

Enclosure 1
ADAMS Accession
No. ML11341A040
Monthly 10 CFR 2.206,
“Requests for Action
Under This Subpart,”
Status Report

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CLOSED PETITION

EDO # G20090487 (Petition Age: 27 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 8, 2011

Last Contact with Petitioner: November 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).
- 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.
- On September 28, 2011, the licensee provided verbal comments on the proposed DD to the petition manager. The petitioner did not provide any feedback.

Current Status/Next Steps:

- On November 8, 2011, the NRC issued the final DD (ADAMS Accession No. ML112870533). The comments provided by the licensee were dispositioned by the NRC in the final DD. All NRC actions on this petition are closed.

CLOSED PETITION

EDO # G20110647 (Petition Age: 3 months)

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: November 7, 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.
- On October 4, 2011, the PRB met internally to discuss the petition and to make the initial recommendation. The PRB's initial recommendation was that the petition did not meet the criteria for review. For some issues the petition failed to provide sufficient facts to warrant further inquiry and the remaining issues raised have already been reviewed, evaluated, and resolved by the NRC.
- On October 13, 2011, the petitioner was informed of the PRB's initial recommendation and requested a second opportunity to provide additional information in support of the petition request.
- On October 25, 2011, the petitioner addressed the PRB by teleconference to discuss the PRB's initial recommendation. The PRB initial recommendation was made final, because no supplemental information was provided which would change the PRB's initial recommendation.

Current Status/Next Steps:

- On November 7, 2011, the NRC issued a closure letter (ADAMS Accession No. ML113010445) to the petitioner to convey the PRB's final recommendation to not accept the petition for review. All NRC actions on this petition are closed.

OPEN PETITION

EDO # G20090690 (Petition Age: 24 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 3, 2012
Final DD Issuance: N/A
Last Contact with Petitioner: November 8, 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).
- 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.

Current Status/Next Steps:

- On November 8, 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 # G20110171 (Petition Age: 9 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: January 31, 2012
Final DD Issuance: N/A
Last Contact with Petitioner: October 24, 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).
- 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).

Current Status/Next Steps:

- On October 18, 2011, the Office of the Executive Director for Operations (OEDO) approved an extension to January 31, 2012, to support issuance of the proposed DD since the issues raised in the petition pertain to the resolution of Near Term Task Force Recommendations associated with the Fukushima Dai-Ichi Accident.
- On October 24, 2011, the petition manager informed the petitioner of the extension.

OPEN PETITION

EDO # G20110221 (Petition Age: 8 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: April 30, 2012
Final DD Issuance: N/A
Last Contact with Petitioner: October 12, 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).
- The NRC staff planned 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).

Current Status/Next Steps:

- On October 12, 2011, the petition manager informed the petitioner via e-mail that issuance of the proposed DD would be delayed until spring 2012.
- On October 17, 2011, the OEDO approved an extension until April 30, 2012, to support the staff's development of a proposed DD.

OPEN PETITION

EDO # G20110563 (Petition Age: 4 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: March 9, 2012
Final DD Issuance: N/A
Last Contact with Petitioner: November 10, 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.
- 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

Current Status/Next Steps:

- On November 10, 2011, the NRC issued the acknowledgement letter (ADAMS Accession No. ML112800606) to accept the petition for review.

OPEN PETITION UNDER CONSIDERATION

EDO # G20100454 (Petition Age: 17 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: November 29, 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 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: 8 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: October 31, 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).
- 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.

Current Status/Next Steps:

- On October 7, 2011, the petitioner addressed the PRB during an NRC public meeting. The NRC’s public meeting notice (ADAMS Accession No. ML11250A171) provides the meeting agenda. A summary of the meeting is available under ADAMS Accession No. ML11292A161.
- On October 25 and October 31, 2011, the petitioner provided additional supplemental material for the PRB’s consideration. The PRB is currently evaluating the additional information provided during the public meeting, including any written supplements, before it makes a final recommendation.

OPEN PETITION UNDER CONSIDERATION

EDO # G20110506 (Petition Age: 5 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:	October 31, 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).
- 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 and September 27, 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.

Current Status/Next Steps:

- On October 25, 2011, the OEDO approved an extension request until January 13, 2012, to permit additional time for the PRB to reach a final recommendation.
- On October 31, 2011, the petition manager informed the petitioner of the extension.

OPEN PETITION UNDER CONSIDERATION

EDO # G20110492 (Petition Age: 5 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: October 31, 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).
- 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 and September 27, 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.

Current Status/Next Steps:

- On October 25, 2011, the OEDO approved an extension request until January 13, 2012, to permit additional time for the PRB to reach a final recommendation.
- On October 31, 2011, the petition manager informed the petitioner of the extension.

OPEN PETITION UNDER CONSIDERATION

EDO # G20110579 (Petition Age: 4 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:	November 15, 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.
- On October 24, 2011, the OEDO approved an extension until January 6, 2012, to provide additional time for the staff to reach a final recommendation.
- On October 27, 2011, the petition manager informed the petitioner of the extension.

