

NRR-PMDAPEm Resource

From: Lyon, Fred
Sent: Friday, June 20, 2014 7:50 AM
To: johnsonc20@gmail.com
Cc: Giitter, Joseph; Markley, Michael; Banic, Merrilee
Subject: FW: OWPSR Petition

Hello Chuck,

I see that your email came while I was on travel. I'm sorry that you didn't get a call beforehand that the NRC staff had rejected the PSR petition. I would have given you a courtesy call, but the letter was signed out Friday after I'd left the office, and I didn't find out until the following Tuesday morning after you'd sent your email. Nevertheless, by the MD 8.11 process, the formal letter is your notification of the staff's disposition of the petition. The staff doesn't re-engage the petitioner after giving the opportunity to provide additional information following the PRB's initial determination. The staff considers the information provided, and makes the final determination. It is not an iterative or collegial process. The staff is not seeking the concurrence of the petitioner, i.e., you propose, we dispose.

Therefore, the process is closed for the petition that was under consideration. That doesn't mean that the issues raised have been resolved beyond further consideration. In this case, the resolution was that the issues are already being considered within the NRC processes established to address Fukushima-related actions, including potential seismic, flooding, and volcanic impacts. The information you provided was essentially the same as that with which the staff is already familiar for CGS, and the staff determined that there was no reason to change the established review process or schedule for CGS based on the information you provided. The process used to review Fukushima-related actions is an established, risk-informed process, so that issues are considered in a methodical manner. The process allows for new information that arises that would require more urgent or different actions. The information you provided did not rise to that level. I know you disagree, but that was the staff's determination, and it was not pre-determined.

What can you do now? As I said, the original petition is closed. If you want us to consider additional information, then you can always submit a new letter or petition. The staff would consider it under the 2.206 process or as routine correspondence, depending on what you requested.

Thanks, Fred

P.S. any member of the public can subscribe to be placed on the list service for operating reactor correspondence from the NRC for any plant. Go to:

<http://www.nrc.gov/public-involve/listserver/plants-by-region.html>

From: johnsonc20@gmail.com<mailto:johnsonc20@gmail.com> [mailto:johnsonc20@gmail.com] On Behalf Of Charles K. Johnson
Sent: Wednesday, June 11, 2014 7:32 PM
To: Markley, Michael
Cc: Lyon, Fred; Banic, Merrilee; Giitter, Joseph; John Pearson; Steven Gilbert; Nancy Matela
Subject: Re: OWPSR Petition

Dear Mr. Markley,

Thank you for your reply. I did not know that the 2.206 petition had been rejected by the NRC staff when I sent you our additional material from Mr. Terry Tolan regarding flooding hazards at the Columbia nuclear power plant. We found out late yesterday when one of our members checked ADAMS. No one had informed us by phone, email, or surface mail until your email just now.

I do see at the bottom of the page that there was "additional distribution via Listserv." Apparently no one from PSR or the Alliance for Democracy was on that "Listserv." I am curious as to how ongoing investigations of earthquake and flooding preparedness of the Columbia nuclear power plant have already "been resolved." Doesn't something that is currently being reviewed have the possibility of failing a test of adequacy or is the NRC resolved to always give its clients in the nuclear power industry happy endings? That was a rhetorical question because we both know the answer. This process leaves me singularly unimpressed with the way the NRC regulates an extremely dangerous industry.

Sincerely,
Chuck Johnson

On Wed, Jun 11, 2014 at 11:59 AM, Markley, Michael
<Michael.Markley@nrc.gov<mailto:Michael.Markley@nrc.gov>> wrote:
Dear Mr. Johnson,

Mr. Fred Lyon is on work-related travel this week. Your information has been brought to his attention and the NRC petition process coordinator.

Although Mr. Lyon is no longer the lead project manager (PM) for Columbia Generating Station, he will continue his involvement as the backup PM. Since he has prior knowledge of the OWPSR concerns, I will have him remain the petition manager. Mr. Lyon will contact you upon his return regarding the expected NRC consideration of your latest request.

As you may know, the NRC responded to your prior petition requests by letter dated June 6, 2014, which is attached for your perusal.

Sincerely,
Michael T. Markley, Chief
Plant Licensing Branch IV-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
301-415-5723<tel:301-415-5723>

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Charles K. Johnson  
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**Subject:** FW: OWPSR Petition  
**Sent Date:** 6/20/2014 7:49:53 AM  
**Received Date:** 6/20/2014 7:42:55 AM  
**From:** Lyon, Fred

**Created By:** Fred.Lyon@nrc.gov

**Recipients:**

"Giitter, Joseph" <Joseph.Giitter@nrc.gov>  
Tracking Status: None  
"Markley, Michael" <Michael.Markley@nrc.gov>  
Tracking Status: None  
"Banic, Merrilee" <Merrilee.Banic@nrc.gov>  
Tracking Status: None  
"johnsonc20@gmail.com" <johnsonc20@gmail.com>  
Tracking Status: None

**Post Office:** HQCLSTR01.nrc.gov

| <b>Files</b> | <b>Size</b> | <b>Date &amp; Time</b> |
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| MESSAGE      | 5179        | 6/20/2014 7:42:55 AM   |

**Options**

**Priority:** Standard  
**Return Notification:** No  
**Reply Requested:** No  
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**Expiration Date:**  
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