



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

June 17, 2015

Mr. Thomas Saporito, Consulting Associate  
Saprodani Associates  
401 Old Dixie Hwy #3525  
Tequesta, FL 33469

Dear Mr. Saporito:

This letter responds to the petition you filed in 2011 to then Executive Director for Operations of the U.S. Nuclear Regulatory Commission R.W. Borchardt. You filed your petition under Section 2.206, "Requests for Action Under this Subpart," of Title 10 of the *Code of Federal Regulations* (10 CFR 2.206) on March 12, 2011, and supplemented it with additional information on April 14, 2011, April 16, 2011, and May 25, 2011. In your petition you requested that NRC "ORDER [sic] the immediate shut-down of all nuclear power reactors in the U.S. which are known to be located on or near an earthquake fault-line." You cited the Fukushima Dai-ichi accident in Japan as the rationale for and basis of the petition.

You met with the petition review board on April 14, 2011, and May 25, 2011, to clarify the bases for your petition. The NRC treated transcripts of these meetings as supplements to the petition. By letter dated June 28, 2011, the NRC staff informed you that your petition was going to be processed under the regulations of 10 CFR 2.206, and that the NRC was assigning this petition to the Office of Nuclear Reactor Regulation. You were also informed that the petition review board had denied your request for immediate action.

The NRC staff sent a copy of the proposed director's decision to you and to all power reactor licensees for comment on April 8, 2015. Two licensees responded on April 14, 2015. The comments and the staff's response to them are included in the enclosed director's decision.

The NRC will file a copy of the director's decision (DD-15-06) 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 NRC staff has placed the documents cited in the enclosed decision in the Agencywide Documents Access and Management System. You may also access the documents by visiting the NRC Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, MD, or by going online to the NRC Library at <http://www.nrc.gov/reading-rm.html>.

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

T. Saporito

- 2 -

I appreciate your efforts to bring this matter to the attention of the NRC. Please feel free to contact the Petition Manager, Mahesh Chawla, at 301-415-8371 or Mahesh.Chawla@nrc.gov to discuss any questions related to this petition.

Sincerely,

A handwritten signature in black ink, appearing to read 'W M Dean', with a long horizontal flourish extending to the right.

William M. Dean, Director  
Office of Nuclear Reactor Regulation

Docket Nos. See Enclosure 3

Enclosures:

1. Director's Decision 15-06
2. *Federal Register* Notice
3. List of Power Reactor Licensees and Holders  
of Construction Permits in Active or Deferred Status

cc: Listserv

**ENCLOSURE 1**

**DIRECTOR'S DECISION 15-06**

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
OFFICE OF NUCLEAR REACTOR REGULATION

William M. Dean, Director

In the Matter of	)	Docket Nos.: See Enclosure 3
	)	
All Operating Reactor Licensees	)	License Nos.: See Enclosure 3
	)	

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**DIRECTOR'S DECISION UNDER 10 CFR 2.206, "REQUESTS FOR ACTION UNDER THIS SUBPART"**

**I. Introduction**

By letter dated March 12, 2011, Thomas Saporito, representing Saprodani Associates, filed a petition under Title 10 of the *Code of Federal Regulations* (10 CFR) 2.206, "Requests for Action Under This Subpart" (Agencywide Documents Access and Management System (ADAMS) Accession No. ML110740026). The petitioner requested that the U.S. Nuclear Regulatory Commission (NRC or the Commission) take escalated enforcement action against the above-captioned licensees and suspend or revoke the NRC licenses granted to the licensees for operation of nuclear power reactors. In particular, the petitioner requested that the "NRC ORDER [sic] the immediate shut-down of all nuclear power reactors in the USA which are known to be located on or near an earthquake fault-line." The petitioner cited the Fukushima Dai-ichi accident in Japan as the rationale for and basis of the petition.

On March 21, 2011, the NRC acknowledged receipt of the petition (ADAMS Accession No. ML110840274). On April 4, 2011, the NRC's Petition Review Board (PRB) met internally to discuss petitioner's request for immediate action. The PRB determined that the request for

immediate action is a general assertion without supporting facts. Thus, the PRB did not identify a significant safety concern from the information provided which would warrant the NRC to order an immediate shutdown of nuclear power reactors located on or close to earthquake fault lines. On April 4, 2011, the NRC staff informed the petitioner of the PRB's decision to deny his request for an immediate action (ADAMS Accession No. ML110940603).

On April 14, 2011, the petitioner addressed the PRB during a teleconference. A copy of the teleconference transcript is available at ADAMS Accession No. ML11109A014. During the teleconference, the petitioner stated that the petition contains the following four specific requests:

1. Order the immediate shutdown of all nuclear power reactors located on or near an earthquake fault line in the United States.
2. Order the immediate shutdown of all power reactors employing GE Mark I containment design in the United States, characterizing such design as flawed from the nuclear safety standpoint.
3. Advise other countries employing the GE Mark I nuclear power reactors about the serious nuclear safety design flaws associated with that design, which is likely to result in a serious nuclear accident comparable to the Japanese nuclear disaster.
4. Immediately revoke all 20-year license extensions issued to NRC licensees, because the NRC "has improperly and illegally granted 20-year license extensions to the 40-year license that was initially granted by the agency for the 104 nuclear reactors throughout the United States."

During the teleconference, the petitioner supplemented the second request by specifically naming NRC-licensed plants that employ the GE Mark I containment design and characterizing them as "flawed nuclear reactors" which pose an "unwarranted risk to the national security and common defense of the United States of America." He stated that "for these reasons

standing alone, petitioners urge the NRC to order the immediate shutdown of all GE Mark I nuclear power reactors in the United States.” Subsequently, on April 14 and 16, 2011, the petitioner provided additional documents in support of his claim (ADAMS Accession Nos. ML11110A026, ML11110A027, ML11110A028, and ML11119A024, respectively).

