

Enclosure
ADAMS Accession
No. ML12306A290
Monthly 10 CFR 2.206,
“Requests for Action
Under This Subpart,”
Status Report

PETITIONS CLOSED DURING THIS PERIOD

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For each open and closed petition listed above, the individual status page includes information regarding the goals to issue the acknowledgement letter and proposed and final Director's Decisions.

For each open and closed petition (but not the petitions open for consideration) goals are:

- Issue an acknowledgment letter within 35 days of the date of the incoming petition.
- Issue a proposed Director's Decision (DD) within 120 days of the acknowledgment letter.
- Issue a final DD within 45 days of the end of the comment period.

For information on whether timeliness goals were met for petitions open as of September 30, 2012, see the September 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12271A313).

CLOSED PETITION

EDO # G20110221 (Petition Age: 19 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: July 3, 2012
Final DD Issuance: October 24, 2012
Last Contact with Petitioner: October 24, 2012
Petition Manager: Doug Pickett
Case Attorney: Brett Klukan and Bob Rader

Issues/Actions Requested:

- The petitioner requests that the NRC immediately issue an order that takes the actions regarding fire protection issues with respect to Indian Point Nuclear Generating, Units 1, 2, and 3. For details, see the July 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12207A114).

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 through July 2012, see the July 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12207A114).
- On September 19, 2012, the final Director's Decision was signed.
- On September 19, 2012, a letter from the petitioner was received with further comments regarding the final Director's Decision. The final Director's Decision has been put on hold so that the PRB can consider the comments.
- On September 27, 2012, the OEDO approved an extension until October 26, 2012, for the PRB to review the above-mentioned letter from the petitioner.

Current Status/Next Steps:

- On October 24, 2012, the final Director's Decision was signed (ADAMS Accession No. ML12240A068). All NRC actions on this petition are closed. The original goal to issue a final Director's Decision within 45 days of the comment period was not met because the petitioner sent in additional comments after the comment period, which the PRB addressed.

OPEN PETITION

EDO # G20090690 (Petition Age: 35 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:	August 27, 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 July 2012, see the July 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12207A114).
- On August 27, 2012, the petition manager informed the petitioner by email that there have not been any changes to the schedule for the issuance of the proposed Director's Decision.

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: 20 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:	September 5, 2012
Petition Manager:	Cinthya Roman
Case Attorney:	Michael Clark

Issues/Actions Requested:

For reasons specified within 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 May 2012, see the May 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12157A166).
- On July 3, 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.
- On September 5, 2012, the petition manager informed the petitioner that the NRC continues to evaluate his petition.

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 # G20110563 (Petition Age: 15 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:	September 19, 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 GE 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 through July 2012, see the July 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12207A114).
- On September 19, 2012, the petition manager informed the petitioner that his petition is still under review.

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: 19 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:	January 31, 2013
Final DD Issuance:	TBD
Last Contact with Petitioner:	October 24, 2012
Petition Manager:	Siva Lingam
Case Attorney:	Michael Clark

Issues/Actions Requested:

The petitioner requests that the NRC immediately suspend the operating licenses of 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 July 2012, see the July 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12207A114).
- On August 30, 2012, the petition manager informed the petitioner that the NRC is still evaluating the petition.

Current Status/Next Steps:

- On October 24, 2012, the petition manager informed the petitioner that the NRC is still reviewing his concerns.
- 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 was extended to 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 # G20110579 (Petition Age: 15 months)

Facility:	All U.S. Reactors
Licensee Type:	Reactor
Petitioner(s):	Natural Resources Defense Council
Date of Petition:	July 27, 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:	October 24, 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 July 27, 2011, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.
- For a complete summary of NRC actions through July 2012, see the July 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12207A114).
- On August 27, 2012, the petition manager informed the petitioner that the PRB is continuing to evaluate the petition and the target date remains January 31, 2013.

Current Status/Next Steps:

- On October 24, 2012, the petition manager informed the petitioner that the NRC is still reviewing his concerns.
- 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: 16 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, 2013
Final DD Issuance:	TBD
Last Contact with Petitioner:	October 31, 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 July 2012, see the July 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12207A114).
- On August 27, 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 October 31, 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, 2013.
- 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, 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 # G20110492 (Petition Age: 17 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, 2013
Final DD Issuance:	TBD
Last Contact with Petitioner:	October 31, 2012
Petition Manager:	Lynnea Wilkins
Case Attorney:	Christopher Hair

Issues/Actions Requested:

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 July 2012, see the July 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12207A114).
- On August 27, 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 October 31, 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, 2013.
- 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, 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 # G20110757 (Petition Age: 12 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:	January 31, 2013
Final DD Issuance:	TBD
Last Contact with Petitioner:	October 19, 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 complete summary of NRC actions through July 2012, see the July 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12207A114).
- On September 10, 2012, the petition manager informed the petitioner that a final partial director's decision is in development.

