

Enclosure  
ADAMS Accession  
No. ML13154A425  
Monthly 10 CFR 2.206,  
“Requests for Action  
Under This Subpart,”  
Status Report

**PETITIONS CLOSED DURING THIS PERIOD**

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No petitions were closed 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 or rejected.

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.

## OPEN PETITION

**EDO # G20090690 (Petition Age: 42 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:	May 29, 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 January 2013, see the January 2013 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML13031A377).
- On January 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.
- On April 29, 2013, the petition manager informed the petitioner that his petition is still under review and the target date is unchanged.

### Current Status/Next Steps:

- On May 29, 2013, the petition manager informed the petitioner that his petition is still under review and that the target date is unchanged.
- 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: 27 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 30, 2015
Final DD Issuance:	TBD
Last Contact with Petitioner:	March 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. Actions requested relate to hardened vents and facility seismic qualifications.

### 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 January 2013, see the January 2013 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML13031A377).
- 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.
- On March 4, 2013, the petition manager informed the petitioner that his petition is still under review.
- On April 29, 2013, the OEDO granted an extension until June 30, 2015, because actions requested relate to activities of the Japan Lessons-Learned Directorate, including consideration of the installation of hardened vents and facility seismic qualifications.

### 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 June 30, 2015. The target issuance date of the final DD is 75 days after the issuance date of the proposed DD.
- The NRC staff is conducting an integrated review of Fukushima-related 2.206 petitions to identify opportunities for closure of identified issues, either wholly or in-part.

## OPEN PETITION

**EDO # G20110563 (Petition Age: 22 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:	October 17, 2013
Final DD Issuance:	January 31, 2014
Last Contact with Petitioner:	March 21, 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 February 2013, see the February 2013 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML13059A353).
- On March 21, 2013, the petition manager informed the petitioner that his petition is still under review.

### Current Status/Next Steps:

- On May 3, 2013, the OEDO approved an extension until January 31, 2014, to issue the final DD, owing to time needed to resolve the complex issues involved in preparing 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 October 17, 2013. The target issuance date of the final DD is 75 days after the issuance date of the proposed DD.
- The NRC staff is conducting an integrated review of Fukushima-related 2.206 petitions to identify opportunities for closure of identified issues, either wholly or in-part.

## OPEN PETITION

**EDO # G20110262 (Petition Age: 26 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:	April 26, 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.
- On April 26, 2013, the petition manager informed the petitioner that the NRC is continuing to review his concerns.

### 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 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.
- The NRC staff is conducting an integrated review of Fukushima-related 2.206 petitions to identify opportunities for closure of identified issues, either wholly or in-part.

## OPEN PETITION

**EDO # G20110579 (Petition Age: 22 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:	April 26, 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.
- 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 for the issuance of the proposed DD.
- On April 26, 2013, the petition manager informed the petitioner that the NRC is continuing to review his concerns and that the target date for the issuance of the proposed DD remains unchanged.

### 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 January 31, 2015. The target issuance date of the final DD is 75 days after the issuance date of the proposed DD.
- The NRC staff is conducting an integrated review of Fukushima-related 2.206 petitions to identify opportunities for closure of identified issues, either wholly or in-part.



## OPEN PETITION

**EDO # G20110506 (Petition Age: 23 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:	March 12, 2015
Final DD Issuance:	TBD
Last Contact with Petitioner:	May 31, 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, on the basis 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 will not 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.

### 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 February 2013, see the February 2013 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML13059A353).

### Current Status/Next Steps:

- On May 3, 2013, the OEDO granted an extension until March 12, 2015, 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.
- On May 31, 2013, the petition manager informed the petitioner that his petition was still under review and that a new target date of March 12, 2015, was set for 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 target issuance date of the final DD is 75 days after the issuance date of the proposed DD.
- The NRC staff is conducting an integrated review of Fukushima-related 2.206 petitions to identify opportunities for closure of identified issues, either wholly or in-part.

## OPEN PETITION

**EDO # G20110492 (Petition Age: 24 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:	March 12, 2015
Final DD Issuance:	TBD
Last Contact with Petitioner:	May 31, 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.
- For a complete summary of NRC actions through February 2013, see the February 2013 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML13059A353).

