

Enclosure  
ADAMS Accession  
No. ML12362A008  
Monthly 10 CFR 2.206,  
“Requests for Action  
Under This Subpart,”  
Status Report

**PETITIONS CLOSED DURING THIS PERIOD**

<b>FACILITY</b>	<b>PETITIONER/EDO No.</b>	<b>Page</b>
No petitions were 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 (DD).

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

- Issue an acknowledgment letter within 35 days of the date of the incoming petition.
- Issue a proposed DD within 120 days of the acknowledgment letter.
- Issue a final DD within 45 days of the end of the comment period.

## OPEN PETITION

**EDO # G20090690 (Petition Age: 37 months)**

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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, 2013
Final DD Issuance:	To Be Determined (TBD)
Last Contact with Petitioner:	November 14, 2012
Petition Manager:	Christopher Gratton
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.
- On November 14, 2012, the petition manager informed the petitioner that the date of the proposed Director's Decision was extended to December 3, 2013 because the licensee is in the process of making a determination of whether to repair or retire the plant and their decision is expected in the summer of 2013. This decision is key to the resolution of the 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 December 3, 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 # G20110171 (Petition Age: 22 months)**

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Facility:	U.S. Nuclear Power Reactors (Related to Japan Earthquake)
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:	June 28, 2013
Final DD Issuance:	TBD
Last Contact with Petitioner:	November 5, 2012
Petition Manager:	Mahesh Chawla
Case Attorney:	Michael Clark

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### 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 July 2012, see the July 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12207A114).
- On September 5, 2012, the petition manager informed the petitioner that the NRC continues to evaluate his petition.
- On November 5, 2012, the petition manager informed the petitioner that the NRC is continuing to evaluate his petition and has a target date of January 31, 2013, to issue the proposed Director's Decision.

### Current Status/Next Steps:

- On December 28, 2012, the OEDO granted an extension until June 28, 2013, to develop a proposed Director's Decision because some Fukushima-related issues are still in the process of being resolved.
- 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 June 28, 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: 17 months)**

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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:	November 27, 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.
- On November 27, 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: 21 months)**

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Facility:	All GE BWR Mark I Units Reactors (Related to Japan Earthquake)
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:	December 31, 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 December 31, 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: 17 months)**

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Facility:	All licensees of power 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:	December 19, 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.
- On October 24, 2012, the petition manager informed the petitioner that the NRC is still reviewing his concerns.

### Current Status/Next Steps:

- On December 19, 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: 18 months)**

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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:	December 28, 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 October 2012, see the October 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML1230A290).

### Current Status/Next Steps:

- On December 28, 2012, the petition manager informed the petitioner that the PRB is continuing to evaluate his petitions and has set a target date of May 12, 2013, to issue 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 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: 19 months)**

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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:	December 28, 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 October 2012, see the October 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML1230A290).

### Current Status/Next Steps:

- On December 28, 2012, the petition manager informed the petitioner that the PRB is continuing to evaluate his petitions and has set a target date of May 12, 2013, to issue 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 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: 14 months)**

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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:	December 20, 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 October 2012, see the October 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12306A290).
- On November 5, 2012, the OEDO approved an extension until January 31, 2013, to issue a proposed Director's Decision for the remaining scope not addressed by the final partial Director's Decision issued October 19, 2012.

### Current Status/Next Steps:

- On December 20, 2012, the petition manager informed the petitioner that a partial proposed Director's Decision for the remaining items in the petition has a target date of January 31, 2013, but this date is expected to be extended because some Fukushima-related issues are still in the process of being resolved.
- 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: 29 months)**

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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:	January 31, 2013
Final DD Issuance:	TBD
Last Contact with Petitioner:	December 26, 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 September 2012, see the September 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12271A313).
- On November 9, 2012, the OEDO approved an extension until January 31, 2013, to issue a proposed Director's Decision.

### Current Status/Next Steps:

- On December 26, 2012, the petition manager informed the petitioner, by email, of the updated schedule for projected 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 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 # G20120269 (Petition Age: 9 months)**

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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:	March 18, 2013
Final DD Issuance:	TBD
Last Contact with Petitioner:	December 20, 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).
- On November 15, 2012, a teleconference was held with the petitioner and the PRB, during which the petitioner agreed to provide additional details about the computer model that provides the basis for portions of the petition.

### Current Status/Next Steps:

- On December 20, 2012, the petition manager contacted the petitioner regarding his agreement to provide additional information. The petitioner is still working on the additional information.
- 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 March 18, 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 # G20120317 (Petition Age: 9 months)**

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Facility: St. Lucie Plant, Unit 1 and Turkey Plant Nuclear  
Generating, Unit 3

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: April 26, 2013

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 September 2012, see the September 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12271A313).
- 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.

