

Enclosure  
ADAMS Accession  
No. ML13059A353  
Monthly 10 CFR 2.206,  
“Requests for Action  
Under This Subpart,”  
Status Report

**PETITIONS CLOSED DURING THIS PERIOD**

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For each petition listed above, the individual status page summarizes the issues raised by the petitioner, the current status, and the next steps. An open petition is one that has been accepted for review by the petition review board (PRB). An open petition under consideration is one that is being considered for review by the PRB but has not been formally accepted.

Timeliness goals are established for each open petition as follows:

- 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.

## CLOSED PETITION

**EDO # G20120748 (Petition Age: 5 months)**

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Facility:	St. Lucie Plant
Licensee Type:	Reactor
Petitioner(s):	Thomas Saporito, Saprodani Associates
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:	January 14, 2013
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 November 2012, see the November 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12334A351).
- 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 to reject the petition, and to ask the petitioner if he desired to address the PRB again. The petitioner requested another opportunity to address the PRB.
- On January 14, 2013, a teleconference was held with the petitioner. No new information was presented.
- On January 29, 2013, the OEDO approved an extension until February 28, 2013, to process the closure letter.

### Current Status/Next Steps:

- On February 28, 2013, the petitioner was sent a letter (ADAMS Accession No. ML13043A471) indicating that the petition request did not meet the criteria for treating the request under the 2.206 process.
- All actions on this petition are closed.

## OPEN PETITION

**EDO # G20090690 (Petition Age: 39 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:	January 14, 2013
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 November 2012, see the November 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12334A351).
- On January 14, 2013, the petition manager informed the petitioner that he was assuming duties from the previous petition manager, and that a target date of December 3, 2013, was set to complete the review.
- On Jan. 31, 2013, the Duke Board of Directors voted to decommission Unit 3. The petition manager is reviewing the development of the proposed DD in light of the decommissioning decision and will develop a new proposed DD accordingly, within the currently approved response schedule.

### Current Status/Next Steps:

- The next step is for the petition manager to prepare a proposed DD documenting the NRC's response to issues raised in the petition. The petitioner and licensee will receive an opportunity to comment on the proposed DD. The estimated issuance date of the proposed DD is December 3, 2013. However, in light of the decommissioning decision, the NRC staff anticipates issuing the proposed DD before the estimated issuance date of December 3, 2013. The target issuance date of the final DD is 75 days after the issuance date of the proposed DD.

## OPEN PETITION

**EDO # G20110171 (Petition Age: 24 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:	January 4, 2013
Petition Manager:	Mahesh Chawla
Case Attorney:	Michael Clark

### Issues/Actions Requested:

The petitioner 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 November 2012, see the November 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12334A351).
- On December 28, 2012, the OEDO granted an extension until June 28, 2013, to develop a proposed DD because some actions requested relate directly to activities discussed in SECY-11-0137, which are currently undergoing NRC review as part of the lessons-learned from the Fukushima event. In addition to the extension, the staff is exploring opportunities to address petitioner concerns in as timely a manner as possible.
- On January 4, 2013, the petition manager informed the petitioner that he was replacing the previous petition manager and that a target date of June 28, 2013, was set to complete the review.

### Current Status/Next Steps:

- On February 4, 2013, the PRB met to discuss a draft proposed DD. The PRB is awaiting the outcome of an NRC staff integrated review of Fukushima-related 2.206 petitions before the proposed DD can be developed.
- The next step is for the NRC staff to complete an integrated review of Fukushima-related 2.206 petitions.

## OPEN PETITION

**EDO # G20110563 (Petition Age: 19 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:	April 15, 2013
Final DD Issuance:	July 31, 2013
Last Contact with Petitioner:	January 29, 2013
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 December 2012, see the December 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12362A008).
- On November 15, 2012, the OEDO granted an extension until July 31, 2015, because some actions requested relate directly to activities discussed in SECY-11-0137, which are currently undergoing NRC review as part of the lessons-learned from the Fukushima event. In addition to the extension, the staff is exploring opportunities to address petitioner concerns in as timely a manner as possible.
- On January 29, 2013, the petition manager informed the petitioner that his petition was still under review.