### Current Status/Next Steps:

- On May 3, 2013, the OEDO granted an extension until March 12, 2015, to issue 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.
- On May 31, 2013, the petition manager informed the petitioner that his petition was still under review and that a new target date of March 12, 2015, was set for 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 target issuance date of the final DD is 75 days after the issuance date of the proposed DD.
- The NRC staff is conducting an integrated review of Fukushima-related 2.206 petitions to identify opportunities for closure of identified issues, either wholly or in-part.

## OPEN PETITION

**EDO # G20110757 (Petition Age: 19 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:	April 10, 2013
Petition Manager:	Venkataiah Sreenivas
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.
- On February 28, 2013, the petition manager informed the petitioner, via e-mail, of the updated schedule for projected issuance of the proposed DD.
- On April 10, 2013, the petition manager informed the petitioner that the petition is still under review and that a new project manager has been assigned.

### Current Status/Next Steps:

- 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.
- The NRC staff is conducting an integrated review of Fukushima-related 2.206 petitions to identify opportunities for closure of identified issues, either wholly or in-part.

## OPEN PETITION

**EDO # G20100454 (Petition Age: 34 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 20, 2013
Final DD Issuance:	July 31, 2013
Last Contact with Petitioner:	May 29, 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 January 2013, see the January 2013 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML13031A377).
- On February 25, 2013, the petition manager informed the petitioner of the updated schedule for projected issuance of the proposed DD.
- On March 20, 2013, a proposed DD documenting the NRC's response to issues raised in the petition was issued (ADAMS Accession No. ML13018A457).

### Current Status/Next Steps:

- On May 16, 2013, the OEDO approved an extension until July 31, 2013, to disposition extensive comments on the proposed DD and issue the final DD.
- On May 29, 2013, the petition manager informed the petitioner of the changed target date for projected issuance of the final DD.
- The next step is to issue a final DD, the target issue date of which is July 31, 2013.

**OPEN PETITION**

**EDO # G20120269 (Petition Age: 14 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: April 29, 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 January 2013, see the January 2013 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML13031A377).
- On February 26, 2013, 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 target for a proposed DD of March 8, 2013, could not be met because the petitioner has not responded to the PRB's request.
- On April 29, 2013, the petition manager informed the petitioner that the PRB continues to wait for the information requested from the petitioner during the November 15, 2012, PRB teleconference with the petitioner.

Current Status/Next Steps:

- The next step is for the petitioner to respond to the PRB's request for additional details regarding the issues raised in the petition.

**OPEN PETITION**

**EDO # G20120317 (Petition Age: 14 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: August 23, 2013

Final DD Issuance: TBD

Last Contact with Petitioner: May 23, 2013

Petition Manager: Audrey Klett

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 January 2013, see the January 2013 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML13031A377).
- On April 19, 2013, the OEDO extended the due date to August 23, 2013, to prepare a proposed DD and to allow time for the Region to finalize its examination and associated report of the issue.
- On April 24, 2013, the project manager informed the petitioner that the new target date for the proposed DD is August 23, 2013, and that a new project manager has been assigned.

Current Status/Next Steps:

- On May 23, 2013, Region 2 informed the petitioner of the results of its examination.
- 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 target issuance date of the final DD is 75 days after the issuance date of the proposed DD.

## OPEN PETITION

**EDO # G20120489 (Petition Age: 11 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:	September 27, 2013
Final DD Issuance:	TBD
Last Contact with Petitioner:	May 29, 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 January 2013, see the January 2013 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML13031A377).
- 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.
- On March 13, 2013, the petition manager informed the petitioner that the NRC continues to review his petition and that the target date for issuance of the proposed DD is June 28, 2013.

### Current Status/Next Steps:

- On May 21, 2013, the OEDO approved an extension until September 27, 2013, to finalize the proposed DD.
- On May 29, 2013, the petition manager informed the petitioner that his petition is still under review, and that the target date for the response was extended.
- 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 September 27, 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: 14 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 29, 2013
Final DD Issuance:	June 12, 2013
Last Contact with Petitioner:	May 17, 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 to remove the passive autocatalytic recombiners (PARs) from containment and replace them with electrically powered hydrogen thermal recombiners. This is because PARs 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 January 2013, see the January 2013 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML13031A377).
- On March 29, 2013, a proposed DD denying the petitioner's request was issued for comment. The goal to issue a proposed DD within 120 days of the acknowledgement letter was met.