The PRB met internally on April 28, 2011, to discuss the petition, as supplemented. In accordance with the criteria for review and rejection described in Management Directive (MD) 8.11, “Review Process for 10 CFR 2.206 Petitions,” the PRB made its initial recommendation to accept the petition in part, insofar as the petitioner requested additional regulatory action in response to the events at Fukushima. The supplemental information provided by the petitioner was not sufficient to warrant further inquiry regarding the petitioner’s assertions that the original licensing bases of U.S. nuclear reactors were faulty and that immediate shutdown was warranted.

On May 12, 2011, the petition manager informed the petitioner of the PRB’s initial recommendation to accept this petition in part (ADAMS Accession No. ML111320018). At that time, the petitioner requested another opportunity to address the PRB to provide comments on its initial recommendation and additional information in support of the petition.

On May 25, 2011, the petitioner addressed the PRB by teleconference to present supplemental information on the petition. Also, on May 25, 2011, he e-mailed additional information to the NRC (ADAMS Accession No. ML111450897), which the PRB considered. A copy of the transcript for the May 25, 2011, teleconference is available under ADAMS Accession No. ML11146A010.

The PRB considered the additional information provided during the teleconference on May 25, 2011, by the petitioner and determined that it did not contain any new or relevant information that would change the PRB’s initial recommendation. Consistent with its initial recommendation, the PRB declared its final recommendation to partially accept the petition for

review, as modified and supplemented. The NRC partially accepted petition Requests 1 and 2 to the extent that the petitioner sought regulatory action in light of the events at Fukushima. However, the NRC also partially rejected petition Requests 1 and 2 on the basis that the petitioner did not provide sufficient facts to justify shutting down all nuclear power reactors located on or near fault lines, or those with the GE Mark I containment design. The NRC rejected petition Request 3 on the basis that the petitioner requested an action that the NRC was already implementing. Finally, the NRC rejected petition Request 4 on the basis that the petitioner's claim was general and insufficient to warrant further inquiry. In addition, the NRC staff had already reviewed and evaluated the issue. The NRC staff communicated these decisions to the petitioner through a letter dated June 28, 2011 (ADAMS Accession No. ML11137A213).

The NRC treated transcripts of the teleconferences as supplements to the petition. These transcripts are available for inspection at the NRC's Public Document Room (PDR), located at O1F21, 11555 Rockville Pike (first floor), Rockville, MD 20852. Publicly available documents created or received at the NRC are accessible electronically through ADAMS in the NRC Library at <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC's PDR reference staff by telephone at 1-800-397-4209, or 301-415-4737, or by e-mail to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

The NRC sent a copy of the proposed director's decision to the petitioner and to the affected licensees for comment on April 8, 2015 (ADAMS Accession Nos. ML13018A239 and ML13018A244, respectively). Two licensees responded on April 14, 2015 (ADAMS Accession No. ML15111A257). The comments and the NRC staff's response to them are included as Attachment 1 to the director's decision.

## II. Discussion

The NRC's review of this petition took longer than the standard of 120 days for reaching a decision on the petition because the petition was related to Fukushima. At the time of the petition submittal, the NRC was conducting a Fukushima lessons-learned review, and it coordinated its decision on this petition with the Fukushima review. This section includes both the petitioner's requests for orders to be issued and the NRC's actions and decisions.

Additional information regarding the implementation of Japan Lessons-Learned Activities, including plant-specific implementation status, is available on the NRC's Japan Lessons-Learned public Web site at <http://www.nrc.gov/reactors/operating/ops-experience/japan-dashboard.html>.

**Request 1: Order the immediate shutdown of all nuclear power reactors located on or near an earthquake fault line in the United States.**

NRC decision: The NRC has determined that U.S. plants located at or near earthquake fault lines continue to operate safely and do not pose an immediate safety concern to the members of the public. Nuclear power plants in the U.S. have been designed, built, and operated to safely withstand earthquakes likely to occur in their region.

As part of the NRC post-Fukushima lessons-learned activities, the NRC established the Near-Term Task Force (NTTF). The NRC tasked the NTTF with conducting a systematic and methodical review of NRC processes and regulations and determining if the agency should make additional improvements to its regulatory system. Ultimately, the task force developed a comprehensive set of recommendations and presented these to the Commission in SECY-11-0093, "The Near-Term Task Force Review of Insights from the Fukushima Dai-ichi Accident," dated July 12, 2011 (ADAMS Accession No. ML111861807). In the report, the NTTF determined that the current regulatory approach, and the resultant plant capabilities, gave the



NTTF and the NRC the confidence to conclude that a sequence of events similar to the Fukushima accident is unlikely to occur in the U.S.

On March 12, 2012, the NRC issued a request for information under 10 CFR 50.54(f) regarding recommendations 2.1, 2.3, and 9.3 of the NTTF report (ADAMS Accession No. ML12056A046). The purpose of the 10 CFR 50.54(f) letter was to gather information with respect to the NTTF recommendations for seismic hazards. The letter instructed all licensees to reevaluate seismic hazards at their sites using updated seismic hazard information, present-day guidance and methodologies, and a risk evaluation. The NRC staff is currently reviewing the licensees' submitted seismic hazard reports. In cases where a licensee's reevaluated hazard exceeds the design basis, the NRC will require more detailed site-specific evaluations, such as a seismic probabilistic risk assessment. NRC will review each step in the analysis process and take action to require plant changes as necessary.

