

June 17, 2014

Mr. Geoff Fettus
Senior Project Attorney
Natural Resources Defense Council
1152 15th Street NW, Suite 300
Washington, DC 20005

Dear Mr. Fettus:

This letter is to inform you that the Nuclear Regulatory Commission (NRC) is issuing a revised director's decision. This director's decision responds to the petition you filed with Annette Vietti-Cook, Secretary of the NRC, under Section 2.206, "Requests for action under this subpart," of Title 10, "Energy," of the *Code of Federal Regulations* (10 CFR) on July 27, 2011. In your petition (Agencywide Documents Access and Management System (ADAMS) Accession No. ML11216A085), you requested that the NRC order licensees to comply with 12 specific recommendations in the NRC Near-Term Task Force (NTTF) Report, "Recommendations for Enhancing Reactor Safety in the 21st Century," of July 12, 2011 (ADAMS Accession No. ML111861807).

On August 5, 2011, the NRC staff acknowledged receiving your petition and stated that, under 10 CFR 2.206, your petition was being referred to the Office of Nuclear Reactor Regulation and that it would be acted on within a reasonable time. You were also told that the topic of your petition is undergoing NRC review as part of the lessons learned from the Fukushima event, that the petition review board intended to use the results of the Fukushima review to inform its final decision on whether to implement the actions requested in your petition, and that this activity might take longer than the standard of 120 days for reaching a decision on your petition.

The staff sent a copy of the proposed director's decision to you and to all operating reactor licensees for comment on March 10, 2014. The proposed director's decision and the letter to you are available in ADAMS under Accession Nos. ML13282A373 and ML13282A358. The letter to the licensees, which includes a listing of all operating reactor licensees affected by this proposed director's decision, is available in ADAMS under Accession No. ML13282A372. The staff did not receive any comments on the proposed director's decision.

On May 6, 2014, the NRC issued a final director's decision (ADAMS Accession No. ML14098A166.) This decision stated that your request to order licensees to comply with 12 specific recommendations in the NRC NTTF Report, was resolved through the issuance of orders, 10 CFR 50.54(f) letters, rulemaking, and the Emergency Response Data System (ERDS) initiative.

Subsequently, the NRC found two revisions necessary to this decision. The NRC's response to Request 7 in your petition is corrected to reference the final regulatory basis issued on October 1, 2013 (ML13101A344), instead of the draft regulatory basis as originally stated. The NRC's response to your statement in Request 8 that licensees should be required to maintain

ERDS capability throughout the accident is corrected to state that the request will be addressed by an advance notice of proposed rulemaking (ANPR).

A copy of the Revised Director's Decision will be filed with the Secretary of the Commission for the Commission to review in accordance with 10 CFR 2.206(c). As provided for by this regulation, the decision will constitute the final action of the Commission 25 days after the date of the decision unless the Commission, on its own motion, institutes a review of the decision within that time. The documents cited in the enclosed decision are available for inspection at the Commission's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, MD, and from the ADAMS public library component on the NRC's Web site, <http://www.nrc.gov> (the Public Electronic Reading Room).

I have also enclosed a copy of the notice of "Issuance of the Revised Director's Decision under 10 CFR 2.206" that has been filed with the Office of the Federal Register for publication.

Please feel free to contact Merrilee Banic at (301) 415-2771 to discuss any questions related to this petition.

Sincerely,

/RA/

Jennifer L. Uhle, Deputy Director
for Reactor Safety Programs
Office of Nuclear Reactor Regulation

Enclosures:

1. Revised Director's Decision 14-02
2. *Federal Register* notice

cc: Listserv

G. Fettus

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Jennifer L. Uhle, Deputy Director
for Reactor Safety Programs
Office of Nuclear Reactor Regulation

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1. Revised Director's Decision 14-02
2. *Federal Register* notice

cc: Listserv

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ADAMS Accession Nos.: **Pkg:** ML13282A328; **Incoming:** ML11316A085; **Letter:** ML14148A145

*concurring via email

NRR-106

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OFFICE	NRR/DPR/PRMB*	NRR/DPR	NRR/DPR	NRR		
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DATE	5/27/14	6/02/14	06/03/14	6/17/14		

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Letter to G. Fettus from Jennifer L. Uhle dated June 17, 2014

SUBJECT: DIRECTOR'S DECISION-PETITION OF JULY 27, 2011

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