

Enclosure 1  
ADAMS Accession  
No. ML12093A128  
Monthly 10 CFR 2.206,  
“Requests for Action  
Under This Subpart,”  
Status Report

**PETITIONS CLOSED DURING THIS PERIOD**

FACILITY	PETITIONER/EDO No.	Page
No petitions were closed during this period.		
<b>CURRENT STATUS OF OPEN PETITIONS</b>		
Crystal River Nuclear Generating Plant, Unit 3	Thomas Saporito, Saprodani Associates G20090690	2
U.S. Nuclear Power Reactors (Related to Japan Earthquake)	Thomas Saporito, Saprodani Associates G20110171	3
Indian Point Nuclear Generating, Units 1, 2, and 3	Eric Schneiderman, Office of the Attorney General, State of New York G20110221	4
General Electric Boiling-Water Reactor Mark I and Mark II Units	David Lochbaum, Union of Concerned Scientists G20110563	5
General Electric Boiling-Water Reactor Mark I Units (Related to Japan Earthquake)	Paul Gunter, Reactor Oversight Project and Kevin Kamps, Nuclear Waste Specialist G20110262	6
All licensees of power reactors	Natural Resources Defense Council G20110579	7
Cooper Nuclear Station	Thomas Saporito, Saprodani Associates G20110506	8
Omaha Public Power District, Fort Calhoun Station, Unit 1	Thomas Saporito, Saprodani Associates G20110492	9
North Anna Nuclear Plant, Units 1 and 2	Thomas Saporito, Saprodani Associates G20110668	10
North Anna Nuclear Plant, Units 1 and 2	Beyond Nuclear G20110757	11
<b>CURRENT STATUS OF OPEN PETITIONS UNDER CONSIDERATION</b>		
Pilgrim Nuclear Power Station	Mary Lampert G20100454	12
Callaway Nuclear Generating Station	Lawrence Criscione G20110740	13
Palisades Nuclear Plant	Michael Mulligan G20120022	14
Peach Bottom Atomic Power Stations, Units 2 and 3	Michael Mulligan G20120052	15
Vogtle Electric Generating Plant, Units 3 and 4	Mark Leyse G20120142	16
Palisades Nuclear Plant	Thomas Saporito, Saprodani Associates G20120149	17
James A. FitzPatrick Nuclear Power Plant	Beyond Nuclear et al. G20120172	18

## OPEN PETITION

**EDO # G20090690 (Petition Age: 28 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:	February 21, 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 through October 2011, see the November 2011 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML11341A040).
- 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.
- On January 17, 2012, the petition manager requested the petitioner to submit supplemental information to the NRC in writing and discuss how it supports the original petition request.
- On February 21, 2012, the petition manager contacted the petitioner by e-mail to inform him that the planned issuance date of the proposed Director's Decision has remained unchanged (December 3, 2012).

### Current Status/Next Steps:

- The next step is for the petition manager to prepare a proposed Director's Decision documenting the NRC's response to issues raised in the petition. The petitioner and licensee will receive an opportunity to comment on the proposed Director's Decision. The estimated issuance date of the proposed Director's Decision is December 3, 2012. The target issuance date of the final Director's Decision is 75 days after the issuance date of the proposed Director's Decision.

## OPEN PETITION

**EDO # G20110171 (Petition Age: 13 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:	March 6, 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 through September 2011, see the October 2011 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML11305A028).
- 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.
- 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.

### Current Status/Next Steps:

- On March 6, 2012, the petition manager contacted the petitioner by e-mail to inform him that the PRB is continuing to evaluate his petition and currently has a target date of January 31, 2013, to complete its review.

## OPEN PETITION

**EDO # G20110221 (Petition Age: 12 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: February 1, 2012  
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, Units 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 March 1, 2012, see the February 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12059A094).

### Current Status/Next Steps:

- The petition manager is preparing a proposed Director's Decision documenting the NRC's response to issues raised in the petition. The petitioner and licensee will receive an opportunity to comment on the proposed Director's Decision. The estimated issuance date of the proposed Director's Decision is April 30, 2012. The target issuance date of the final Director's Decision is 75 days after the issuance date of the proposed Director's Decision.

## OPEN PETITION

**EDO # G20110563 (Petition Age: 8 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:	January 31, 2013
Final DD Issuance:	TBD
Last Contact with Petitioner:	February 8, 2012
Petition Manager:	John Lamb
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.
- For a complete summary of NRC actions before February 1, 2012, please refer to the January 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML120370197).
- On February 8, 2012, the petition manager contacted the petitioner by e-mail to inform him that the topic of his petition, the effects of the spent fuel pool during accidents, is still under an ongoing NRC review as part of the lessons learned from the Fukushima event and that the NRC intends to inform the final decision on whether to implement the actions requested in the petition by the results of that review.
- On February 23, 2012, the OEDO approved an extension until January 31, 2013, 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.

