial recommendation, in accordance with Management Directive 8.11, "Review Process for 10 CFR 2.206 Petitions." The petitioner declined the first opportunity for a public meeting.

Current Status/Next Steps:

- On September 8, 2011, the PRB met internally to discuss the petition and made an initial recommendation that the petition met the criteria for review.
- On September 23, 2011, the petition manager informed the petitioner of the initial recommendation and offered a second opportunity for the petitioner to address the PRB. The petitioner declined a meeting; therefore, the initial recommendation to accept the petition for review is now final and will be documented in an acknowledgment letter.

OPEN PETITION UNDER CONSIDERATION

EDO # G20110579 (Petition Age: 2 months)

Facility: All U.S. Reactors
Licensee Type: Reactor
Petitioner(s): Natural Resources Defense Council
Date of Petition: August 1, 2011
DD To Be Issued by: Office of Nuclear Reactor Regulation
Proposed DD Issuance: N/A
Final DD Issuance: N/A
Last Contact with Petitioner: August 31, 2011
Petition Manager: Merrilee Banic
Case Attorney: N/A

Issues/Actions Requested:

The petitioner requests that the NRC order licensees to take actions corresponding to recommendations in the "Near-Term Task Force Review of Insights from the Fukushima Dai-Ichi Accident," dated July 12, 2011 (ADAMS Accession No. ML111861807). The petition consists of 12 letters.

Background:

- On August 1, 2011, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.
- On August 5, 2011, the petition manager informed the petitioner of the 10 CFR 2.206 process and offered the petitioner an opportunity to address the PRB before its internal meeting to make the initial recommendation. The petitioner accepted the offer and requested a public meeting.
- On August 22, 2011, the petition manager scheduled an NRC public meeting for September 7, 2011. Before this scheduled meeting date, the petitioner formally requested that the meeting be postponed until the petitioner has had the opportunity to review the NRC staff recommendations to the Commission on September 9, 2011.

Current Status/Next Steps:

- The petition manager is in the process of rescheduling a public meeting with the petitioner on a mutually agreeable date.

OPEN PETITION UNDER CONSIDERATION

EDO # G20110628 (Petition Age: 2 months)

Facility:	Limerick Generating Station
Licensee Type:	Reactor
Petitioner(s):	Thomas Saporito, Saprodani Associates
Date of Petition:	August 20, 2011
DD To Be Issued by:	Office of Nuclear Reactor Regulation
Proposed DD Issuance:	N/A
Final DD Issuance:	N/A
Last Contact with Petitioner:	N/A
Petition Manager:	Peter Bamford
Case Attorney:	Michael Clark

Issues/Actions Requested:

The request is a followup to a previously closed 10 CFR 2.206 petition (G20110570). The petitioner takes issue with the PRB's decision that the petition does not meet the criteria for review.

Background:

- On August 1, 2011, the petitioner filed a petition for an enforcement action under 10 CFR 2.206. This request was denied by letter dated August 17, 2011 (ADAMS Accession No. ML112231397).
- On August 20, 2011 the petitioner submitted a request to re-evaluate the August 17, 2011, decision.

Current Status/Next Steps:

- The NRC is evaluating the request.

OPEN PETITION UNDER CONSIDERATION

EDO # G20110625 (Petition Age: 1 month)

Facility: All U.S. Reactors
Licensee Type: Reactor
Petitioner(s): Thomas Saporito, Saprodani Associates
Date of Petition: August 26, 2011
DD To Be Issued by: Office of Nuclear Reactor Regulation
Proposed DD Issuance: N/A
Final DD Issuance: N/A
Last Contact with Petitioner: September 22, 2011
Petition Manager: Andrea Russell
Case Attorney: N/A

Issues/Actions Requested:

For reasons described in the petition, the petitioner requests that the NRC issue orders and penalties regarding security-related issues.

Background:

- On August 23, 2011, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.
- On August 26, 2011, the petition manager informed the petitioner of the 10 CFR 2.206 process and offered the petitioner an opportunity to address the PRB before its internal meeting to make the initial recommendation. The petitioner accepted the offer and requested a teleconference.
- On September 22, 2011, the petitioner addressed the PRB in a teleconference and provided supplemental information for consideration.

Current Status/Next Steps:

- The PRB is planning to meet internally to discuss the petitioner's request for immediate action (as requested by the petitioner during the teleconference on September 22) and to make the initial recommendation.

OPEN PETITION UNDER CONSIDERATION

EDO # G20110647 (Petition Age: 1 month)

Facility: Vermont Yankee Nuclear Power Station
Licensee Type: Reactor
Petitioner(s): Michael Mulligan
Date of Petition: August 26, 2011
DD To Be Issued by: Office of Nuclear Reactor Regulation
Proposed DD Issuance: N/A
Final DD Issuance: N/A
Last Contact with Petitioner: September 14, 2011
Petition Manager: James Kim
Case Attorney: N/A

Issues/Actions Requested:

For reasons described in the petition, the petitioner requests an emergency shutdown of Vermont Yankee Nuclear Power Station because of an unmonitored release path and claims that the facility's environmental reports have been inaccurate and falsified for decades.

Background:

- On August 26, 2011, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.
- On September 8, 2011, the petition manager informed the petitioner of the 10 CFR 2.206 process and offered the petitioner an opportunity to address the PRB before its internal meeting to make the initial recommendation. The petitioner accepted the offer and requested a teleconference.
- On September 14, 2011, the petitioner addressed the PRB in a teleconference and provided supplemental information for consideration.

Current Status/Next Steps:

- On October 4, 2011, the PRB is planning to meet internally to discuss the petition and to make the initial recommendation.