In addition to the 10 CFR 50.54(f) letter, the Commission issued Order EA-12-049, "Issuance of Order to modify licenses with requirements for mitigation strategies for beyond-design-basis external events" on March 12, 2012 (ADAMS Accession No. ML12054A735). Order EA-12-049 requires mitigation strategies to protect against external events, including postulated seismic events. Licensees must comply with the order no later than December 31, 2016. To date, all licensees have submitted overall integrated plans (OIPs) to describe how they will comply with Order EA-12-049, and NRC staff has evaluated the OIPs. In addition, the NRC staff has performed onsite audits to ensure that full implementation will occur within the required time period. Licensees for nine nuclear power plant sites have requested, and have been granted, schedule relaxation to align the schedule requirements of Order EA-12-049 with those of Order EA-13-109, "Order Modifying Licenses with Regard to Reliable Hardened Containment Vents Capable of Operation under Severe Accident Conditions" (ADAMS

Accession No. ML13130A067). These schedule relaxations extend the due date past December 31, 2016.

The NRC has concluded that the continued operation of nuclear plants on or near earthquake fault lines does not pose an imminent risk to public health and safety. The NRC is addressing the petitioner's seismic hazard concerns through orders and requests for information resulting from NTF recommendations, as described above. The NRC will take no further action on this request.

**Request 2: Order the immediate shutdown of all power reactors employing GE Mark I containment design in the United States.**

NRC decision: The NRC has determined that GE boiling-water reactors (BWRs) with Mark I containments continue to operate safely and do not pose an immediate safety concern to the members of the public.

The NRC previously addressed the concern with GE Mark I containment design in NUREG-0661, "Safety Evaluation Report Mark I Containment Long-Term Program – Resolution of Generic Technical Activity A-7," dated July 1980 (ADAMS Accession No. ML072710452). In the report, NRC staff concluded that "the proposed structural acceptance criteria are consistent with the requirements of the applicable codes and standards and, in conjunction with the structural analysis techniques, will provide an adequate basis for establishing the margins of safety in the containment design." All GE Mark I BWRs were evaluated for suppression pool hydrodynamic loads, and appropriate modifications were made to maintain the containment structural integrity.

The NRC issued Order EA-12-050, "Order to Modify Licenses with Regard to Reliable Hardened Containment Vents," on March 12, 2012 (ADAMS Accession No. ML12054A694). This order was superseded by a modified Order EA-13-109, "Order Modifying Licenses with Regard to Reliable Hardened Containment Vents Capable for Operation Under Severe Accident

Conditions,” on June 6, 2013 (ADAMS Accession No. ML13143A334). The Order requires all BWR licensees with Mark I and Mark II containments to design and install a venting system that provides venting capability during severe accident conditions. This order further enhances the reliability of the containment vent system, thereby protecting the containment during severe accidents. To date, all affected licensees have submitted OIPs for upgrading containment venting capabilities from the pressure suppression wetwell to assist in preventing core damage; NRC staff is currently reviewing these OIPs. Licensees must comply with Order EA-13-109 no later than June 30, 2019. OIPs for reliable ventilation from the drywell, or reliable venting strategies that eliminate the need for drywell venting, will be submitted by licensees by the end of 2015. The exception is Oyster Creek Nuclear Generating Station, which has submitted an extension request associated with the end of its operating life in 2019, along with plans to improve existing venting capabilities. The NRC staff is currently reviewing this extension request, and has not yet made a decision to approve or deny the request.

The NRC has concluded that the continued operation of power reactors employing GE Mark I containment design does not pose an imminent risk to public health and safety. The NRC is addressing the petitioner's containment concerns through orders resulting from NTF recommendations, as described above. The NRC will take no further action on this request.

**Request 3: Advise other countries employing the GE Mark I nuclear power reactors about the serious nuclear safety design flaws associated with that design, which is likely to result in a serious nuclear accident comparable to the Japanese nuclear disaster.**

NRC decision: This is a general request for the NRC to ensure that policies exist to support the sharing of information related to the events involving Fukushima. The NRC's current policies and practices support its openness goals with external, including international, stakeholders. Specifically, since the earthquake and tsunami in Japan, the NRC has participated in meetings at the International Atomic Energy Agency, at the Nuclear Energy

Agency, with the G8 Nuclear Safety and Security Group, and with numerous other bilateral and multilateral groups to share information on this event with NRC's international counterparts. Because the petitioner requested an action that the NRC is already implementing, the PRB determined that this request did not meet the criteria for review on the following basis: the request does not set forth sufficient facts to warrant further actions beyond the actions that the NRC has already undertaken.

**Request 4: Immediately revoke all 20-year license extensions issued to NRC licensees, because the NRC “has improperly and illegally granted 20-year license extensions to the 40-year license that was initially granted by the agency for the 104 nuclear reactors throughout the United States.”**

NRC decision: In accordance with MD 8.11, the PRB will review a petition under 10 CFR 2.206 only where the petitioner specifies the bases for taking the requested action. Although the petitioner asserted that the NRC lacked the legal authority to grant license extensions for numerous plants, he failed to set forth the basis for his assertion. He claimed that the NRC “improperly interpreted the amendment to section 104b under 42 USC 2134 and under the Atomic Energy Act of 1954, as amended,” and thus, “improperly and illegally granted 20-year license extensions to the 40-year license that was initially granted by the agency.” This is a general claim, insufficient to warrant further inquiry.

The petitioner also claimed that “the NRC has recklessly endangered public health and safety in these circumstances because in so extending these licenses by 20 years, the agency has significantly increased the likelihood of a loss-of-coolant accident” due to neutron embrittlement of the reactor vessel over time. All license renewals have been subjected to the NRC's license renewal review process, per 10 CFR 51 and 54, with several opportunities for public participation, including a hearing. A reactor vessel neutron embrittlement analysis is included in each license renewal application, and is evaluated in the resulting NRC staff safety

evaluation report in accordance with Section 4.2 of NUREG-1800, "Standard Review Plan for Review of License Renewal Applications for Nuclear Power Plants." The NRC rejected Request 4 based on the criteria that the petitioner raised issues that the NRC staff has already reviewed, evaluated, and resolved.