### Current Status/Next Steps:

- The next step is for the petition manager to prepare a proposed Director's Decision documenting the NRC's response to issues raised in the petition. The petitioner and licensee will receive an opportunity to comment on the proposed Director's Decision. The estimated issuance date of the proposed Director's Decision is January 31, 2013. The target issuance date of the final Director's Decision is 75 days after the issuance date of the proposed Director's Decision.

## OPEN PETITION

**EDO # G20110262 (Petition Age: 12 months)**

---

Facility:	All GE BWR 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:	April 11, 2012
Final DD Issuance:	TBD
Last Contact with Petitioner:	February 28, 2012
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 through December 2011, see the January 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML120370197).
- 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.
- On February 28, 2012, the petition manager contacted the petitioner by e-mail to inform him that the JLD will consider the concerns raised in his January 27, 2012, letter and will consider the letter as supplemental information to his original petition dated April 13, 2011.

### Current Status/Next Steps:

- The next step is for the petition manager to prepare a proposed Director’s Decision documenting the NRC’s response to issues raised in the petition. The petitioner and licensee will receive an opportunity to comment on the proposed Director’s Decision. The estimated issuance date of the proposed Director’s Decision is April 11, 2012. The target issuance date of the final Director’s Decision is 75 days after the issuance date of the proposed Director’s Decision.

## OPEN PETITION

**EDO # G20110579 (Petition Age: 8 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:	January 31, 2013
Final DD Issuance:	TBD
Last Contact with Petitioner:	February 28, 2012
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. ML11340A112).
- On November 15, 2011, the petition manager informed the petitioner of the PRB's initial recommendation to accept the petition for review. The petitioner declined an opportunity to address the PRB since the petition was being accepted for review.
- On February 28, 2012, the petition manager contacted the petitioner by e-mail to inform him that the staff is still evaluating his petition.

### Current Status/Next Steps:

- On March 28, 2012, the OEDO approved an extension until January 31, 2013, 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.
- The next step is for the petition manager to prepare a proposed Director's Decision documenting the NRC's response to issues raised in the petition. The petitioner and licensee will receive an opportunity to comment on the proposed Director's Decision. The estimated issuance date of the proposed Director's Decision is January 31, 2013. The target issuance date of the final Director's Decision is 75 days after the issuance date of the proposed Director's Decision.

## OPEN PETITION

**EDO # G20110506 (Petition Age: 9 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:	March 30, 2012
Petition Manager:	Lynnea Wilkins
Case Attorney:	Christopher Hair

### Issues/Actions Requested:

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. 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 through December 2011, see the January 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML 120370197).
- On January 13, 2012, the NRC issued the acknowledgement letter (ADAMS Accession No. ML120030022).

### Current Status/Next Steps:

- On March 30, 2012, the petition manager contacted the petitioner by e-mail to inform him that the staff is still evaluating his petition and has set a target response date of May 12, 2012.
- The next step is for the petition manager to prepare a proposed Director's Decision documenting the NRC's response to issues raised in the petition. The petitioner and licensee will receive an opportunity to comment on the proposed Director's Decision. The estimated issuance date of the proposed Director's Decision is May 12, 2012. The target issuance date of the final Director's Decision is 75 days after the issuance date of the proposed Director's Decision.

## OPEN PETITION

**EDO # G20110492 (Petition Age: 9 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: March 30, 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:

- 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 through November 2011, see the 2011 December monthly 10 CFR 2.206 status report (ADAMS Accession No. ML 120120146).
- 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.
- On January 13, 2012, the NRC issued the acknowledgement letter (ADAMS Accession No. ML120030022) accepting the petition for review.

### Current Status/Next Steps:

- On March 30, 2012, the petition manager contacted the petitioner by e-mail to inform him that the staff is still evaluating his petition and has set a target response date of May 12, 2012.
- The next step is for the petition manager to prepare a proposed Director's Decision documenting the NRC's response to issues raised in the petition. The petitioner and licensee will receive an opportunity to comment on the proposed Director's Decision. The estimated issuance date of the proposed Director's Decision is May 12, 2012. The target issuance date of the final Director's Decision is 75 days after the issuance date of the proposed Director's Decision.

