

Enclosure 1
ADAMS Accession
No. ML120370197
Monthly 10 CFR 2.206,
“Requests for Action
Under This Subpart,”
Status Report

PETITIONS CLOSED DURING THIS PERIOD

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OPEN PETITION

EDO # G20090690 (Petition Age: 26 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:	To Be Determined (TBD)
Last Contact with Petitioner:	January 17, 2012
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.
- 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.
- On January 13, 2012, the petitioner emailed the NRC supplementing his petition with "expert" testimony to be given at public hearings in Florida this summer.

Current Status/Next Steps:

- On January 17, 2012, the project manager requested the petitioner to submit supplemental information to the NRC in writing and discuss how it supports the original petition request.

OPEN PETITION

EDO # G20110171 (Petition Age: 11 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, 2013
Final DD Issuance: TBD
Last Contact with Petitioner: January 5, 2012
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).
- 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 Director's Decision 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.

Current Status/Next Steps:

- On January 5, 2012, the petition manager informed the petitioner that the petition review board (PRB) is continuing to evaluate the petition and expects to extend the current target date of January 31, 2012, into the future.
- On January 9, 2012, the OEDO approved an extension until January 31, 2013, to issue the proposed Director's Decision since the issues raised in the petition pertain to the resolution of Near Term Task Force Recommendations associated with the Fukushima Dai-ichi Accident.

OPEN PETITION

EDO # G20110221 (Petition Age: 10 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: TBD
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).
- For a summary of NRC actions from August through October 2011, see the November 2011 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML 11340A112).

Current Status/Next Steps:

- On October 17, 2011, the OEDO approved an extension until April 30, 2012, to support the staff's development of a proposed Director's Decision.

OPEN PETITION

EDO # G20110563 (Petition Age: 6 months)

Facility: General Electric (GE) Boiling-Water Reactor (BWR) 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: TBD

Last Contact with Petitioner: November 10, 2011

Petition Manager: Ed Miller

Case Attorney: Christopher Hair

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

EDO # G20110262 (Petition Age: 10 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: TBD
Final DD Issuance: TBD
Last Contact with Petitioner: December 28, 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 GE 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).
- For a summary of NRC actions from August through November 2011, see the December 2011 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML 120120145).
- On December 13, 2011, an acknowledgement letter was issued accepting the petition in part for review (ADAMS Accession Numbers (Package No. ML11339A077)).
- On December 28, 2011, the petitioner manager updated the petitioner on the status of his petition.

Current Status/Next Steps:

- On January 27, 2012, the petitioner submitted a letter to JLD [Japanese Lessons Learned Project Directorate] raising concerns about the implementation of the Near-Term Task Force recommendation 5 associated with reliable direct torus vent system (hardened vent system). JLD considered this as a 2.206 petition, and forwarded the letter to the project manager because of its relevance to this 2.206 petition. The PRB is currently evaluating the letter to determine whether to treat it as a supplement to this petition.

OPEN PETITION

EDO # G20110579 (Petition Age: 6 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:	April 26, 2012
Final DD Issuance:	TBD
Last Contact with Petitioner:	December 28, 2011
Petition Manager:	Merrilee Banic
Case Attorney:	Michael Clark

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.
- For a summary of NRC actions from August through October 2011, see the November 2011 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML 11340A112).
- 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.

Current Status/Next Steps:

- On December 28, 2011, the NRC issued an acknowledgment letter (ADAMS No. ML113260081).

OPEN PETITION

EDO # G20110506 (Petition Age: 7 months)

Facility:	Cooper Nuclear Station (CNS)
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:	May 12, 2012
Final DD Issuance:	TBD
Last Contact with Petitioner:	January 13, 2012
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 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:

- 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).
- For a summary of NRC actions from August through October 2011, see the November 2011 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML 11340A112).
- On November 28, 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 December 13, 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.

Current Status/Next Steps:

- On January 13, 2012, the NRC issued the acknowledgement letter (ADAMS Accession No. ML120030022).

OPEN PETITION

EDO # G20110492 (Petition Age: 7 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: May 12, 2012
Final DD Issuance: TBD
Last Contact with Petitioner: January 13, 2012
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:

- 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).
- For a summary of NRC actions from August through October 2011, see the November 2011 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML 11340A112).
- On November 28, 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 December 13, 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.

Current Status/Next Steps:

- On January 13, 2012, the NRC issued the acknowledgement letter (ADAMS Accession No. ML120030022).