Current Status/Next Steps:

- On October 19, 2012, a partial final Director's Decision (ADAMS Accession No. ML12262A156) was issued. The partial proposed Director's Decision that was issued July 10, 2012, was met within 120 days of the acknowledgement letter (March 16, 2012). Other parts of the petition, however, were not ready to be addressed by the proposed Director's Decision because they involved work related to the Fukushima lessons learned efforts by the agency and were not due to be complete within this time period. Therefore, another partial proposed Director's Decision will need to be issued in the future.
- The next step is for the petition manager to prepare another partial proposed Director's Decision and a final Director's Decision. 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 # G20100454 (Petition Age: 27 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:	December 3, 2012
Final DD Issuance:	TBD
Last Contact with Petitioner:	October 24, 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 complete summary of NRC actions through June 2012, see the June 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12180A086).
- On August 2, 2012, the NRC issued an acknowledgement letter (ADAMS Accession No. ML121910227) accepting the petition for review.

Current Status/Next Steps:

- On October 24, 2012, the petition manager informed the petitioner by email that there have not been any changes to the schedule for the issuance of the proposed Director's Decision.
- 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 # G20120269 (Petition Age: 7 months)

Facility:	Byron Station, Units 1 and 2; Braidwood Station, Units 1 and 2
Licensee Type:	Reactor
Petitioner(s):	Barry Quigley
Date of Petition:	April 20, 2012
DD To Be Issued by:	Office of Nuclear Reactor Regulation
Proposed DD Issuance:	December 18, 2012
Final DD Issuance:	TBD
Last Contact with Petitioner:	August 31, 2012
Petition Manager:	Joel Wiebe
Case Attorney:	Marcia Simon

Issues/Actions Requested:

The petitioner requests that the NRC require that Byron and Braidwood, Units 1 and 2 be immediately shutdown until all Turbine Building High Energy Line Break concerns are identified and those important to safety are corrected.

Background:

- On April 20, 2012, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.
- For a complete summary of NRC actions through September 2012, see the September 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12271A313).

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 18, 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 # G20120317 (Petition Age: 7 months)

Facility:	St. Lucie Plant Unit and Turkey Plant Nuclear Generating Stations
Licensee Type:	Reactor
Petitioner(s):	Thomas King
Date of Petition:	April 23, 2012
DD To Be Issued by:	Office of Nuclear Reactor Regulation
Proposed DD Issuance:	December 27, 2012
Final DD Issuance:	TBD
Last Contact with Petitioner:	October 25, 2012
Petition Manager:	Jason Paige
Case Attorney:	Patty Jehle

Issues/Actions Requested:

The petitioner requests that the NRC not allow the subject plants to start up until all documents and work performed on safety related equipment at the plants is independently verified and all critical work and MOV testing is redone.

Background:

- On April 23, 2012, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.
- For a complete summary of NRC actions through July 2012, see the July 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12207A114).
- On August 2, 2012, the petition manager informed the petitioner that the petition was accepted but is being held in abeyance pending the outcome of an examination by Region II.
- On August 29, 2012, the NRC issued an acknowledgement letter (ADAMS Accession No. ML12233A634) to petitioner.

Current Status/Next Steps:

- On October 25, 2012, the petition manager informed the petitioner that the petition was accepted but is being held in abeyance pending the outcome of an examination by Region II.
- 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 27, 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 # G20120489 (Petition Age: 4 months)

Facility:	Brunswick Steam Electric Plant
Licensee Type:	Reactor
Petitioner(s):	David Lochbaum, Mary Olson, and Jim Warren
Date of Petition:	July 10, 2012
DD To Be Issued by:	Office of Nuclear Reactor Regulation
Proposed DD Issuance:	February 28, 2013
Final DD Issuance:	TBD
Last Contact with Petitioner:	October 31, 2012
Petition Manager:	Farideh Saba
Case Attorney:	Molly Barkman Marsh

Issues/Actions Requested:

The petitioners request that NRC redress the technical specifications deficiencies regarding irradiated fuel stored in spent fuel pools at Brunswick.

Background:

- On July 10, 2012, the petitioners filed a petition for an enforcement action under 10 CFR 2.206.
- For a complete summary of NRC actions through July 2012, see the July 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12207A114).
- On August 15, 2012, a teleconference was held with the petitioner.
- On September 4, 2012, the PRB met and recommended to accept the petition.
- On September 11, 2012, the petition manager informed the petitioner of the PRB's recommendation and offered him an opportunity to address the PRB, which the petitioner declined on the same day.

