



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

August 20, 2015

Steamshovel2002@yahoo.com

Mr. Michael Mulligan
Hinsdale, NH 03451

Dear Mr. Mulligan:

Your petition dated March 25, 2014 [sic] (Agencywide Documents Access and Management System (ADAMS) Accession No. ML15090A487), sent by e-mail on March 26, 2015, addressed to Mr. Mark A. Satorius, Executive Director for Operations of the U.S. Nuclear Regulatory Commission (NRC), has been referred to me under Section 2.206, "Requests for action under this subpart," of Title 10 of the *Code of Federal Regulations* (10 CFR) of the Commission's regulations. You provided supplemental information by e-mail on July 7, 2015 (ADAMS Accession No. ML15198A091). Your 2.206 petition request is associated with the events surrounding two Belgian nuclear power stations. In your petition, you request an emergency inspection of the reactor pressure vessels (RPVs) at the Kewaunee Power Station (KPS) and the Vermont Yankee Nuclear Power Station (VY), which have been permanently shut down and are currently undergoing decommissioning. Further, you specifically request a number of actions, including:

- Conduct exigent and immediate full-scale ultrasonic inspections on the VY and the KPS RPVs, with similar or better technology, as conducted on the RPVs at Doel 3 and Tihange 2, which revealed thousands of cracks;
- Take large borehole samples out of both the Vermont Yankee and Kewaunee RPVs and transport them to a respected metallurgic laboratory for comprehensive offsite testing;
- Issue an immediate NRC report and hold a public meeting on any identified vulnerabilities; and
- Ultrasonically test all RPVs in U.S. plants within 6 months, if distressed and unsafe results are discovered at VY or KPS.

As the basis for your request, you state that the requested actions should be taken to determine whether foreign operating experience—specifically several thousand cracks that have been discovered during testing on the Doel 3 and Tihange 2 RPVs—could have implications on U.S. operating reactors. I would like to express my appreciation for your effort in bringing these matters to the attention of the NRC. The NRC is treating your request pursuant to the 2.206 process and has referred it to the Director of the Office of Nuclear Reactor Regulation (NRR).

You participated in a teleconference with our Petition Review Board (PRB) on May 19, 2015, to discuss your petition. The PRB considered the results of that discussion in the determination regarding your request for immediate action and in establishing the schedule for the review of your petition. The NRC has denied your request that immediate ultrasonic inspections be conducted at VY and KPS because of the following reasons. Both the identified facilities have

M. Mulligan

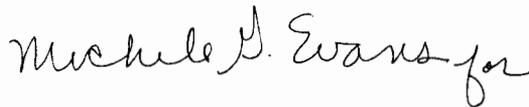
- 2 -

ceased operations and would not be subject to an enforcement-related action (i.e., to modify, suspend, or revoke the license). In addition, the NRC issued Information Notice (IN) 2013-19, "Quasi-Laminar Indications in Reactor Pressure Vessel Forgings," on September 22, 2013 (ADAMS Accession No. ML13242A263). The purpose of this IN was to inform industry of the quasi-laminar indications that were identified in 2012 at two European commercial nuclear power plants. These indications were identified during the ultrasonic inspections that were performed on the RPV forgings. The NRC staff has also reviewed your July 7, 2015, supplemental e-mail, and concluded that the e-mail provided no additional information relevant to your request for immediate action.

As required by 10 CFR 2.206, the NRC will take action on your remaining requests within a reasonable time. Mr. Stephen Koenick has been assigned as the petition manager for your petition. You may direct any questions you have concerning the petition process or the status of your petition to Mr. Koenick at 301-415-6631 or by e-mail at Stephen.Koenick@nrc.gov. The Division of Engineering within NRR is reviewing your petition.

Enclosed, for your information, is a copy of the notice that the NRC will file with the Office of the Federal Register for publication. A copy of the transcript from the May 19, 2015, meeting with the PRB can be found in ADAMS under Accession No. ML15181A127. Guidance related to the 2.206 process can be found in NRC Management Directive 8.11, "Review Process for 10 CFR 2.206 Petitions" and NUREG/BR-0200, "Public Petition Process," Revision 5, prepared by the NRC Office of Public Affairs (ADAMS Accession Nos. ML041770328 and ML050900248, respectively).