## OPEN PETITION

**EDO # G20110668 (Petition Age: 9 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:	February 22, 2012
Final DD Issuance:	April 27, 2012
Last Contact with Petitioner:	February 22, 2012
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.
- 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.
- On February 22, 2012, the NRC issued the combined acknowledgement letter/proposed Director's Decision (ADAMS Accession No. ML11356A164) 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.

### Current Status/Next Steps:

- NRC staff is preparing a final Director's Decision, which will include the NRC's response to the issues raised in the petition and any comments received from the petitioner and/or licensee on the proposed Director's Decision. The proposed issuance date is April 27, 2012.

## OPEN PETITION

**EDO # G20110757 (Petition Age: 5 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:	July 13, 2012
Final DD Issuance:	TBD
Last Contact with Petitioner:	March 16, 2012
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.
- For a summary of NRC actions from October through December 2011, see the January 2011 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML120370180).
- On January 10, 2012, the PRB met internally to discuss the petition, as supplemented by the petitioner, and to make an initial recommendation on whether to accept the petition for review.
- On January 19, 2012, the petition manager e-mailed the petitioner the PRB initial recommendation to partially accept the petition for review.
- On February 2, 2012, a public meeting was held at which the petitioner addressed the PRB. The meeting notice is available in ADAMS under Accession No. ML12018A228.

### Current Status/Next Steps:

- On March 16, 2012, the NRC issued the acknowledgement letter (ADAMS Accession No. ML12060A090) to document the PRB's decision to partially accept the petition for review.
- The next step is for the petition manager to prepare a proposed Director's Decision documenting the NRC's response to issues raised in the petition. The petitioner and licensee will receive an opportunity to comment on the proposed Director's Decision. The estimated issuance date of the proposed Director's Decision is July 13, 2012. The target issuance date of the final Director's Decision is 75 days after the issuance date of the proposed Director's Decision.

## OPEN PETITION UNDER CONSIDERATION

**EDO # G20100454 (Petition Age: 21 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:	TBD
Final DD Issuance:	TBD
Last Contact with Petitioner:	February 6, 2012
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 summary of NRC actions through October 2011, see the November 2011 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML11341A040).
- On November 28, 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 an acknowledgment letter.
- On February 6, 2012, the petition manager e-mailed Ms. Lampert notifying her that there has been no change in the status of the petition since the last contact on November 28, 2011.

### Current Status/Next Steps:

- As of March 31, 2012, the petition continues to be held in abeyance pending an outcome of the above-mentioned contention under the Pilgrim Nuclear Power Station license renewal hearing process.

## OPEN PETITION UNDER CONSIDERATION

**EDO # G20110740 (Petition Age: 6 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:	March 29, 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:

- On October 7, 2011, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.
- For a summary of NRC actions before March 1, 2012, see the February 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12059A094).

### Current Status/Next Steps:

- On March 22, 2012, the petition manager informed the petitioner of the PRB's initial recommendation to not accept the petition for review. The petitioner was offered a second opportunity to address the PRB.
- On March 27, 2012, the petitioner indicated that he will be unable to address the PRB a second time and requested that the PRB not put his petition on hold, but consider the issues identified in his petition and supplement.
- On March 29, 2012, the petition manager informed the petitioner that the PRB will give careful attention to the information he has already provided in the petition and its supplement.
- The PRB will consider the petitioner's request and address the concerns that the petitioner has restated in his email and make a final recommendation.

## OPEN PETITION UNDER CONSIDERATION

**EDO # G20120022 (Petition Age: 3 months)**

---

Facility:	Palisades Nuclear Plant
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:	March 19, 2012
Petition Manager:	Mahesh Chawla
Case Attorney:	Brett Klukan

### Issues/Actions Requested:

The petitioner requested immediate shutdown of Palisades Nuclear Plant. As the basis for this request, the petitioner is listing all the equipment failures at Palisades Nuclear Plant 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 recommendation on the petition.
- On February 22, 2012, the PRB met internally to make an initial recommendation on whether to accept the petition for review.

### Current Status/Next Steps:

- On March 12, 2012, the petitioner was informed of the PRB's initial recommendation and was also given the second opportunity to address the PRB on March 19, 2012.
- On March 19, 2012, the second teleconference was held by PRB with the petitioner.

## OPEN PETITION UNDER CONSIDERATION

**EDO # G20120052 (Petition Age: 2 month)**

---

Facility: Peach Bottom Atomic Power Stations (PBAPS), Units 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: March 17, 2012  
Petition Manager: John Hughey  
Case Attorney: Christopher Hair

### Issues/Actions Requested:

The petitioner requests immediate shutdown of 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 SRV on September 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.
- On February 3, 2012, the PRB met and rejected the petitioner's request for immediate shutdown.
- On February 17, 2012, the PRB held a teleconference with the petitioner before the internal PRB meeting to make an initial recommendation on the petition.
- On February 23, 2012, the OEDO approved an extension until April 24, 2012.