OPEN PETITION UNDER CONSIDERATION

EDO # G20100454 (Petition Age: 19 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:	June 29, 2012
Final DD Issuance:	TBD
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.
- On November 29, 2011, the petition manager e-mailed Ms. Lampert notifying her that there has been no change in the status of the petition and that 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.
- On December 7, 2011, the OEDO approved an extension until June 29, 2012, to issue the proposed Director's Decision.

OPEN PETITION UNDER CONSIDERATION

EDO # G20110668 (Petition Age: 5 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: TBD
Final DD Issuance: TBD
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:

- For a summary of NRC actions from August through October 2011, see the November 2011 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML 11340A112).
- On November 7, 2011, the petitioner addressed the PRB in a teleconference. The PRB made no changes to its initial recommendation that the petition met the criteria for review and plans to accept the petition for review.

Current Status/Next Steps:

- A combined acknowledgement letter/proposed Director's Decision is being prepared to document the PRB's decision to accept the petition for review and offer an opportunity for the petitioner and licensee to comment on the proposed Director's Decision. The combined acknowledgement letter/proposed Director's Decision will be working through concurrence during the month of February.

OPEN PETITION UNDER CONSIDERATION

EDO # G20110740 (Petition Age: 4 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:	TBD
Final DD Issuance:	TBD
Last Contact with Petitioner:	January 9, 2012
Petition Manager:	Mohan Thadani
Case Attorney:	Michael Clark

Issues/Actions Requested:

For reasons described in the petition, the petitioner states that the reactor shutdown procedure (OTG-ZZ-00005) at the Callaway Nuclear Generating Station 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:

- For a summary of NRC actions from October through November 2011, see the December 2011 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML120120145).
- On January 20, 2012, DORL requested from the OEDO an extension of the due date from January 31, 2012 to February 28, 2012, to permit additional time to address the petition supplements and discussion provided by Mr. Criscione, as provided in multiple interrelated requests, as appropriate, and to prepare the acknowledgement letter informing the petitioner of the PRB's initial decision.
- On January 23, 2012, the OEDO approved the extension until February 28, 2012.

Current Status/Next Steps:

- A public meeting was held January 9, 2012, at which the petitioner addressed the PRB. The meeting notice is available in ADAMS under Accession No. ML120030087.
- A PRB meeting was held January 31, 2012, to make the initial recommendation which was to accept the petition in part. Another PRB meeting is being scheduled to further discuss the recommendation.

OPEN PETITION UNDER CONSIDERATION

EDO # G20110757 (Petition Age: 3 months)

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: TBD
Final DD Issuance: TBD
Last Contact with Petitioner: November 10, 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 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 held a meeting with the PRB on December 12, 2011, to further discuss their concerns. 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 Part 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.
- The petitioner is scheduled to have a meeting with the PRB on February 2, 2012, to further discuss their concerns. A copy of the meeting notice, along with an agenda, is available under ADAMS Accession No. ML12018A228.

OPEN PETITION UNDER CONSIDERATION

EDO # G20120022 (Petition Age: 1 month)

Facility: Palisades
Licensee Type: Reactor
Petitioner(s): Michael Mulligan
Date of Petition: January 10, 2012
DD To Be Issued by: Office of Nuclear Reactor Regulation
Proposed DD Issuance: TBD
Final DD Issuance: TBD
Last Contact with Petitioner: January 31, 2012
Petition Manager: Mahesh Chawla
Case Attorney: Brett Klukan

Issues/Actions Requested:

The petitioner requested immediate shutdown of Palisades. As the basis for this request, the petitioner is listing all the equipment failures at Palisades and making accusations of falsification of records by Entergy Personnel. He also considers the Reactor Oversight Process to be inadequate, in part due to personnel resource limitation in NRC.

Background:

- On January 10, 2012, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.
- On January 19, 2012, the PRB met and rejected the petitioner's request for immediate shutdown.
- On January 24, 2012, 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.
- On January 31, 2012, the PRB held a teleconference with the petitioner before the internal PRB meeting to make an initial decision on the petition.

Current Status/Next Steps:

- The next step is to hold a PRB meeting to make an initial decision regarding whether to accept the petition.