### III. **Conclusion**

As discussed above, the NRC found the petition, its supporting facts, and supplements insufficient to warrant that the agency accept the petitioner's Requests 1 and 2 to immediately shutdown U.S. nuclear power plants at or near earthquake faults or those employing the Mark I containment designs.

The NRC partially accepted Requests 1 and 2 of the petition to the extent that the petitioner sought some type of regulatory action in light of the events at Fukushima. The above discussion demonstrates that the NRC has addressed the petitioner's concerns related to the events at Fukushima through the issuance of orders and through a request for information under 10 CFR 50.54(f). Such actions significantly enhance the margins of safety to the effects of extreme natural phenomena at commercial operating reactors in the United States.

The NRC rejected Request 3 on the basis that the NRC was already implementing actions requested. The NRC rejected Request 4 on the basis that the petitioner's claim was general and insufficient to warrant further inquiry. In addition, the NRC staff had already reviewed, evaluated, and resolved the issue.

Based on the staff responses to the petitioner's four concerns, the NRC does not plan to take any additional enforcement actions as specified in the petitioner's requests. Therefore, the NRC is closing this petition.

As provided in 10 CFR 2.206(c), a copy of this director's decision will be filed with the Secretary of the Commission for the Commission to review. 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.

Dated at Rockville, MD, this 17<sup>th</sup> day of June, 2015.

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

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William M. Dean, Director,  
Office of Nuclear Reactor Regulation.

ATTACHMENT 1  
COMMENTS RECEIVED FROM LICENSEES  
ON THE PROPOSED DIRECTOR'S DECISION  
DATED APRIL 8, 2015

The NRC sent a copy of the proposed director's decision to the affected licensees for comment on April 8, 2015 (ADAMS Accession No. ML13018A244). FirstEnergy Nuclear Operating Company and Exelon Corporation responded with comments on April 14, 2015 (ADAMS Accession No. ML15111A257). The NRC's responses to the comments received are provided below:

Comment 1 – Received from FirstEnergy Nuclear Operating Company

“The compliance with Order EA-12-049 for mitigation strategies ‘no later than two refueling cycles after submittal of the overall integrated plan (OIP), or December 31, 2016, whichever comes first’ is accurate, however, some plants have requested and received relaxation to allow completion after the second refueling cycle but still prior to December 31, 2016.”

Response:

The NRC has revised the director's decision to include discussion of licensees that have requested and have been granted an extension for compliance with Order EA-12-049.

Comment 2 – Received from Exelon Corporation

“The next to last paragraph on page 7 of the NRC letter states that all affected licensees have submitted OIPs for upgrading containment venting capabilities in response to NRC Order EA-13-109. Oyster Creek has not submitted an OIP for venting in response to NRC Order

EA-13-109, but has submitted an extension request to the end of its operating life (12/31/19) for Order compliance, at which time a request for deferral from the Order is contemplated, or compliance to the Order will be required. NRC approval of the extension request is expected in 2015. As justification for the extension request, Oyster Creek committed to improve existing venting capabilities; however, an OIP in response to the Order has not been submitted for Oyster Creek.”

Response:

The NRC has revised the director’s decision to state that Oyster Creek Nuclear Generating Station has submitted an extension request for compliance with Order EA-13-109. The NRC staff is currently reviewing this extension request, and has not yet decided to approve or deny it.



**ENCLOSURE 2**

**FEDERAL REGISTER NOTICE**

**ADAMS ACCESSION NO. ML15114A415**

**NUCLEAR REGULATORY COMMISSION**

**[NRC-2011-0147]**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Director's decision under 10 CFR 2.206; issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) has issued a director's decision with regard to a petition dated March 12, 2011, filed by Thomas Saporito (the petitioner), requesting that the NRC take action with regard to all operating reactor licensees. The petitioner's requests and the director's decision are included in the SUPPLEMENTARY INFORMATION section of this document.

**ADDRESSES:** Please refer to Docket ID NRC-2011-0147 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- **Federal Rulemaking Web Site:** Go to <http://www.regulations.gov> and search for Docket ID NRC-2011-0147. Address questions about NRC dockets to Carol Gallagher; telephone: 301-415-3463; e-mail: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov).

- **NRC's Agencywide Documents Access and Management System (ADAMS):** You may obtain publicly available documents online in the ADAMS Public Documents collection at <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "[ADAMS Public Documents](#)" and then select "[Begin Web-based ADAMS Search](#)." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209,

301-415-4737, or by e-mail to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov). The ADAMS accession number for each document referenced in this document (if that document is available in ADAMS) is provided the first time that a document is referenced.

- **NRC's PDR:** You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

#### **SUPPLEMENTARY INFORMATION:**

Notice is hereby given that the Director, Office of Nuclear Reactor Regulation, has issued a director's decision (ADAMS Accession No. ML15114A411) on a petition filed by the petitioner on March 12, 2011 (ADAMS Accession No. ML110740026). The petition was supplemented by documents dated April 14, April 16, and May 25, 2011 (ADAMS Accession Nos. ML11110A026, ML11110A027, ML11110A028, ML11119A024, and ML111450897, respectively.)

The petitioner requested that the NRC:

1. Order the immediate shutdown of all nuclear power reactors located on or near an earthquake fault line in the United States.
2. Order the immediate shutdown of all power reactors employing GE Mark I containment design in the United States, characterizing such design as flawed from the nuclear safety standpoint.
3. Advise other countries employing the GE Mark I nuclear power reactors about the serious nuclear safety design flaws associated with that design, which is likely to result in a serious nuclear accident comparable to the Japanese nuclear disaster.
4. Immediately revoke all 20-year license extensions issued to NRC licensees, because the NRC "has improperly and illegally granted 20-year license extensions to the 40-year license

that was initially granted by the agency for the 104 nuclear reactors throughout the United States.”