### Current Status/Next Steps:

- On May 17, 2013, the petition manager clarified with the petitioner that the petitioner was not required to submit comments on the proposed DD.
- The next step is for the petition manager to issue a final DD documenting the NRC's response to issues raised in the petition. The target issuance date of the final DD is 75 days after the issuance date of the proposed DD.



## OPEN PETITION

**EDO # G20120891 (Petition Age: 7 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:	August 30, 2013
Final DD Issuance:	TBD
Last Contact with Petitioner:	April 30, 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 February 2013, see the February 2013 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML13059A353).
- On March 6, 2013, the PRB met to make an initial recommendation, which was that the petition met the criteria for review and therefore, is being accepted.
- On April 9, 2013, the petition manager informed the petitioner that his petition was being accepted.
- On April 30, 2013, an acknowledgement letter (ADAMS Accession No. ML13106A193) was issued accepting the petition for 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 August 30, 2013. The target issuance date of the final DD is 75 days after the issuance date of the proposed DD.

## OPEN PETITION

**EDO # G20120458 (Petition Age: 12 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:	February 28, 2015
Final DD Issuance:	TBD
Last Contact with Petitioner:	May 23, 2013
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. The petitioner also cites issues currently under NRC review related to containment internal structures, electrical penetrations, and upstream dam failures.

### 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 February 2013, see the February 2013 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML13059A353).
- On March 1, 2013, the PRB received management approval of the final recommendation.
- On March 27, 2013, the petition manager informed the petitioner of the PRB's final recommendation to accept the petition for review.
- On April 26, 2013, the OEDO approved an extension for issuing an acknowledgement letter until May 31, 2013, to provide the staff additional time to gain alignment on the language of the letter.

### Current Status/Next Steps:

- On May 23, 2013, the petition manager issued an acknowledgement letter (ADAMS Accession No. ML13092A248) accepting the petition in part.
- 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 February 28, 2015. The target issuance date of the final DD is 75 days after the issuance date of the proposed DD.

**OPEN PETITION UNDER CONSIDERATION**  
**EDO # G20120172 (Petition Age: 15 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: April 26, 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 February 2013, see the February 2013 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML13059A353).
- 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.
- On March 25, 2013, the petition manager informed the petitioner that additional co-petitioner requests had been received.
- On April 26, 2013, the petition manager informed the petitioner that additional co-petitioner requests had been received.

Current Status/Next Steps:

- 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.
- The NRC staff is conducting an integrated review of Fukushima-related 2.206 petitions to identify opportunities for closure of identified issues, either wholly or in-part.

**OPEN PETITION UNDER CONSIDERATION**  
**EDO # G20120875 (Petition Age: 7 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: May 29, 2013  
Petition Manager: Douglas Pickett  
Case Attorney: Christopher Hair

Issues/Actions Requested:

The petitioner requests the permanent shutdown of both Indian Point units because the petitioner believes that the licensee could not control hydrogen generation following a severe reactor accident resulting in a detonation and failure of the containment structure.

Background:

- On November 14, 2012, the petitioner filed a petition for an enforcement action under 10 CFR 2.206.
- For a complete summary of NRC actions through January 2013, see the January 2013 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML13031A377).
- 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.
- On March 29, 2013, the petition manager informed the petitioner that the PRB's initial recommendation is to reject the petition.

Current Status/Next Steps:

- On May 29, 2013, the petitioner made a presentation before the PRB.
- On June 17, 2013, the PRB plans to meet internally to determine whether any changes need to be made to the initial recommendation based on the additional information provided at the May 29, 2013, teleconference.