### Current Status/Next Steps:

- The next step is for the petition manager to prepare a proposed DD documenting the NRC's response to issues raised in the petition. The petitioner and licensee will receive an opportunity to comment on the proposed DD. The estimated issuance date of the proposed DD is April 15, 2013. The target issuance date of the final DD is 75 days after the issuance date of the proposed DD.

## OPEN PETITION

**EDO # G20110262 (Petition Age: 23 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, 2015
Final DD Issuance:	TBD
Last Contact with Petitioner:	February 25, 2013
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 December 2012, see the December 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12362A008).
- On January 22, 2013, the OEDO granted an extension until January 31, 2015, because some actions requested relate directly to Tier 2 and 3 activities discussed in SECY-11-0137, which are not slated to be completed until 2016, or beyond. In addition to the extension, the staff is exploring opportunities to address petitioner concerns in as timely a manner as possible.

### Current Status/Next Steps:

- On February 25, 2013, the petition manager informed the petitioner that the NRC is continuing to review his concerns and that a new target date of January 31, 2015, has been set.
- The next step is for the petition manager to prepare a proposed DD documenting the NRC’s response to issues raised in the petition. The petitioner and licensee will receive an opportunity to comment on the proposed DD. The estimated issuance date of the proposed DD was extended to January 31, 2015. The target issuance date of the final DD is 75 days after the issuance date of the proposed DD.



## OPEN PETITION

**EDO # G20110579 (Petition Age: 19 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, 2015
Final DD Issuance:	TBD
Last Contact with Petitioner:	February 25, 2013
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 December 2012, see the December 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12362A008).
- On January 17, 2013, the OEDO granted an extension until January 31, 2015, because some actions requested relate directly to Tier 2 and 3 activities discussed in SECY-11-0137, which are not slated to be completed until 2016, or beyond. In addition to the extension, the staff is exploring opportunities to address petitioner concerns in as timely a manner as possible.

### Current Status/Next Steps:

- On February 25, 2013, the petition manager informed the petitioner that the NRC is continuing to review his concerns and that a target date of January 31, 2015, has been set.
- The next step is for the petition manager to prepare a proposed DD documenting the NRC's response to issues raised in the petition. The petitioner and licensee will receive an opportunity to comment on the proposed DD. The estimated issuance date of the proposed DD is January 31, 2015. The target issuance date of the final DD is 75 days after the issuance date of the proposed DD.

## OPEN PETITION

**EDO # G20110506 (Petition Age: 20 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:	February 27, 2013
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.
- On May 1, 2012, the OEDO granted an extension until May 12, 2013, to develop a proposed DD because some actions requested relate directly to activities discussed in SECY-11-0137, which are currently undergoing NRC review as part of the lessons-learned from the Fukushima event. In addition to the extension, the staff is exploring opportunities to address petitioner concerns in as timely a manner as possible.
- For a complete summary of NRC actions through December 2012, see the December 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12362A008).

### Current Status/Next Steps:

- On February 27, 2013, the petition manager informed the petitioner that the NRC is continuing to evaluate his petitions with a target date of May 12, 2013, to respond to him.
- The next step is for the petition manager to prepare a proposed DD documenting the NRC's response to issues raised in the petition. The petitioner and licensee will receive an opportunity to comment on the proposed DD. The estimated issuance date of the proposed DD is May 12, 2013. The target issuance date of the final DD is 75 days after the issuance date of the proposed DD.

## OPEN PETITION

**EDO # G20110492 (Petition Age: 21 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:	February 27, 2013
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.
- On May 1, 2012, the OEDO granted an extension until May 12, 2013, to develop a proposed DD because some actions requested relate directly to activities discussed in SECY-11-0137, which are currently undergoing NRC review as part of the lessons-learned from the Fukushima event. In addition to the extension, the staff is exploring opportunities to address petitioner concerns in as timely a manner as possible.
- For a complete summary of NRC actions through December 2012, see the December 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12362A008).

### Current Status/Next Steps:

- On February 27, 2013, the petition manager informed the petitioner that the NRC is continuing to evaluate his petitions with a target date of May 12, 2013, to respond to him.
- The next step is for the petition manager to prepare a proposed DD documenting the NRC's response to issues raised in the petition. The petitioner and licensee will receive an opportunity to comment on the proposed DD. The estimated issuance date of the proposed DD is May 12, 2013. The target issuance date of the final DD is 75 days after the issuance date of the proposed DD.