As the basis for these requests, the petitioner cited the events in Japan at the Fukushima Dai-ichi nuclear power plant.

On April 14, 2011, and May 25, 2011, the petitioner met with the NRC’s Petition Review Board. The meetings provided the petitioner an opportunity to provide additional information and to clarify issues cited in the petition. The transcripts for those meetings are available in ADAMS under Accession Nos. ML11109A014 and ML11146A010, respectively.

The NRC sent a copy of the proposed director’s decision to the petitioner and the licensees for comment on April 8, 2015 (ADAMS Package Accession No. ML13018A145). The petitioner and the licensees were asked to provide comments within two weeks on any part of the proposed director’s decision that was considered to be erroneous or any issues in the petition that were not addressed. Comments were received from two licensees and are addressed in an attachment to the final director’s decision. The staff did not receive any comments from the petitioner.

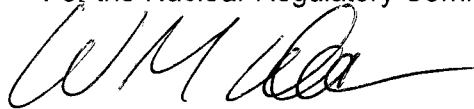
The Director of the Office of Nuclear Reactor Regulation has determined that the following requests are denied: 1) to require that the NRC Order the immediate shutdown of all nuclear power reactors located on or near an earthquake fault line in the United States, and 2) to require that the NRC Order the immediate shutdown of all power reactors employing GE Mark I containment design in the United States. The NRC rejected Request 3 on the basis that the NRC was already implementing the actions requested. The NRC rejected Request 4 on the basis that the petitioner’s claim was general and insufficient to warrant further inquiry, and that the NRC staff had already reviewed, evaluated, and resolved the issue.

The reasons for this decision are explained in the director's decision (DD-15-06) under Section 2.206 of Title 10 of the *Code of Federal Regulations* (10 CFR) of the Commission's regulations.

The NRC will file a copy of the director's decision with the Secretary of the Commission for the Commission's review in accordance with 10 CFR 2.206. As provided by this regulation, the director's 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 director's decision in that time.

Dated at Rockville, Maryland, this 17th day of June ,2015

For the Nuclear Regulatory Commission.

A handwritten signature in black ink, appearing to read 'W M Dean', written in a cursive style.

William M. Dean, Director,

Office of Nuclear Reactor Regulation.

**ENCLOSURE 3**

**LIST OF POWER REACTOR LICENSEES AND HOLDERS OF**

**CONSTRUCTION PERMITS IN ACTIVE**

**OR DEFERRED STATUS**

LIST OF POWER REACTOR LICENSEES AND HOLDERS OF  
CONSTRUCTION PERMITS IN ACTIVE  
OR DEFERRED STATUS

Arkansas Nuclear One

Entergy Operations, Inc.  
Docket Nos. 50-313 and 50-368  
License Nos. DPR-51 and NPF-6

Vice President, Operations  
Arkansas Nuclear One  
Entergy Operations, Inc.  
1448 S.R. 333  
Russellville, AR 72802

Beaver Valley Power Station

First Energy Nuclear Operating Co.  
Docket Nos. 50-334 and 50-412  
License Nos. DPR-66 and NPF-73

Mr. Eric A. Larson  
Site Vice President  
Beaver Valley Power Station  
P.O. Box 4, Route 168  
Shippingport, PA 15077

Bellefonte Nuclear Plant

Tennessee Valley Authority  
Docket Nos. 50-438 and 50-439  
Construction Permit Nos. CPPR  
No. 122 and CPPR No. 123

Mr. Michael D. Skaggs  
Senior Vice President, Nuclear  
Construction  
Tennessee Valley Authority  
Lookout Place 6A  
1101 Market Street  
Chattanooga, TN 37402-2801

Braidwood Station

Exelon Generation Co., LLC  
Docket Nos. 50-456 and 50-457  
License Nos. NPF-72 and NPF-77

Mr. Bryan C. Hanson  
President and Chief Nuclear Officer  
Exelon Nuclear  
4300 Winfield Road  
Warrenville, IL 60555

Browns Ferry Nuclear Plant

Tennessee Valley Authority  
Docket Nos. 50-259, 50-260 and 50-296  
License Nos. DPR-33, DPR-52 and  
DPR-68

Mr. Joseph W. Shea  
Vice President, Nuclear Licensing  
Tennessee Valley Authority  
1101 Market Street, LP 3D-C  
Chattanooga, TN 37402-2801

Brunswick Steam Electric Plant

Duke Energy Progress, Inc.  
Docket Nos. 50-325 and 50-324  
License Nos. DPR-71 and DPR-62

William R. Gideon, Vice President  
Brunswick Steam Electric Plant  
P.O. Box 10429  
Southport, NC 28461

Byron Station

Exelon Generation Co., LLC  
Docket Nos. STN 50-454 and STN 50-455  
License Nos. NPF-37 and NPF-66

Mr. Bryan C. Hanson  
President and Chief Nuclear Officer  
Exelon Nuclear  
4300 Winfield Road  
Warrenville, IL 60555

Callaway Plant

Union Electric Company  
Docket No. 50-483  
License No. NPF-30

Mr. Fadi Diya  
Senior Vice President and  
Chief Nuclear Officer  
Ameren Missouri  
Callaway Plant  
P.O. Box 620  
Fulton, MO 65251

Calvert Cliffs Nuclear Power Plant

Calvert Cliffs Nuclear Power Plant, LLC  
Docket Nos. 50-317 and 50-318  
License Nos. DPR-53 and DPR-69

Mr. George H. Gellrich,  
Vice President  
Exelon Generation Company, LLC.  
Calvert Cliffs Nuclear Power Plant  
1650 Calvert Cliffs Parkway  
Lusby, MD 20657-4702

Catawba Nuclear Station

Duke Energy Carolinas, LLC Docket  
Nos. 50-413 and 50-414  
License Nos. NPF-35 and NPF-52