Current Status/Next Steps:

- On December 11, 2012, the OEDO extended the due date to April 26, 2013, to prepare a 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 April 26, 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 # G20120489 (Petition Age: 6 months)**

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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:	November 9, 2012
Petition Manager:	Christopher Gratton
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 September 2012, see the September 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12271A313).
- 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.
- On November 9, 2012, the petitioner acknowledged receiving the electronic version of the acknowledgement letter.

### 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 February 28, 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 # G20120253 (Petition Age: 9 months)**

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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:	March 18, 2013
Final DD Issuance:	TBD
Last Contact with Petitioner:	November 16, 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.
- On October 10, 2012, the PRB reversed its initial recommendation and agreed to accept the petition for review.
- On November 16, 2012, the NRC issued its acknowledgement letter (ADAMS Accession No. ML12305A436) accepting the petition for review pursuant to 10 CFR 2.206. The goal to issue an acknowledgement letter within 35 days of the date of the incoming petition was not met because the staff had to schedule two separate meetings with the petitioner that resulted in the staff reversing its initial recommendation.

### 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 March 18, 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 UNDER CONSIDERATION

**EDO # G20120142 (Petition Age: 10 months)**

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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:	November 20, 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 complete summary of NRC actions through September 2012, see the September 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12271A313).
- On October 24, 2012, the PRB held a second teleconference with the petitioner.
- On November 15, 2012, the OEDO approved an extension request until January 31, 2013, to support issuance of either a closure or acknowledgement letter.
- On November 20, 2012, the transcript of the October 24, 2012, teleconference was sent to the petitioner.
- On November 28, 2012, December 6 and December 17, 2012, the PRB held internal meetings to further evaluate the petition.

### Current Status/Next Steps:

- The next step is for the PRB to meet again on January 15, 2013, prior to making a final recommendation.

**OPEN PETITION UNDER CONSIDERATION**  
**EDO # G20120172 (Petition Age: 10 months)**

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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: November 21, 2012  
Petition Manager: Bhalchandra Vaidya  
Case Attorney: Mauri Lemoncelli

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 October 2012, see the October 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12306A290).
- On November 21, 2012, the petition manager responded to petitioner's request for clarification of the PRB's initial recommendation.

Current Status/Next Steps:

- The next step is to schedule a second meeting or teleconference between the PRB and petitioner, tentatively, in January.

**OPEN PETITION UNDER CONSIDERATION**

***EDO # G20120458 (Petition Age: 7 months)***

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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:	November 19, 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 September 2012, see the September 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12271A313).
- On October 5, 2012, the petition manager informed the petitioner of the initial recommendation, which is to reject the petition.
- On November 19, 2012, the PRB held a second teleconference with the petitioner.

Current Status/Next Steps:

- On December 18, 2012, the OEDO extended the due date to February 28, 2013, to prepare an acknowledgement or closure letter.
- The next step is for the PRB to meet internally to make a final recommendation. The PRB is scheduled to meet January 19, 2012.

## OPEN PETITION UNDER CONSIDERATION

**EDO # G20120819 (Petition Age: 3 months)**

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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:	December 3, 2012
Petition Manager:	James Kim
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.
- On November 1, 2012, the PRB met on the request for immediate action and denied it.
- On November 6, 2012, the petition manager acknowledged the petition.
- On November 6, 2012, the petition manager informed the petitioner of the decision on immediate action and offered him a teleconference or public meeting.
- On November 27, 2012, the OEDO approved an extension until March 26, 2013, to issue a closure or acknowledgement letter.

### Current Status/Next Steps:

- On December 3, 2012, the petitioner addressed the PRB during a recorded teleconference.
- The next step is to hold an internal PRB meeting to make the initial recommendation to accept or reject the petition for review.

## OPEN PETITION UNDER CONSIDERATION

**EDO # G20120748 (Petition Age: 3 months)**

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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:	December 27, 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.
- For a complete summary of NRC actions through October 2012, see the October 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12306A290).
- On November 5, 2012, the PRB met and denied the request for immediate action because the petitioner did not provide any information regarding the existence of a safety problem at the plant site which would justify a shutdown order from the NRC.
- On November 28, 2012, the petitioner was informed of the PRB's decision to deny the request for immediate action.
- On November 28, 2012, the petitioner requested an opportunity to address the PRB (by phone or in person) before the PRB met internally to make its initial recommendation.

### Current Status/Next Steps:

- On December 11, 2012, the petitioner met with the PRB to provide additional information regarding the petition.
- On December 19, 2012, the PRB met to discuss the petition and determined that it did not meet the criteria for a 10 CFR 2.206 petition.
- On December 27, 2012, the petition manager contacted the petitioner to deliver the PRB's initial recommendation and to ask the petitioner if he desired to address the PRB again. The petitioner requested another opportunity to address the PRB.
- The next step is to schedule a teleconference or public meeting with the petitioner for January 2013.