Current Status/Next Steps:

- On November 15, 2011, the PRB met internally to make the initial recommendation and determined that the petition met the criteria for review. Therefore, the petition will be accepted for review.
- On November 15, 2011, the petition manager informed the petitioner of the PRB's initial recommendation. The petitioner declined an opportunity to address the PRB since the petition was being accepted for review. An acknowledgement letter is being prepared by the petition manager to document the PRB's decision to accept the petition for review.

OPEN PETITION UNDER CONSIDERATION

EDO # G20110668 (Petition Age: 3 months)

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:	November 7, 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 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.
- On September 27, 2011, the OEDO approved an extension request until December 12, 2011, to support the PRB's ability to coordinate additional calls with the petitioner and to reach a final recommendation.
- On September 29, 2011, the petitioner addressed the PRB in a teleconference. The PRB made an initial recommendation that the petition met the criteria for review and plans to accept the petition for review.

Current Status/Next Steps:

- On October 31, 2011, the petitioner was informed of the PRB's initial recommendation and requested a second opportunity to address the PRB by teleconference.
- On November 7, 2011, the petitioner addressed the PRB by teleconference. The PRB considered the additional information provided and determined that the petition still met the criteria for review. An acknowledgement letter is being prepared to document the PRB's decision to accept the petition for review.

OPEN PETITION UNDER CONSIDERATION

EDO # G20110740 (Petition Age: 2 months)

Facility: Callaway Nuclear Generating Station
Licensee Type: Reactor
Petitioner(s): Lawrence Criscione
Date of Petition: October 7, 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: November 3, 2011
Petition Manager: Mohan Thadani
Case Attorney: Emily Monteith

Issues/Actions Requested:

For reasons described in the petition, the petitioner states that the reactor shutdown procedure (OTG-ZZ-00005) at Callaway is not compliant with the plant Technical Specifications and requests that the NRC take enforcement action against the licensee by prohibiting the licensee from shutting down the plant for the refueling outage, until the practice of bypassing the P-4/564 Feedwater Isolation Signal is reviewed and approved by NRC, and the plant is determined to be in compliance with Technical Specification 3.3.2.

Background:

- On October 7, 2011, the petitioner filed a petition for an enforcement action under 10 CFR 2.206. The following members of the public have also submitted emails to the NRC which reference Mr. Criscione's 10 CFR 2.206 petition:
 - By e-mail dated October 14, 2011 (Mr. David Lochbaum).
 - By e-mail dated October 14, 2011 (Ms. Kay Drey).
 - By e-mail dated October 15, 2001 (Ms. J. Mott Oxford).

Current Status/Next Steps:

- On November 3, 2011, the petition manager contacted the petitioner and informed him of the receipt of his petition, and briefed the petitioner on the petition review process. The petition manager also offered the petitioner an opportunity to address the PRB prior to the PRB's meeting to make an initial recommendation. The petitioner accepted the offer and requested a public meeting, which will be scheduled in December 2011.
- On November 3, 2011, DORL requested from the OEDO an extension of the due date from November 14, 2011 to January 31, 2012, to permit additional time to accommodate a public meeting with the petitioner and to conduct the internal PRB deliberations following the public meeting.
- On November 4, 2011, the OEDO approved the extension until January 31, 2012.

OPEN PETITION UNDER CONSIDERATION

EDO # G20110757 (Petition Age: 1 month)

Facility: North Anna Nuclear Plant, Units 1 and 2
Licensee Type: Reactor
Petitioner(s): Beyond Nuclear (Joint Petitioners)
Date of Petition: October 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: 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 petitioners request suspension of the operating license and restart contingent upon specific actions listed in the petition.

Background:

- On October 20, 2011, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.
- On October 27, 2011, the petition manager contacted the petitioner to discuss the 10 CFR 2.206 process and to offer the petitioner an opportunity to address the PRB in person or by teleconference. The petitioner requested a public meeting, which is currently scheduled on December 12, 2011. A copy of the meeting notice, along with an agenda, is available under ADAMS Accession No. ML11326A017.

Current Status/Next Steps:

- On November 7, 2011, the PRB met internally to discuss the request for immediate action. The PRB denied the request for immediate action because there was no immediate safety concern to the plant, or to the health and safety of the public. In addition, the requirement to demonstrate that no functional damage has occurred to those features necessary for continued operation of the reactors without undue risk to the health and safety exists in 10 CFR 100, Appendix A. With respect to the Independent Spent Fuel Storage Installation at the North Anna Power Station, interactions between the licensee and the NRC staff have not indicated any safety concerns.
- On November 10, 2011, the petition manager informed the petitioner of the PRB's decision on the request for immediate action.

Enclosure 2
ADAMS Accession
No. ML11341A040
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	11/08/11 31 days	The goal to issue the final DD was met.
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 acknowledgment letter in accordance with the NRC's timeliness goals.

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.

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 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	Indian Point Nuclear Generating, Units 1, 2, and 3 Eric Schneiderman, Office of the Attorney General, State	03/28/11	05/09/11 42 days	06/30/11 94 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. The petitioner requested this first opportunity, and the earliest availability which coincided with the</p>

	of New York G20110221						petitioner's availability was May 9, 2011. 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.
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