**OPEN PETITION UNDER CONSIDERATION**

***EDO # G20120902 (Petition Age: 7 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:	April 18, 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.
- For a complete summary of NRC actions through January 2013, see the January 2013 monthly 10 CFR 2.206 status report (ADAMS Accession No. ML13031A377).
- On April 3, 2013, the PRB met and recommended to reject the petition.
- On April 5, 2013, the petition manager informed the petitioner that the petition met the criteria for rejection.
- On April 18, 2013, the PRB held a teleconference with the petitioner.

Current Status/Next Steps:

- On June 17, 2013, the PRB plans to meet internally to discuss the additional information presented in the teleconference.

## OPEN PETITION UNDER CONSIDERATION

**EDO # G20130174 (Petition Age: 3 months)**

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Facility:	Pilgrim Nuclear Power Station
Licensee Type:	Reactor
Petitioner(s):	Michael Mulligan
Date of Petition:	March 7, 2013
DD To Be Issued by:	Office of Nuclear Reactor Regulation
Proposed DD Issuance:	TBD
Final DD Issuance:	TBD
Last Contact with Petitioner:	May 22, 2013
Petition Manager:	Richard Guzman
Case Attorney:	Emily Monteith

### Issues/Actions Requested:

The petitioner requests an immediate shutdown on the basis that Pilgrim is operating in an unsafe condition, stating in part, that the plant operates with defective leaking safety relief valves.

### Background:

- On March 7, 2013, the petitioner filed a petition for enforcement action.
- On March 14, 2013, the petition manager acknowledged receipt of petition and offered the petitioner a chance to address the PRB.
- On March 18, 2013, the PRB met to discuss the petition and denied the petitioner's request for immediate action.
- On March 20, 2013, the OEDO approved an extension until May 31, 2013, to support the PRB's ability to have additional interactions with the petitioner.
- On March 25, 2013, the petition manager informed the petitioner that the request for immediate action had been denied.
- On April 11, 2013, the PRB held a teleconference with the petitioner.

### Current Status/Next Steps:

- On May 6, 2013, the PRB met to make its initial recommendation.
- On May 22, 2013, the petition manager informed the petitioner that the PRB's initial recommendation is to reject the petition.
- On May 24, 2013, the OEDO granted an extension until June 28, 2013, to issue a closure or acknowledgement letter.
- The next step is schedule a teleconference with the petitioner in June 2013.

## OPEN PETITION UNDER CONSIDERATION

**EDO # G20130211 (Petition Age: 3 months)**

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Facility:	Pilgrim Nuclear Power Station and Fitzpatrick Nuclear Power Plant
Licensee Type:	Reactor
Petitioner(s):	Alliance for a Green Economy et al.
Date of Petition:	March 18, 2013
DD To Be Issued by:	Office of Nuclear Reactor Regulation
Proposed DD Issuance:	TBD
Final DD Issuance:	TBD
Last Contact with Petitioner:	May 24, 2013
Petition Manager:	Richard Guzman
Case Attorney:	Patricia Jehle

### Issues/Actions Requested:

The petitioner requests that the NRC immediately suspend the operating licenses of the Pilgrim Nuclear Power Station and Fitzpatrick Nuclear Power Plant, stating that Entergy, the licensee, no longer meets the financial qualifications requirements to possess the licenses and operate the plants. The petitioner also requested that the NRC begin an investigation to determine whether the operating license for Pilgrim must also be suspended.

### Background:

- On March 18, 2013, the petitioner filed a petition for enforcement action.
- On March 27, 2013, the petition manager contacted the petitioners to acknowledge the receipt of the petition and to offer them an opportunity to address the PRB.
- On April 8, 2013, the PRB met to discuss the petitioner's request for immediate action.
- On April 10, 2013, the petition manager informed the petitioner that a new project manager had been assigned.
- On April 15, 2013, the OEDO approved an extension until June 21, 2013, to issue a closure or acknowledgement letter, owing to the need to hold PRB meetings and teleconferences with the petitioner.
- On April 15, 2013, the petition manager informed the petitioner that the request for immediate action had been denied.

### Current Status/Next Steps:

- On May 7, 2013, a public meeting was held with the petitioner.
- On May 21, 2013, the PRB met to make an initial recommendation on the petition.
- On May 24, 2013, the petition manager informed the petitioner that the PRB's initial recommendation is to accept the petition.
- The next step is for the petition manager to develop an acknowledgement letter.