**OPEN PETITION UNDER CONSIDERATION**

***EDO # G20120875 (Petition Age: 2 months)***

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Facility:	Indian Point Nuclear Generating, Units 2 and 3
Licensee Type:	Reactor
Petitioner(s):	Riverkeeper
Date of Petition:	November 14, 2012
DD To Be Issued by:	Office of Nuclear Reactor Regulation
Proposed DD Issuance:	TBD
Final DD Issuance:	TBD
Last Contact with Petitioner:	December 20, 2012
Petition Manager:	Douglas Pickett
Case Attorney:	Christopher Hair

Issues/Actions Requested:

The petitioner requests action regarding hydrogen deflagrations or detonations.

Background:

- On November 14, 2012, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.
- On November 16, 2012, the petition manager acknowledged receipt of the petition.

Current Status/Next Steps:

- On December 3, 2012, the OEDO approved an extension until March 15, 2013, to issue and acknowledgement or closure letter.
- On December 20, 2012, the petitioner addressed the PRB during a recorded teleconference.
- The next step is to hold an internal PRB meeting, tentatively in January 2013, to make the initial recommendation to accept or reject the petition for review.

**OPEN PETITION UNDER CONSIDERATION**

***EDO # G20120891 (Petition Age: 2 months)***

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Facility:	San Onofre Nuclear Generating Station, Units 2 and 3
Licensee Type:	Reactor
Petitioner(s):	Friends of the Earth
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:	December 10, 2012
Petition Manager:	Brian Benney
Case Attorney:	Molly Barkman Marsh

Issues/Actions Requested:

The petitioner requests that the licensee was required to obtain a license amendment when it replaced the original steam generators at San Onofre.

Background:

- On June 18, 2012, the petitioner submitted a request under 10 CFR 2.309, stating the licensee was required to obtain a license amendment when it replaced the original steam generators at San Onofre. In its order (CLI-12-20) signed November 8, 2012, ruling on the petition, the Commission referred this claim to the staff to be examined under the 10 CFR 2.206 process.
- On November 16, 2012, the petitioner submitted a letter concerning the entering of this claim in the 2.206 process and requested transparency.

Current Status/Next Steps:

- On December 10, 2012, the petition manager acknowledged receipt of the petition.
- On December 18, 2012, the OEDO extended the due date to February 15, 2013, to prepare an acknowledgement or closure letter.
- The next step is for the PRB to hold a public meeting with the petitioner, currently planned for January 16, 2013.

**OPEN PETITION UNDER CONSIDERATION**

***EDO # G20120902 (Petition Age: 2 months)***

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Facility:	Oyster Creek Nuclear Generating Station
Licensee Type:	Reactor
Petitioner(s):	Richard Webster for Public Justice
Date of Petition:	November 19, 2012
DD To Be Issued by:	Office of Nuclear Reactor Regulation
Proposed DD Issuance:	TBD
Final DD Issuance:	TBD
Last Contact with Petitioner:	November 26, 2012
Petition Manager:	John Lamb
Case Attorney:	Christopher Hair

Issues/Actions Requested:

The petitioner requests that the NRC not allow restarting the reactor until the ability to respond to nuclear emergencies is fully restored after Hurricane Sandy.

Background:

- On November 19, 2012, the petitioner submitted a request under 10 CFR 2.309, requesting that the NRC not allow restarting the reactor until the ability to respond to nuclear emergencies is fully restored after Hurricane Sandy.
- On November 26, 2012, the PRB met on the request for immediate action and denied it.
- On November 26, 2012, the petition manager informed the petitioner that the request for immediate action was denied.

Current Status/Next Steps:

- On December 3, 2012, the OEDO approved an extension until June 28, 2012, to issue and acknowledgement or closure letter.
- On January 3, 2013, the PRB held a public meeting at NRC Headquarters with the petitioner.
- The next step is for the PRB to meet to make an initial recommendation on the petition.



**OPEN PETITION UNDER CONSIDERATION**

***EDO # G20120955 (Petition Age: 1 month)***

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Facility:	Vermont Yankee Nuclear Power Station (VY)
Licensee Type:	Reactor
Petitioner(s):	Michael Mulligan
Date of Petition:	December 5, 2012
DD To Be Issued by:	Office of Nuclear Reactor Regulation
Proposed DD Issuance:	TBD
Final DD Issuance:	TBD
Last Contact with Petitioner:	December 21, 2012
Petition Manager:	James Kim
Case Attorney:	Emily Monteith

Issues/Actions Requested:

The petitioner requests immediate shutdown of VY owing to degraded seals.

Background:

- On December 5, 2012, the petitioner filed a petition for enforcement action.

Current Status/Next Steps:

- On December 20, 2012, the PRB met on the request for immediate action and denied it.
- On December 21, 2012, the petition manager informed the petitioner that the request for immediate action was denied.
- The next step is to hold a teleconference with the petitioner, to be scheduled for January.