Mr. Kelvin Henderson  
Site Vice President  
Duke Energy Carolinas, LLC  
Catawba Nuclear Station  
4800 Concord Road  
York, SC 29745

Clinton Power Station

Exelon Generation Co., LLC  
Docket No. 50-461  
License No. NPF-26

Mr. Bryan C. Hanson  
President and Chief Nuclear Officer  
Exelon Nuclear  
4300 Winfield Road  
Warrenville, IL 60555

Columbia Generating Station

Energy Northwest  
Docket No. 50-397  
License No. NPF-21

Mr. Mark E. Reddemann  
Chief Executive Officer  
Energy Northwest  
MD 1023  
76 North Power Plant Loop  
P.O. Box 968  
Richland, WA 99352

Comanche Peak Nuclear Power Plant

Luminant Generation Co., LLC  
Docket Nos. 50-445 and 50-446  
License Nos. NPF-87 and NPF-89

Mr. Rafael Flores  
Senior Vice President and  
Chief Nuclear Officer  
Attention: Regulatory Affairs  
Luminant Generation Company, LLC  
P.O. Box 1002  
Glen Rose, TX 76043

Cooper Nuclear Station

Nebraska Public Power District  
Docket No. 50-298  
License No. DPR-46

Mr. Oscar A. Limpas  
Vice President Nuclear and  
Chief Nuclear Officer  
Nebraska Public Power District  
72676 648A Avenue  
P.O. Box 98  
Brownville, NE 68321

Davis-Besse Nuclear Power Station

First Energy Nuclear Operating Co.  
Docket No. 50-346  
License No. NPF-3

Mr. Raymond A. Lieb  
Site Vice President  
FirstEnergy Nuclear Operating Company  
c/o Davis-Besse NPS  
5501 N. State Route 2  
Oak Harbor, OH 43449-9760



Diablo Canvon Power Plant

Pacific Gas and Electric Co.  
Docket Nos. 50-275 and 50-323  
License Nos. DPR-80 and DPR-82

Mr. Edward D. Halpin  
Senior Vice President and  
Chief Nuclear Officer  
Pacific Gas and Electric Company  
P.O. Box 56, Mail  
Code 104/6  
Avila Beach, CA 93424

Donald C. Cook Nuclear Plant

Indiana Michigan Power Company  
Docket Nos. 50-315 and 50-316  
License Nos. DPR-58 and DPR-74

Mr. Lawrence J. Weber  
Senior Vice President and Chief Nuclear  
Officer  
Indiana Michigan Power Company  
Nuclear Generation Group  
One Cook Place  
Bridgman, MI 49106

Dresden Nuclear Power Station

Exelon Generation Company, LLC  
Docket Nos. 50-237 and 50-249  
License Nos. DPR-19 and DPR-25

Mr. Bryan Hanson  
President and Chief Nuclear Officer  
Exelon Nuclear  
4300 Winfield Road  
Warrenville, IL 60555

Duane Arnold Energy Center

NextEra Energy Duane Arnold, LLC  
Docket No. 50-331  
License No. DPR-49

Mr. Thomas A. Vehec  
NextEra Energy  
Duane Arnold Energy Center  
3277 DAEC Road  
Palo, IA 52324

Edwin I. Hatch Nuclear Plant

Southern Nuclear Operating Co.  
Docket Nos. 50-321 and 50-366  
License Nos. DPR-57 and NPF-5

Mr. C.R. Pierce  
Regulatory Affairs Director  
Southern Nuclear Operating Company,  
Inc. P.O. Box 1295/BIN B038  
Birmingham, AL 35201-1295

Fermi

DTE Electric Company  
Docket No. 50-341  
License No. NPF-43

Mr. Paul Fessler  
Senior Vice President and Chief Nuclear  
Officer  
DTE Electric Company  
Fermi 2 - 210 NOC  
6400 North Dixie Highway  
Newport, MI 48166

Fort Calhoun Station

Omaha Public Power District  
Docket No. 50-285  
License No. DPR-40

Mr. Louis Cortopassi  
Site Vice President and Chief  
Nuclear Officer  
Omaha Public Power District  
Fort Calhoun Station  
Mail Stop FC-2-4  
961 0 Power Lane  
Blair, NE 68008

Grand Gulf Nuclear Station

Entergy Operations, Inc.  
Docket No. 50-416  
License No. NPF-29

Vice President, Operations  
Entergy Operations, Inc.  
Grand Gulf Nuclear Station  
P.O. Box 756  
Port Gibson, MS 39150

H. B. Robinson Steam Electric Plant

Duke Energy Progress, Inc.  
Docket No. 50-261  
License No. DPR-23

Richard Michael Glover, Site Vice  
President  
H.B. Robinson Steam Electric Plant  
3581 West Entrance Road  
Hartsville, SC 29550

Hope Creek Generating Station

PSEG Nuclear, LLC  
Docket No. 50-354  
License No. NPF-57

Mr. Thomas Joyce  
President and Chief Nuclear Officer  
PSEG Nuclear LLC - N09  
P.O. Box 236  
Hancocks Bridge, NJ 08038

Indian Point Nuclear Generating

Entergy Nuclear Operations, Inc.  
Docket Nos. 50-247 and 50-286  
License Nos. DPR-26 and DPR-64

Vice President, Operations  
Entergy Nuclear Operations,  
Inc. Indian Point Energy  
Center450 Broadway, GSB  
P.O. Box 249  
Buchanan, NY 10511-0249

Joseph M. Farley Nuclear Plant

Southern Nuclear Operating Co.  
Docket Nos. 50-348 and 50-364  
License Nos. NPF-2 and NPF-8

Mr. C.R. Pierce  
Regulatory Affairs Director  
Southern Nuclear Operating Co., Inc.  
P.O. Box 1295/Bin 038  
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James A. FitzPatrick Nuclear Power Plant