### Current Status/Next Steps:

- On March 7, 2012, the PRB met internally to make the initial recommendation, which is to not accept the petition for review.
- On March 15, 2012, the petition manager notified the petitioner of the initial recommendation and offered the petitioner a second opportunity to address the PRB.
- On March 17, 2012, the petitioner accepted this second opportunity to address the PRB.
- A second teleconference is scheduled with the petitioner for April 10, 2012.

## OPEN PETITION UNDER CONSIDERATION

**EDO # G20120142 (Petition Age: 2 months)**

---

Facility:	Vogtle Electric Generating Plants (Vogtle), Units 3 and 4
Licensee Type:	Reactor
Petitioner(s):	Mark Leyse
Date of Petition:	February 28, 2012
DD To Be Issued by:	Office of New Reactors
Proposed DD Issuance:	TBD
Final DD Issuance:	TBD
Last Contact with Petitioner:	March 28, 2012
Petition Manager:	Denise McGovern
Case Attorney:	Marcia Simon

### Issues/Actions Requested:

The petitioner requests that the NRC order the licensee of Vogtle, Units 3 and 4 to conduct safety analyses of severe accident scenarios in which the AP1000 hydrogen igniter system would be actuated too late, after a local hydrogen concentration of eight percent or greater was reached in the containment, which could cause a fast hydrogen deflagration, and after a local detonable concentration of hydrogen developed in the containment, which could cause a hydrogen detonation. The petitioner also requests that the NRC order the licensee of Vogtle, Units 3 and 4 to demonstrate that actuating hydrogen igniters in a severe accident after the core-exit temperature exceeds a predetermined temperature (1200 °F) is a productive and safe emergency response guideline for all severe accident scenarios.

### Background:

- On February 28, 2012, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.

### Current Status/Next Steps:

- On March 6, 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 March 13, 2012, the OEDO approved an extension until May 31, 2012, to permit additional time to make an initial recommendation.
- On March 28, 2012, the PRB held a teleconference with the petitioner before the internal PRB meeting to make an initial recommendation on the petition.
- A PRB meeting is being scheduled (dates to be determined) to make an initial recommendation regarding whether to accept the petition for review.

## OPEN PETITION UNDER CONSIDERATION

**EDO # G20120149 (Petition Age: 1 month)**

---

Facility:	Palisades Nuclear Plant (Palisades)
Licensee Type:	Reactor
Petitioner(s):	Thomas Saporito
Date of Petition:	March 1, 2012
DD To Be Issued by:	Office of Nuclear Reactor Regulation
Proposed DD Issuance:	TBD
Final DD Issuance:	TBD
Last Contact with Petitioner:	March 20, 2012
Petition Manager:	Mahesh Chawla
Case Attorney:	Mauri Lemoncelli

### Issues/Actions Requested:

The petitioner requests that the NRC immediately shutdown Palisades. The petitioner expresses concern with various plant events such as direct current bus event, which occurred on September 23, 2011, and the failure of service water pump couplings in 2007, where the licensee failed to take appropriate actions. The petitioner requests the following actions: 1) escalated enforcement action against Entergy Nuclear Operations, Inc. to suspend or revoke the NRC license granted to the licensee for operation of Palisades; 2) issue a notice of violation with a proposed civil penalty against the licensee in the total amount of One-Million dollars; and 3) issue a Confirmatory Order requiring the licensee to take specific actions and bring Palisades to a "cold-shutdown" mode of operation until a number of requested actions specified in the petition take place.

### Background:

- On March 1, 2012, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.

### Current Status/Next Steps:

- On March 12, 2012, the petition manager contacted the petitioner via e-mail to discuss the petition process and provide him the opportunity to address the PRB.
- On March 15, 2012, the petitioner accepted the request to address the PRB by teleconference.
- On March 16, 2012, the PRB met and rejected the petitioners request for immediate action.
- On March 20, 2012, the petition manager notified the petitioner of this decision and provided the details of the teleconference to address the PRB scheduled for April 2, 2012.
- On March 27, 2012, the OEDO approved an extension until June 29, 2012.
- A teleconference with the petitioner is currently scheduled for April 2, 2012, before the PRB holds its internal meeting to make an initial recommendation.