Current Status/Next Steps:

- On October 31, 2012, an acknowledgement letter was issued (ADAMS Accession No. ML12261A341). The goal to issue an acknowledgement letter within 35 days of the incoming petition was not met, owing to the need to hold a teleconference with the petitioner.
- 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 within 120 days of the acknowledgement letter. 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 # G20120142 (Petition Age: 8 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:	October 24, 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.
- For a summary of NRC actions through July 2012, see the July 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12207A114).
- On August 30, 2012, the PRB Chairman and petition manager briefed the Office Director.
- On September 11, 2012, the PRB Chairman and petition manager briefed the Deputy Office Director.
- On September 19, 2012, the petitioner was informed that the PRB's initial recommendation is to reject the petition.

Current Status/Next Steps:

- On October 24, 2012, the PRB held a second teleconference with the petitioner.
- The next step is for the PRB to meet again on November 28, 2012, prior to making a final recommendation.

OPEN PETITION UNDER CONSIDERATION
EDO # G20120172 (Petition Age: 8 months)

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: October 24, 2012
Petition Manager: Bhalchandra Vaidya
Case Attorney: Carrie Safford

Issues/Actions Requested:

The joint petitioners request that the FitzPatrick operating license be immediately suspended because they believe the operator relies on non-conservative and wrong assumptions for the analysis of the capability of FitzPatrick's pre-existing ductwork containment vent system. 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.
- For a complete summary of NRC actions through September 2012, see the September 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12271A313).

Current Status/Next Steps:

- On October 4, 2012, the petition manager informed the petitioner of the PRB's initial recommendation to partially accept the petition and hold in abeyance three of the issues addressing containment venting and the design of vent systems being able to accommodate hydrogen gas and offered a second opportunity to address the PRB.
- On October 11, 2012, the petitioner responded with requests for details for the PRB's decision and requested to address the PRB.
- On October 24, 2012, the petition manager responded to the petitioner requests.
- The next step is to schedule a meeting or telecon between the PRB and petitioner.

OPEN PETITION UNDER CONSIDERATION

EDO # G20120253 (Petition Age: 7 months)

Facility:	Indian Point Nuclear Generating, Unit 2
Licensee Type:	Reactor
Petitioner(s):	Natural Resources Defense Council
Date of Petition:	April 16, 2012
DD To Be Issued by:	Office of Nuclear Reactor Regulation
Proposed DD Issuance:	TBD
Final DD Issuance:	TBD
Last Contact with Petitioner:	October 23, 2012
Petition Manager:	Douglas Pickett
Case Attorney:	Christopher Hair

Issues/Actions Requested:

The petitioner requests that the NRC order the licensee of Indian Point Nuclear Generating, Unit 2 remove the passive autocatalytic recombiner (PAR) system from the unit, because the PAR system could have unintended ignitions in the event of a severe accident, which, in turn, could cause a hydrogen detonation.

Background:

- On April 16, 2012, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.
- For a complete summary of NRC actions through July 2012, see the July 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12207A114).
- On September 12, 2012, the petitioner made a second presentation before the PRB.
- On September 12, 2012, the OEDO granted an extension to issue an acknowledgement or closure letter until November 16, 2012.

Current Status/Next Steps:

- On October 10, 2012, the PRB reversed its initial recommendation and agreed to accept the petition for review.
- On October 23, 2012, the petition manager informed the petitioner of this decision.
- The next step is to prepare the acknowledgement letter, due by November 16, 2012.

OPEN PETITION UNDER CONSIDERATION

EDO # G20120443 (Petition Age: 5 months)

Facility:	Palisades Nuclear Power Station
Licensee Type:	Reactor
Petitioner(s):	Michael Mulligan
Date of Petition:	June 18, 2012
DD To Be Issued by:	Office of Nuclear Reactor Regulation
Proposed DD Issuance:	TBD
Final DD Issuance:	TBD
Last Contact with Petitioner:	October 24, 2012
Petition Manager:	Terry Beltz
Case Attorney:	Christopher Hair

Issues/Actions Requested:

The petitioner requests that Palisades not be allowed to restart based on past performance issues. As the basis for this request, the petitioner focuses on the recent leak of the Safety Injection Refueling Water tank and refers to past events at both Palisades and other Entergy-owned facilities. The Petitioner also discusses a lack of adequate safety culture environment at Palisades.

Background:

- On June 18, 2012, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.
- For a complete summary of NRC actions through September 2012, see the September 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12271A313).

Current Status/Next Steps:

- On October 24, 2012, the PRB held a second teleconference with the petitioner.
- The next step is to issue a closure or acknowledgement letter.