OPEN PETITION UNDER CONSIDERATION

EDO # G20120052 (Petition Age: 1 month)

Facility: Peach Bottom 2 and 3
Licensee Type: Reactor
Petitioner(s): Michael Mulligan
Date of Petition: January 24, 2012
DD To Be Issued by: Office of Nuclear Reactor Regulation
Proposed DD Issuance: TBD
Final DD Issuance: TBD
Last Contact with Petitioner: January 31, 2012
Petition Manager: John Hughey
Case Attorney: Christopher Hair

Issues/Actions Requested:

The petitioner requests immediate shutdown of Peach Bottom Atomic Power Stations (PBAPS) Units 2 and 3, and that all safety relief valve (SRV) seals and actuators be replaced with a design with sufficient margin of safety before start-up. As the basis for this request, the petitioner references the Licensee's LER 3-11-03 (ADAMS Accession No. ML11325A383) associated with the failure of the unit 3, 71B Automatic Depressurization System (ADS) SRV on 9/25/2011.

Background:

- On January 24, 2012, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.
- On January 31, 2012, 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.

Current Status/Next Steps:

- Next step is to hold a PRB meeting to discuss the request for immediate action.

Enclosure 2
ADAMS Accession
No. ML120370197
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	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. NRR obtained an extension, which was approved by the OEDO, to support the PRB with scheduling of the initial conference call with the petitioner, the PRB initial meetings, a possible second presentation by the petitioner to the PRB by phone, and issuance of the acknowledgement letter.
NRR	U.S. Nuclear Power Reactors (Related to Japan Earthquake) Thomas Saporito G20110171	03/12/11	04/14/11 33 days	06/28/11 108 days			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. 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

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.

							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.
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>	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 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>
NRR	<p>General Electric Boiling-Water Reactor Mark I Unit (Related to Japan Earthquake)</p> <p>Paul Gunter</p> <p>G20110262</p>	4/13/11	<p>7/12/11</p> <p>90 days</p>	12/13/11	154 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 number of co-petitioners, and the time needed to plan and hold a public meeting before the PRB met.</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, planning and holding a 2nd public meeting, and the need to evaluate new information submitted by the co-petitioners impacted the NRC's ability to issue an acknowledgment letter in accordance with the agency's timeliness goals.</p> <p>In addition, milestones are taking longer to meet for Fukushima related petitions such as this one because decisions will depend on the staff's Fukushima review.</p>

NRR	General Electric Boiling-Water Reactor Mark I and Mark II Units David Lochbaum, Union of Concerned Scientists G20110563	7/29/11	9/8/11 41 days	11/10/11 104 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 delay in holding the PRB meeting impacted the NRC's ability to issue an acknowledgment letter in accordance with the agency's timeliness goals.</p> <p>In addition, milestones are taking longer to meet for Fukushima related petitions such as this one because decisions will depend on the staff's Fukushima review.</p>
NRR	All licensees of power reactors Natural Resources Defense Council G20110579	8/1/11	11/15/11 107 days	12/28/11 150 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 delay in holding the PRB meeting impacted the NRC's ability to issue an acknowledgment letter in accordance with the agency's timeliness goals. The delay was caused because the petitioner requested time to review NTTF task force recommendations and Commission direction regarding them before meeting with the PRB.</p> <p>In addition, milestones are taking longer to meet for Fukushima related petitions such as this one because decisions will depend on the staff's Fukushima review.</p>
NRR	Cooper Nuclear Station Thomas Saporito G20110506	7/3/11	11/28/11 148 days	1/13/12 194 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 delay in holding the PRB meeting impacted the NRC's ability to issue an acknowledgment letter in accordance with the agency's timeliness goals. The delay was caused because the PRB determined that additional information was needed prior to making a decision on the request for immediate action and the initial recommendation. The delay was also caused by scheduling conflicts between the petitioner and PRB members.</p> <p>In addition, milestones are taking longer to meet for Fukushima related petitions such as this one because decisions will depend on the staff's Fukushima review.</p>

NRR	Fort Calhoun Thomas Saporito G20110492	6/26/11	11/28/11 155 days	1/13/12 201 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 delay in holding the PRB meeting impacted the NRC's ability to issue an acknowledgment letter in accordance with the agency's timeliness goals. The delay was caused because the PRB determined that additional information was needed prior to making a decision on the request for immediate action and the initial recommendation. The delay was also caused by scheduling conflicts between the petitioner and PRB members.</p> <p>In addition, milestones are taking longer to meet for Fukushima related petitions such as this one because decisions will depend on the staff's Fukushima review.</p>
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