## OPEN PETITION

**EDO # G20110757 (Petition Age: 16 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:	June 28, 2013
Final DD Issuance:	TBD
Last Contact with Petitioner:	February 28, 2013
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 December 2012, see the December 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12362A008).
- On January 30, 2013, the OEDO approved an extension until June 28, 2013, to complete a proposed DD. The proposed DD will address concerns not addressed in the partial proposed DD because they are under review as part of the lessons-learned from the Fukushima event. In addition to the extension, the staff is exploring opportunities to address petitioner concerns in as timely a manner as possible.

### Current Status/Next Steps:

- On February 28, 2013, the petition manager informed the petitioner, via e-mail, of the updated schedule for projected issuance of the proposed DD.
- The next step is for the petition manager to prepare another partial proposed DD and a final DD. The petitioner and licensee will receive an opportunity to comment on the proposed DD. The estimated issuance date of the proposed DD is June 28, 2013. The target issuance date of the final DD is 75 days after the issuance date of the proposed DD.

## OPEN PETITION

**EDO # G20100454 (Petition Age: 31 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:	March 15, 2013
Final DD Issuance:	TBD
Last Contact with Petitioner:	February 25, 2013
Petition Manager:	Richard Guzman
Case Attorney:	Mauri Lemoncelli

### Issues/Actions Requested:

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.

As supplemented on August 13, 2010 (G20100527), the petitioner requested that the NRC issue an order that requires Entergy, the licensee, 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 December 2012, see the December 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12362A008).
- On January 29, 2013, the OEDO extended the due date until March 15, 2013, to issue the proposed DD owing to staff availability.

### Current Status/Next Steps:

- On February 25, 2013, the petition manager informed the petitioner of the updated schedule for projected issuance of the proposed DD.
- The next step is for the petition manager to prepare a proposed DD documenting the NRC's response to issues raised in the petition. The petitioner and licensee will receive an opportunity to comment on the proposed DD. The estimated issuance date of the proposed DD is March 15, 2013. The target issuance date of the final DD is 75 days after the issuance date of the proposed DD.

## OPEN PETITION

**EDO # G20120269 (Petition Age: 11 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:	December 18, 2013
Final DD Issuance:	TBD
Last Contact with Petitioner:	February 26, 2013
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 November 2012, see the November 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12334A351).
- 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.
- On January 29, 2013, the petitioner informed the petition manager that he was still working on the additional information that he was to provide.

### Current Status/Next Steps:

- On February 26, 2013, via e-mail, the petition manager reminded the petitioner that the PRB is still waiting for information requested during the November 15, 2012, PRB meeting with the petitioner.
- On March 7, 2013, the OEDO approved an extension until December 18, 2013, to issue the proposed DD.
- The next step is for the petitioner to respond to the PRB's request for additional details regarding the issues raised in the petition. The current target for a proposed DD of March 8, 2013, will not be met because the petitioner has not responded to the PRB's request. A revised target date is being developed.

**OPEN PETITION**

**EDO # G20120317 (Petition Age: 11 months)**

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Facility: St. Lucie Plant, Unit 1 and Turkey Point 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: January 30, 2013

Petition Manager: Jason Paige

Case Attorney: Patricia 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 November 2012, see the November 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12334A351).
- On December 11, 2012, the OEDO extended the due date to April 26, 2013, to prepare a proposed DD and to allow for Region II's examination of the issue.
- On January 30, 2013, the petition manager informed the petitioner that the petition is still on hold pending the outcome of Region II's examination of the issue.

Current Status/Next Steps:

- The next step is for the petition manager to prepare a proposed DD documenting the NRC's response to issues raised in the petition. The petitioner and licensee will receive an opportunity to comment on the proposed DD. The estimated issuance date of the proposed DD is April 26, 2013. The target issuance date of the final DD is 75 days after the issuance date of the proposed DD.

