

**From:** Vaidya, Bhalchandra  
**Sent:** Thursday, October 04, 2012 9:22 AM  
**To:** 'Jessica Azulay'  
**Subject:** PRB Decision on Initial Recommendation Re: Your Petition under 10CFR2.206 Pertaining to the James A. FitzPatrick Nuclear Plant in Scriba, New York (TAC No. ME8189)

Ms. Jessica Azulay,

On May 17, 2012, May 29, 2012, and July 19, 2012, the PRB met internally to discuss the petition and to make the initial recommendation. The PRB's initial recommendation is to partially accept the petition for review because portions of the petition meet the criteria for review under the 2.206 process.

The PRB's initial recommendation is to accept, in part, and hold in abeyance three of the issues of the petition addressing containment venting under severe accident conditions and the design of vent systems being able to accommodate hydrogen gas. The NRC staff notes that these concerns are undergoing NRC review as part of the lessons-learned from the Fukushima event. Even though the Commission has issued the Order concerning reliable hardened vent for accident prevention, the NRC staff is conducting further review of additional aspects of the hardened vent system, such as venting under severe accident conditions. In addition, the staff is evaluating hydrogen control and mitigation measures. Since these issues will take longer than the target timeframe for reaching a decision on a petition, the NRC plans on accepting those issues, and holding them in abeyance.

In addition, the PRB's initial recommendation is to reject all other issues in the petition because they do not meet the criteria for review under 10 CFR 2.206 process described in MD 8.11.

Also, please let me know, ASAP, if the Petitioners would like a second meeting to address the Petition Review Board as described in MD 8.11, the process for 10 CFR 2.206 Petitions.

Thank you,

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