Entergy Nuclear Operations, Inc.  
Docket No. 50-333  
License No. DPR-59  
Mr. Chris Adner, Licensing Manager  
Entergy Nuclear Operations, Inc.  
James A. FitzPatrick Nuclear Power Plant  
P.O. Box 110  
Lycoming, NY 13093

LaSalle County Station

Exelon Generation Company,  
LLC Docket Nos. 50-373 and  
50-374  
License Nos. NPF-11 and NPF-18

Mr. Bryan C. Hanson  
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4300 Winfield Road  
Warrenville, IL 60555

Limerick Generating Station

Exelon Generation Co., LLC  
Docket Nos. 50-352 and 50-353  
License Nos. NPF-39 and NPF-85

Mr. Bryan C. Hanson  
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Warrenville, IL 60555

Millstone Nuclear Power Station

Dominion Nuclear Connecticut, Inc.  
Docket Nos. 50-336 and 50-423  
License Nos. DPR-65 and NPF-49

Mr. David A. Heacock  
President and Chief Nuclear Officer  
Dominion Nuclear Connecticut, Inc.  
Innsbrook Technical Center  
5000 Dominion Boulevard  
Glen Allen, VA 23060-6711

Monticello Nuclear Generating Plant

Northern States Power Company -  
Minnesota  
Docket No. 50-263  
License No. DPR-22

Mr. Peter A. Gardner  
Site Vice President  
Northern States Power Company -  
Minnesota  
Monticello Nuclear Generating Plant  
2807 West County Road 75  
Monticello, MN 55362-9637

Nine Mile Point Nuclear Station

Nine Mile Point Nuclear Station, LLC  
Docket No. 50-220  
License No. DPR-63

Mr. Peter Orphanos  
Site Vice President  
Nine Mile Point Nuclear Station, LLC  
348 Lake Road  
Oswego, NY 13126

North Anna Power Station

Virginia Electric and Power  
Co. Docket Nos. 50-338 and  
50-339  
License Nos. NPF-4 and NPF-7

Mr. David A. Heacock  
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Virginia Electric and Power Co.  
Lnsbrook Technical Center  
5000 Dominion Boulevard  
Glen Allen, VA 23060-6711

Oconee Nuclear Station

Duke Energy Carolinas, LLC  
Docket Nos. 50-269, 50-270 and 50-287  
License Nos. DPR-38, DPR-47 and DPR-  
55

Mr. Scott Batson  
Vice President, Oconee Nuclear Station  
Duke Energy Corporation  
7800 Rochester Highway  
Seneca, SC 29672

Oyster Creek Nuclear Generating Station

Exelon Generation Co., LLC  
Docket No. 50-219  
License No. DPR-16

Mr. Bryan C. Hanson  
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Exelon Nuclear  
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Warrenville, IL 60555

Palisades Nuclear Plant

Entergy Nuclear Operations, Inc.  
Docket No. 50-255  
License No. DPR-20

Vice President, Operations  
Entergy Nuclear Operations, Inc.  
Palisades Nuclear Plant  
27780 Blue Star Memorial Highway  
Covert, MI 49043

Palo Verde Nuclear Generating Station

Arizona Public Service Company  
Docket Nos. STN 50-528, STN 50-529 and  
STN 50-530  
License Nos. NPF-41, NPF-51 and NPF-74

Mr. Randall K. Edington  
Executive Vice President Nuclear and  
Chief Nuclear Officer  
Arizona Public Service Co.  
P.O. Box 52034, MS 7602  
Phoenix, AZ 85072-2034

Peach Bottom Atomic Power Station

Exelon Generation Co, LLC  
Docket Nos. 50-277 and 50-278  
License Nos. DPR-44 and DPR-56

Mr. Bryan C. Hanson  
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Perry Nuclear Power Plant  
FirstEnergy Nuclear Operating Co.  
Docket No. 50-440  
License No. NPF-58

Mr. Ernest J. Harkness  
Site Vice President  
FirstEnergy Nuclear Operating Company  
Perry Nuclear Power Plant  
PO Box 97, A290  
Perry, OH 44081

Pilgrim Nuclear Power Station  
Entergy Nuclear Generation Co.  
Docket No. 50-293  
License No. DPR-35

Mr. John Dent, Jr.  
Vice President and Site Vice President  
Pilgrim Nuclear Power Station  
600 Rocky Hill Road  
Plymouth, MA 02360-5508

Point Beach Nuclear Plant  
NextEra Energy Point Beach, LLC  
Docket Nos. 50-266 and 50-301  
License Nos. DPR-24 and DPR-27

Mr. Eric McCartney  
Site Vice President  
NextEra Energy Point Beach, LLC  
6610 Nuclear Road  
Two Rivers, WI 54241-9516

Prairie Island Nuclear Generating Plant  
Northern States Power Co. -Minnesota  
Docket Nos. 50-282 and 50-306  
License Nos. DPR-42 and DPR-60

Mr. Kevin K. Davison  
Site Vice President  
Northern States Power Company -  
Minnesota  
Prairie Island Nuclear Generating Plant  
1717 Wakonade Drive East  
Welch, MN 55089-9642

Quad Cities Nuclear Power Station  
Exelon Generation Company  
Docket Nos. 50-254 and 50-265  
License Nos. DPR-29 and DPR-30

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Warrenville, IL 60555

R.E. Ginna Nuclear Power Plant  
R. E. Ginna Power Plant, LLC  
Docket No. 50-244  
License No. DPR-18

Mr. Joseph E. Pacher  
Vice President  
R. E. Ginna Nuclear Power Plant  
R. E. Ginna Nuclear Power Plant, LLC  
1503 Lake Road  
Ontario, NY 14519

River Bend Station  
Entergy Operations, Inc.  
Docket No. 50-458  
License No. NPF-47