## OPEN PETITION

**EDO # G20120489 (Petition Age: 8 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:	June 28, 2013
Final DD Issuance:	TBD
Last Contact with Petitioner:	January 30, 2013
Petition Manager:	Christopher Gratton
Case Attorney:	Molly Barkman Marsh

### Issues/Actions Requested:

The petitioner requested that the Brunswick Technical Specifications (TS) be modified so that the TS that are applicable only during movement of irradiated fuel in the spent fuel pool (SFP) be applicable any time irradiated fuel is stored in the SFP.

### 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 December 2012, see the December 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12362A008).
- On January 30, 2013, the petition manager informed the petitioner that he was assuming duties from the previous petition manager, and that the petition was still under review.

### Current Status/Next Steps:

- On February 7, 2013, the OEDO approved an extension until June 28, 2013, to allow time for researching background material and because of new staff being assigned to the petition.
- The next step is for the petition manager to prepare a proposed DD documenting the NRC's response to issues raised in the petition. The petitioner and licensee will receive an opportunity to comment on the proposed DD. The current estimated issuance date of the proposed DD is June 28, 2013. The target issuance date of the final DD is 75 days after the issuance date of the proposed DD.



## OPEN PETITION

**EDO # G20120253 (Petition Age: 11 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:	January 14, 2013
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 October 2012, see the October 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12306A290).
- 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.
- On December 20, 2012, the petition manager requested documents referenced in the petition.
- On January 14, 2013, the petitioner submitted the requested documents.

### Current Status/Next Steps:

- The next step is for the petition manager to prepare a proposed DD documenting the NRC's response to issues raised in the petition. The petitioner and licensee will receive an opportunity to comment on the proposed DD. The estimated issuance date of the proposed DD is March 18, 2013. The target issuance date of the final DD is 75 days after the issuance date of the proposed DD.

## OPEN PETITION UNDER CONSIDERATION

**EDO # G20120142 (Petition Age: 12 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:	January 29, 2013
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 November 2012, see the November 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12334A351).
- On January 15, 2013, the PRB held an internal meeting to evaluate the petition.
- On January 28, 2013, the OEDO approved an extension request until April 1, 2013, to issue a closure or acknowledgement letter.
- On January 29, 2013, the petition manager informed the petitioner that his petition was still under review.
- On February 6, 2013, the office director was briefed on the final recommendation.

### Current Status/Next Steps:

- The next step is to finalize and receive management approval of the final recommendation.

**OPEN PETITION UNDER CONSIDERATION**  
**EDO # G20120172 (Petition Age: 12 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: January 28, 2013  
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 November 2012, see the November 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12334A351)
- On January 28, 2013, the petition manager informed the petitioner that the PRB is waiting for the Freedom of Information Act (FOIA) Process regarding FOIA 2013-0010 to be completed. The petitioner needs the requested information before he can specify a date to address the PRB.

Current Status/Next Steps:

- On February 8, 2013, the OEDO approved an extension until July 1, 2013, to process FOIA-2013-0010, review additional information from the petitioners, hold a second meeting with the petitioners, hold a second PRB meeting to make a final recommendation, and issue a closure or acknowledgement letter.
- The next step is to schedule a second meeting or teleconference between the PRB and petitioner after the petitioner receives and reviews the FOIA information.

## OPEN PETITION UNDER CONSIDERATION

**EDO # G20120458 (Petition Age: 9 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 October 2012, see the October 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12306A290).
- On November 19, 2012, the PRB held a second teleconference with the petitioner.
- On December 18, 2012, the OEDO extended the due date to February 28, 2013, to prepare an acknowledgement or closure letter.
- On January 10, 2013, the PRB met to make a final recommendation.

### Current Status/Next Steps:

- On February 26, 2013, the OEDO approved an extension until April 29, 2013, to allow sufficient time for the PRB to consider the new issues brought up in the second teleconference with the petitioner.
- The next step is for the PRB to receive management approval of the final recommendation.

**OPEN PETITION UNDER CONSIDERATION**

***EDO # G20120819 (Petition Age: 5 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:	February 13, 2013
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.
- For a complete summary of NRC actions through December 2012, see the December 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12362A008).
- On January 10, 2013, the PRB met to make an initial recommendation on the petition.
- On January 30, 2013, the petition manager informed the petition manager that the initial recommendation was to reject the petition and offered him another opportunity to address the PRB.