## OPEN PETITION UNDER CONSIDERATION

**EDO # G20120172 (Petition Age: 1 month)**

---

Facility:	James A. FitzPatrick Nuclear Power Plant (FitzPatrick)
Licensee Type:	Reactor
Petitioner(s):	Beyond Nuclear et al. (Joint Petitioners)
Date of Petition:	March 9, 2012
DD To Be Issued by:	Office of Nuclear Reactor Regulation
Proposed DD Issuance:	TBD
Final DD Issuance:	TBD
Last Contact with Petitioner:	March 27, 2012
Petition Manager:	Bhalchandra Vaidya
Case Attorney:	Carrie Safford

### Issues/Actions Requested:

The joint petitioners request that the FitzPatrick operating license be immediately suspended as the result of the undue risk to the public health and safety presented by the operator's reliance on non-conservative and wrong assumptions that went into the analysis of the capability of FitzPatrick's pre-existing ductwork containment vent system. The joint petitioners state that the risks and uncertainty presented by FitzPatrick's assumptions and decisions, in regard to NRC Generic Letter 89-16, as associated with the day-to-day operations of this nuclear power plant now constitute an undue risk to public health and safety. The joint petitioners request that the suspension of the operating license be in effect pending final resolution of a public challenge to the adequacy of the pre-existing vent line in light of the Fukushima Dai-ichi nuclear accident. The joint petitioners do not seek or request that FitzPatrick operators now install the Direct Torus Vent System as it is demonstrated to have experienced multiple failures to mitigate the severe nuclear accidents at Fukushima Dai-ichi.

### Background:

- On March 9, 2012, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.

### Current Status/Next Steps:

- On March 14, 2012, the petition manager contacted the petitioner via e-mail to discuss the petition process and provide the petitioner an opportunity to address the PRB.
- On March 16, 2012, the petitioner accepted the request to address the PRB in person.
- On March 20, 2012, the PRB met and rejected the petitioners request for immediate action.
- On March 27, 2012, the petition manager notified the petitioner of this decision.
- A public meeting with the petitioner is currently scheduled for April 17, 2012. Following the public meeting, the PRB will hold its internal meeting to make an initial recommendation.

Enclosure 2  
ADAMS Accession  
No. ML12093A128  
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 <sup>1</sup>	Acknowledgment Letter/Days from Incoming Petition <sup>2</sup>	Proposed Director's Decision(DD)/Age in Days <sup>3</sup>	Final Director's Decision/Age in Days <sup>4</sup>	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

<sup>1</sup> Goal is to hold a PRB meeting, in which the petitioner is invited to participate, within 2 weeks of receipt of the petition.

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

<sup>3</sup> Goal is to issue a proposed DD within 120 days of the acknowledgment letter.

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

							<p>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> <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	<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 42 days</p>	<p>06/30/11 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>
NRR	<p>General Electric Boiling-Water Reactor Mark I Unit (Related to Japan Earthquake)</p> <p>Paul Gunter</p> <p>G20110262</p>	04/13/11	<p>07/12/11 90 days</p>	<p>12/13/11 154 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 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 2<sup>nd</sup> 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	07/29/11	09/08/11 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	08/01/11	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	07/03/11	11/28/11 148 days	01/13/12 194 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 by scheduling conflicts between the petitioner and PRB members. The delay was also due to the PRB's determination that additional information was needed prior to making a decision on the initial recommendation and request for immediate action.</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	06/26/11	11/28/11 155 days	01/13/12 201 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 by scheduling conflicts between the petitioner and PRB members. The delay was also due to the PRB's determination that additional information was needed prior to making a decision on the initial recommendation and request for immediate action.</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	North Anna Nuclear Plant Units 1 and 2 Thomas Saporito G20110668	09/08/11	09/29/11 21 days	02/22/12 167 days	02/22/12 167 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 was caused by the time needed to plan and hold a public meeting before the PRB met. The delay in holding the PRB meeting, the request by the petitioner for a 2<sup>nd</sup> meeting with the PRB, and the decision to issue a combined acknowledgement letter and proposed Director's Decision, impacted the NRC's ability to issue an acknowledgment letter in accordance with the agency's timeliness goals.</p>
NRR	North Anna Nuclear Plant Units 1 and 2 Beyond Nuclear (Joint Petitioners) G20110757	10/20/11	12/12/11 53 days	03/16/12 148 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 was caused by the time needed to plan and hold a public meeting before the PRB met. The delay in holding the PRB meeting and the request by the petitioner for a 2<sup>nd</sup> meeting with the PRB impacted the NRC's ability to issue an acknowledgment letter in accordance with the agency's timeliness goals.</p>