OPEN PETITION UNDER CONSIDERATION

EDO # G20110668 (Petition Age: 1 month)

Facility:	North Anna Nuclear Plant, Units 1 and 2
Licensee Type:	Reactor
Petitioner(s):	Thomas Saporito, SaproDani Associates
Date of Petition:	September 8, 2011
DD To Be Issued by:	Office of Nuclear Reactor Regulation
Proposed DD Issuance:	N/A
Final DD Issuance:	N/A
Last Contact with Petitioner:	September 21, 2011
Petition Manager:	Jon Thompson
Case Attorney:	Mauri Lemoncelli

Issues/Actions Requested:

In the wake of the August 23, 2011, earthquake at the North Anna Nuclear Plant, which exceeded the design basis earthquake peak ground acceleration for the plant, and for reasons described in the petition, the petitioner requests: (1) escalated enforcement action to suspend or revoke the North Anna Nuclear Plant licenses, (2) issuance of a notice of violation proposing a \$1M fine, and (3), issuance of an order to keep North Anna Nuclear Plant in cold shutdown until the completion of 4 sets of activities to ensure the safety of the plant which are described in the petition.

Background:

- On September 8, 2011, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.
- On September 14, 2011, the petition manager informed the petitioner of the 10 CFR 2.206 process and offered the petitioner an opportunity to address the PRB, prior to its internal meeting to make the initial recommendation. The petitioner accepted the offer and requested a teleconference.
- On September 20, 2011, the PRB met to discuss the request for immediate action. 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 requirement to demonstrate that no functional damage has occurred to those features necessary for continued operation without undue risk to the health and safety already exists in 10 CFR Part 100, Appendix A, and the licensee is currently addressing this requirement.
- On September 21, 2011, the petitioner was informed of the PRB's decision to deny the request for immediate action. The petitioner confirmed his availability to support a teleconference on September 29, 2011.

Current Status/Next Steps:

- On September 29, 2011, the petitioner addressed the PRB in a teleconference. The PRB plans to consider the additional information provided when it meets internally to make the initial recommendation.

Enclosure 2
ADAMS Accession
No. ML112690064
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	Petition Review Board (PRB) Meeting/Days from Incoming Petition ¹	Acknowledgment Letter/Days from Incoming Petition ²	Proposed Director's Decision(DD)/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, River Bend Station Sherwood Martinelli G20090487	8/22/09	12/08/09 109 days	12/17/09 118 days	09/08/11 630 days		The goal to issue the proposed DD was not met. The Office of Nuclear Reactor Regulation (NRR) requested several extensions, which were approved by the Office of the Executive Director for Operations (OEDO), to accommodate the staff's review of decommissioning funding issues associated with River Bend. Since the proposed DD could not be issued until the NRC resolved issues associated with River Bend, this impacted NRR's ability to issue the proposed DD in accordance with the NRC's timeliness goals.
NRR	Crystal River Nuclear Generating Plant, Unit 3 Thomas Saporito G20090690	12/05/09	01/07/10 33 days	03/04/10 86 days			The goal to issue the acknowledgment letter was not met. The PRB meeting was delayed to support a request from the petitioner to address the PRB by phone before the Board met internally to make an initial recommendation. The delay in holding the PRB meeting impacted the NRC's ability to issue an

¹ Goal is to hold a PRB 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 DD within 120 days of the acknowledgment letter.

⁴ Goal is to issue a final DD within 45 days of the end of the comment period.

							acknowledgment letter in accordance with the NRC's timeliness goals.
FSME	U.S. Army Installation Command Isaac Harp G20100136	03/04/10	04/14/10 41 days	04/26/10 53 days	08/08/2011 469 days		The goal to issue the proposed DD was not met. Several extensions were approved by the OEDO during the review of this petition to support the staff's ability to coordinate enforcement meetings.
NRR	Vermont Yankee Nuclear Power Station Thomas Saporito G20110043	01/14/11	01/26/11 12 days	03/28/11 73 days	07/14/11 78 days	09/09/11 26 days	The goal to issue the final DD was met.
NRR	U.S. Nuclear Power Reactors Thomas Saporito G20110171	03/12/11	04/14/11 33 days	06/28/11 108 days			<p>The goal to hold a PRB meeting, in which the petitioner is invited to participate, within 2 weeks of receipt of the petition, was not met. Because of the complexity of the petition, and the ongoing staff workload associated with the earthquake in Japan, the earliest availability for the PRB members to meet (to coincide with the petitioner's availability) was April 14, 2011.</p> <p>The goal to issue an acknowledgment letter within 35 days of the date of the incoming petition was not met. The delay in holding the PRB meeting impacted the NRC's ability to issue an acknowledgment letter in accordance with the</p>

							<p>NRC's timeliness goals. NRR obtained an extension, which was approved by the OEDO, to support the PRB's ability to hold an additional conference call with the petitioner, and to coordinate the internal PRB discussions which involved a significant number of staff throughout the entire agency.</p>
NRR	<p>Indian Point Nuclear Generating, Units 1, 2, and 3</p> <p>Eric Schneiderman, Office of the Attorney General, State of New York</p> <p>G20110221</p>	03/28/11	<p>05/09/11</p> <p>42 days</p>	<p>06/30/11</p> <p>94 days</p>			<p>The goal to hold a PRB meeting, in which the petitioner is invited to participate, within 2 weeks of receipt of the petition, was not met. The petitioner requested this first opportunity, and the earliest availability which coincided with the petitioner's availability was May 9, 2011.</p> <p>The goal to issue an acknowledgment letter within 35 days of the date of the incoming petition was not met. The delay in holding the PRB meeting impacted the NRC's ability to issue an acknowledgment letter in accordance with the agency's timeliness goals. NRR obtained an extension, which was approved by the OEDO, to support the PRB's ability to hold a public meeting with the petitioner and to coordinate the internal PRB discussions.</p>