Vice President, Operations  
Entergy Operations, Inc.  
River Bend Station  
5485 U.S. Highway 61 N  
St. Francisville, LA 70775

Salem Nuclear Generating Station  
PSEG Nuclear, LLC.  
Docket Nos. 50-272 & 50-311  
License Nos. DPR-70 and DPR-75

Mr. Thomas Joyce  
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P.O. Box 236  
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Seabrook Nuclear Plant

NextEra Energy Seabrook, LLC  
Docket No 50-443  
License No. NFP-86

Mr. Dean Curtland  
Vice President  
c/o Mr. Michael Ossing  
NextEra Energy Seabrook, LLC  
P.O. Box300  
Seabrook, NH 03874

Sequoyah Nuclear Plant

Tennessee Valley Authority Docket  
Nos. 50-327 and 50-328  
License Nos. DPR-77 and DPR-79

Mr. Joseph W. Shea  
Vice President, Nuclear Licensing  
Tennessee Valley Authority  
1101 Market Street LP 3D-C  
Chattanooga, TN 37402

Shearon Harris Nuclear Power Plant

Duke Energy Progress, Inc.  
Docket No. 50-400  
License No. NPF-63

Mr. Benjamin C. Waldrep  
Site Vice President  
Shearon Harris Nuclear Power Plant  
5413 Shearon Harris Rd  
New Hill, NC 27562-0165

South Texas Project

STP Nuclear Operating Company  
Docket Nos. 50-498 and 50-499  
License Nos. NPF-76 and NPF-80

Mr. Dennis L. Koehl  
President and CEO/CNO  
STP Nuclear Operating Company  
South Texas Project Electric Generating  
Station  
P.O. Box 289  
Wadsworth, TX 77483

St. Lucie Plant

Florida Power and Light Company  
Docket Nos. 50-335 and 50-389  
License Nos. DPR-67 and NPF-16

Mr. Mano Nazar  
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Surry Power Station

Virginia Electric & Power Company  
Docket Nos. 50-280 and 50-281  
License Nos. DPR-32 and DPR-37

Mr. David A Heacock  
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Dominion Nuclear  
Virginia Electric & Power Company  
5000 Dominion Blvd.  
Glen Allen, VA 23060

Susquehanna Steam Electric Station

PPL Susquehanna, LLC  
Docket Nos. 50-387 and 50-388  
License Nos. NPF-14 and NPF-22

Mr. Timothy S. Rausch  
Senior Vice President and Chief  
Nuclear Officer  
PPL Susquehanna, LLC  
769 Salem Boulevard  
NUCSB3  
Berwick, PA 18603-0467

Three Mile Island Nuclear Station

Exelon Generation Company, LLC.  
Docket No. 50-289  
License No. DPR-50

Mr. Bryan C. Hanson  
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Exelon Nuclear  
4300 Winfield Road  
Warrenville, IL 60555

Turkey Point Nuclear Generating Station

Florida Power & Light Company  
Docket Nos. 50-250 & 50-251  
License Nos. DPR-031 and DPR-41

Mr. Mano Nazar  
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and Chief Nuclear Officer  
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Juno Beach, FL 33408-0420

Virgil C. Summer Nuclear Station

South Carolina Electric and Gas Company  
Docket No. 50-395  
License No. NPF-12

Mr. Thomas D. Gatlin, Vice President  
Nuclear Operations  
South Carolina Electric & Gas Company  
Virgil C. Summer Nuclear Station  
Post Office Box 88, Mail Code 800  
Jenkinsville, SC 29065

Vogtle Electric Generating Plant

Southern Nuclear Operating Company,  
Inc. Docket Nos. 50-424 and 50-425  
License Nos. NPF-68 and NPF-81

Mr. C. R. Pierce  
Regulatory Affairs Director  
Southern Nuclear Operating Co.,  
Inc. P. O. Box 1295 / Bin 038  
Birmingham, AL 35201-1295

Waterford Steam Electric Station

Entergy Operations, Inc.  
Docket No. 50-382  
License No. NPF-38

Vice President, Operations  
Entergy Operations, Inc.  
Waterford Steam Electric Station, Unit 3  
17265 River Road  
Killona, LA 70057-0751

Watts Bar Nuclear Plant

Tennessee Valley Authority  
Docket Nos. 50-390 and 50-391  
License Nos. NPF-90

Mr. Joseph W. Shea  
Vice President, Nuclear Licensing  
Tennessee Valley Authority  
1101 Market Street, LP 3D-C  
Chattanooga, TN 37402-  
2801

William B. McGuire Nuclear Station

Duke Energy Carolinas, LLC  
Docket Nos. 50-369 and 50-  
370  
License Nos. NPF-9 and NPF-17

Steven D. Capps  
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McGuire Nuclear Station  
12700 Hagers Ferry Road  
Huntersville, NC 28078-8985

Wolf Creek Generating Station

Wolf Creek Nuclear Operating Corporation  
Docket No. 50-482  
License No. NPF-42

Mr. Adam C. Heflin  
President and Chief Executive Officer  
Wolf Creek Nuclear Operating Corporation  
P.O. Box 411  
Burlington, KS 66839

T. Saporito

- 2 -

I appreciate your efforts to bring this matter to the attention of the NRC. Please feel free to contact the Petition Manager, Mahesh Chawla, at 301-415-8371 or Mahesh.Chawla@nrc.gov to discuss any questions related to this petition.

Sincerely,

*/RA/*

William M. Dean, Director  
Office of Nuclear Reactor Regulation

Docket Nos. See Enclosure 3

Enclosures:

1. Director's Decision 15-06
2. *Federal Register* Notice
3. List of Power Reactor Licensees and Holders of Construction Permits in Active or Deferred Status

cc: Listserv

DISTRIBUTION: G20110171

See next page

**ADAMS Accession No.: ML15114A411**

**\*via email**

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