OPEN PETITION UNDER CONSIDERATION

EDO # G20120458 (Petition Age: 5 months)

Facility:	Fort Calhoun Station
Licensee Type:	Reactor
Petitioner(s):	Sierra Club
Date of Petition:	June 21, 2012
DD To Be Issued by:	Office of Nuclear Reactor Regulation
Proposed DD Issuance:	TBD
Final DD Issuance:	TBD
Last Contact with Petitioner:	October 5, 2012
Petition Manager:	Lynnea Wilkins
Case Attorney:	Patricia Jehle

Issues/Actions Requested:

The petitioner requests that the license for Fort Calhoun be revoked because the licensee has failed to correct problems identified years ago. The petitioner cites a history of various violations dating 1992-2012, including several gleaned from inspection reports.

Background:

- On June 21, 2012, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.
- For a complete summary of NRC actions through July 2012, see the July 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12207A114).
- On August 23, 2012, the petitioner supplemented his petition by email to the petition manager (ADAMS Accession No ML12240A099).
- On August 27, 2012, a teleconference was held with the petitioner.
- On August 23, 2012, the petitioner supplemented his petition by email to the petition manager (ADAMS Accession No ML12240A099).
- On August 27, 2012, a teleconference was held with the petitioner.
- On September 19, 2012, the PRB met to make an initial recommendation.

Current Status/Next Steps:

- On October 5, 2012, the petition manager informed the petitioner of the initial recommendation, which is to reject the petition.
- The next step is to hold a second teleconference with the petitioner, scheduled for November 19, 2012.

OPEN PETITION UNDER CONSIDERATION

EDO # G20120557 (Petition Age: 3 months)

Facility:	All NRC Licensees
Licensee Type:	All
Petitioner(s):	Thomas Saporito
Date of Petition:	July 30, 2012
DD To Be Issued by:	Office of Nuclear Reactor Regulation
Proposed DD Issuance:	TBD
Final DD Issuance:	TBD
Last Contact with Petitioner:	October 2, 2012
Petition Manager:	Tanya Mensah
Case Attorney:	Carrie Safford

Issues/Actions Requested:

The petitioner requests that the NRC take escalated-enforcement action against all NRC licensees as a result of information provided on a Bloomberg News Agency broadcast which described a cyber security incident at Diablo Canyon.

Background:

- On July 30, 2012, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.
- On July 31, 2012, the petition manager informed the petitioner of the NRC's receipt of his petition. The petitioner requested an opportunity to address the PRB in person prior to its internal meeting to make the initial recommendation.
- On August 7, 2012, the OEDO granted an extension until November 20, 2012, to support Mr. Saporito's request for a public meeting in September 2012.
- On August 20, 2012, the petition manager sent a copy of the public meeting notice to the petitioner.

Current Status/Next Steps:

- On October 1, 2012, a public meeting was held between the petitioner and the PRB.
- On October 2, 2012, the petition manager informed the petitioner that his petition did not meet the criteria for review and offered him a second teleconference. The petitioner did not request a second teleconference; therefore, the initial recommendation is now final.
- The next step is to issue a closure letter to document the PRB's final recommendation.

OPEN PETITION UNDER CONSIDERATION

EDO # G20120819 (Petition Age: 1 month)

Facility:	Peach Bottom Atomic Power Stations, Units 2 and 3
Licensee Type:	Reactor
Petitioner(s):	Michael Mulligan
Date of Petition:	October 13, 2012
DD To Be Issued by:	Office of Nuclear Reactor Regulation
Proposed DD Issuance:	TBD
Final DD Issuance:	TBD
Last Contact with Petitioner:	October 13, 2012
Petition Manager:	Merrilee Banic
Case Attorney:	Christopher Hair

Issues/Actions Requested:

The petitioner requests similar actions to a previous petition he submitted (G20120052) on Buna N seals. He requests that the subject plants be shutdown to replace all safety relief valve pneumatic actuators Buna N seals with nylon seals.

Background:

- On October 13, 2012, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.

Current Status/Next Steps:

- The next step is for the PRB to meet on the request for immediate action in November.

OPEN PETITION UNDER CONSIDERATION

EDO # G20120748 (Petition Age: 1 month)

Facility: St. Lucie Plant
Licensee Type: Reactor
Petitioner(s): Thomas Saporito
Date of Petition: September 30, 2012
DD To Be Issued by: Office of Nuclear Reactor Regulation
Proposed DD Issuance: TBD
Final DD Issuance: TBD
Last Contact with Petitioner: October 12, 2012
Petition Manager: Tracy Orf
Case Attorney: Molly Barkman Marsh

Issues/Actions Requested:

The petitioner requests action regarding the treatment of a whistleblower.

Background:

- On September 30, 2012, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.

Current Status/Next Steps:

- On October 12, 2012, the petition manager acknowledged receipt of the petition.
- On October 25, 2012, the OEDO approved an extension request until January 31, 2013, to support issuance of either a closure or acknowledgement letter.
- The next step is for the PRB to meet to discuss the request for immediate action and to offer the petitioner an opportunity to address the PRB prior to making its initial recommendation to accept or reject the petition for review.