Current Status/Next Steps:

- On February 13, 2013, the PRB held a second teleconference with the petitioner. No new information was presented.
- The next step is to prepare a closure letter.

**OPEN PETITION UNDER CONSIDERATION**  
**EDO # G20120875 (Petition Age: 4 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.
- On December 3, 2012, the OEDO approved an extension until March 15, 2013, to issue an acknowledgement or closure letter.
- On December 20, 2012, the petitioner addressed the PRB during a recorded teleconference.
- On January 17, 2013, an internal PRB meeting was held to make an initial recommendation.

Current Status/Next Steps:

- On February 20, 2013, the PRB met to continue to make an initial recommendation.
- On February 26, 2013, the OEDO approved an extension until July 26, 2013. Because of the complexity of the issues in the petition, the PRB had to meet twice to make an initial recommendation. In addition the PRB still has to obtain management concurrence for the initial recommendation, offer the petitioner an opportunity to address the PRB again, and meet to make the final recommendation.
- The next step is to receive management approval of the recommendation.

**OPEN PETITION UNDER CONSIDERATION**

***EDO # G20120891 (Petition Age: 4 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:	February 6, 2013
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.
- For a complete summary of NRC actions through December 2012, see the December 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12362A008). On January 16, 2013, the PRB held a public meeting with the petitioner.
- On January 29, 2013, the petitioner informed the petition manager that information that he requested to be allowed to submit during the January 16, 2013, public meeting, would be delayed.

Current Status/Next Steps:

- On February 6, 2013, the petitioner submitted additional information.
- On February 22, 2013, the OEDO approved an extension until April 30, 2013, to review the additional submitted information and to issue a final recommendation.
- The next step is for the PRB to meet in March to make an initial recommendation.

**OPEN PETITION UNDER CONSIDERATION**

***EDO # G20120902 (Petition Age: 4 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:	January 3, 2013
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.
- On December 3, 2012, the OEDO approved an extension until June 28, 2013, to issue an acknowledgement or closure letter.
- On January 3, 2013, the PRB held a public meeting at NRC Headquarters with the petitioner.

Current Status/Next Steps:

- The next step is for the PRB to meet to make an initial recommendation on the petition in March.



**OPEN PETITION UNDER CONSIDERATION**

***EDO # G20120955 (Petition Age: 3 months)***

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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:	January 9, 2013
Petition Manager:	James Kim
Case Attorney:	Emily Monteith

Issues/Actions Requested:

The petitioner requests immediate shutdown of VY owing to degraded Buna-N seals in safety relief valves.

Background:

- On December 5, 2012, the petitioner filed a petition for enforcement action.
- For a complete summary of NRC actions through December 2012, see the December 2012 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML12362A008).
- On January 9, 2013, the PRB held a teleconference with the petitioner.
- On January 10, 2013, the OEDO approved an extension until April 30, 2013, to issue a closure or acknowledgement letter.
- On January 23, 2013, the PRB met to make an initial recommendation on the petition.

Current Status/Next Steps:

- The next step is to receive management approval of the recommendation.

**OPEN PETITION UNDER CONSIDERATION**

***EDO # G20130151 (Petition Age: 1 month)***

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Facility:	U.S. Reactors
Licensee Type:	Reactor
Petitioner(s):	Thomas Ma
Date of Petition:	February 26, 2013
DD To Be Issued by:	Office of Nuclear Reactor Regulation
Proposed DD Issuance:	TBD
Final DD Issuance:	TBD
Last Contact with Petitioner:	February 26, 2013
Petition Manager:	Tanya Mensah
Case Attorney:	Christopher Hair

Issues/Actions Requested:

The petitioner requests immediate shutdown of all operating reactors, stating that the fitness duty program is flawed with regard to testing for synthetic drug use.

Background:

- On February 26, 2013, the petitioner filed a petition for enforcement action.

Current Status/Next Steps:

- On February 27, 2013, the petition manager acknowledged receipt of petition.
- The next step is for the PRB to meet on the immediate action request, which is scheduled for March 11, 2013.