**OPEN PETITION UNDER CONSIDERATION**

**EDO # G20130229 (Petition Age: 3 months)**

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Facility:	General Electric (GE) Boiling-Water Reactor (BWR) Mark I and Mark II Units
Licensee Type:	Reactor
Petitioner(s):	Beyond Nuclear
Date of Petition:	March 21, 2013
DD To Be Issued by:	Office of Nuclear Reactor Regulation
Proposed DD Issuance:	TBD
Final DD Issuance:	January 31, 2014
Last Contact with Petitioner:	May 2, 2013
Petition Manager:	John Lamb
Case Attorney:	Christopher Hair

Issues/Actions Requested:

The petitioner requests that the NRC revoke the operating licenses for all GE Mark I and Mark II BWR's in the United States.

Background:

- On March 21, 2013, the petitioner filed a petition for enforcement action.
- On April 8, 2013, the PRB met on the request for emergency action.
- On April 15, 2013 the OEDO granted an extension until January 31, 2014, to issue the final Directors Decision.
- On April 17, 2013, the petition manager informed the petitioner of the decision to deny emergency action.

Current Status/Next Steps:

- On May 2, 2013, PRB held a public meeting with the petitioners to provide supplemental information.
- On June 17, 2013, the PRB plans to meet to make an initial recommendation on the petition.
- The NRC staff is conducting an integrated review of Fukushima-related 2.206 petitions to identify opportunities for closure of identified issues, either wholly or in-part.



**OPEN PETITION UNDER CONSIDERATION**

***EDO # G20130288 (Petition Age: 2 months)***

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Facility:	San Onofre Nuclear Generating Station, Units 2 and 3
Licensee Type:	Reactor
Petitioner(s):	Thomas Gurdziel
Date of Petition:	April 10, 2013
DD To Be Issued by:	Office of Nuclear Reactor Regulation
Proposed DD Issuance:	TBD
Final DD Issuance:	TBD
Last Contact with Petitioner:	May 20, 2013
Petition Manager:	Brian Benney
Case Attorney:	Molly Barkman Marsh

Issues/Actions Requested:

The petitioner requests that the NRC immediately change the licensed power for Unit 3 to zero, and for Unit 2 to 70 percent and prohibit any involvement with all the nuclear industry for certain personnel at the licensee.

Background:

- On April 10, 2013, the petitioner filed a petition for enforcement action.
- On April 16, 2013, the petition manager acknowledged receipt of petition and offered the petitioner a meeting with the PRB, which the petitioner declined.

Current Status/Next Steps:

- On May 7, 2013, the OEDO approved an extension until July 31, 2013, to develop an acknowledgement or closure letter, owing to the need to coordinate other activities, such as a review of the response to the Confirmatory Action Letter (CAL) and a related review by the Atomic Safety and Licensing Board concerning whether the CAL is a de facto license amendment request.
- On May 15, 2013, the PRB met to make an initial decision on the petition.
- On May 20, 2013, the petition manager informed the petitioner his request for immediate action was denied.
- The next step is to receive management approval of the initial decision

**OPEN PETITION UNDER CONSIDERATION**

***EDO # G20130414 (Petition Age: 1 month)***

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Facility:	Palisades Nuclear Power Plant
Licensee Type:	Reactor
Petitioner(s):	N. Eddy
Date of Petition:	May 21, 2013
DD To Be Issued by:	Office of Nuclear Reactor Regulation
Proposed DD Issuance:	TBD
Final DD Issuance:	TBD
Last Contact with Petitioner:	May 30, 2013
Petition Manager:	Mahesh Chawla
Case Attorney:	TBD

Issues/Actions Requested:

The petitioner requests that the NRC mandate plant owners to find and fix all safety hazards and order Entergy to properly repair the plant rather than constantly patch the leaks, and until then, shut down the plant.

Background:

- On May 21, 2013, the petitioner filed a petition for enforcement action.

Current Status/Next Steps:

- On May 30, 2013, the petition manager acknowledged receipt of the petition.
- The next step is to schedule a meeting or teleconference, should the petitioner request one.