Sincerely,



William M. Dean, Director
Office of Nuclear Reactor Regulation

Enclosure:
Federal Register Notice

cc: Mr. David A. Heacock
President and Chief Nuclear Officer
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ENCLOSURE

Federal Register Notice

ADAMS Accession No. ML15181A109

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-271 and 50-305; NRC-2015-XXXX]

Vermont Yankee Nuclear Power Station

Kewaunee Power Station

AGENCY: Nuclear Regulatory Commission.

ACTION: 10 CFR 2.206 request; receipt.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is giving notice that by petition dated March 25, 2014 [sic], Mike Mulligan (the petitioner) has requested that the NRC take action with regard to the Vermont Yankee Nuclear Power Station (VY) and the Kewaunee Power Station (KPS), which have been permanently shut down and are currently undergoing decommissioning. The petitioner's requests are included in the SUPPLEMENTARY INFORMATION section of this document.

ADDRESSES: Please refer to Docket ID <INSERT: NRC-2015-XXXX> 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 <INSERT: NRC-2015-XXXX>. Address questions about NRC dockets to Carol Gallagher; telephone: 301-415-3463; e-mail: Carol.Gallagher@nrc.gov. For technical questions, contact the individual listed in the FOR FURTHER INFORMATION CONTACT section of this document.

- **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. 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.

FOR FURTHER INFORMATION CONTACT: Stephen S. Koenick, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington DC 20555-0001; telephone: 301-415-6631, e-mail: Stephen.Koenick@nrc.gov.

SUPPLEMENTARY INFORMATION:

On March 25, 2014 [sic], the petitioner requested that the NRC take action with regard to VY and KPS (ADAMS Accession No. ML15090A487). On July 7, 2015, the petitioner provided supplemental information via email (ADAMS Accession No. ML15198A091). The petitioner requested a number of actions including:

- Conduct exigent and immediate full-scale ultrasonic inspections on the VY and the KPS reactor pressure vessels (RPVs), with similar or better technology, as conducted on the RPVs at Doel 3 and Tihange 2, which revealed thousands of cracks;
- Take large borehole samples out of both the Vermont Yankee and Kewaunee RPVs and transport them to a respected metallurgic laboratory for comprehensive offsite testing;

- Issue an immediate NRC report and hold a public meeting on any identified vulnerabilities; and
- Ultrasonically test all RPVs in U.S. plants within 6 months, if distressed and unsafe results are discovered at VY or KPS.

As the basis for this request, the petitioner states that the requested actions should be taken to determine whether foreign operating experience—specifically several thousand cracks that have been discovered during testing on the Doel 3 and Tihange 2 RPVs—could have implications on U.S. operating reactors.

The request is being treated pursuant to Section 2.206, “Requests for action under this subpart,” of Title 10 of the *Code of Federal Regulations* (10 CFR) of the Commission’s regulations. The request has been referred to the Director of the Office of Nuclear Reactor Regulation.

The petitioner met with the Petition Review Board on May 19, 2015, to discuss the petition; the transcript of that meeting is an additional supplement to the petition (ADAMS Accession No. ML15181A127). The results of that discussion and the July 7, 2015, supplemental email were considered in the board’s determination regarding the petitioner’s request for immediate action and in establishing the schedule for the review of the petition.

The NRC has denied the petitioner’s request to conduct immediate ultrasonic inspections at VY and KPS because of the following reasons. Both the identified facilities have ceased operations and would not be subject to an enforcement-related action (i.e., to modify, suspend, or revoke the license). In addition, the NRC issued Information Notice (IN) 2013-19, “Quasi-Laminar Indications in Reactor Pressure Vessel Forgings,” on September 22, 2013 (ADAMS Accession No. ML13242A263). The purpose of this IN was to inform industry of the quasi-laminar indications that were identified in 2012 at two European commercial nuclear power plants. These indications were identified during the ultrasonic inspections that were performed on the RPV forgings.

As provided by 10 CFR 2.206, appropriate action will be taken on the remaining requests within a reasonable time.

Dated at Rockville, Maryland, this 20th day of August 2015.

For the Nuclear Regulatory Commission.

A handwritten signature in cursive script that reads "Michele G. Evans".

Michele G. Evans, Acting Director,
Office of Nuclear Reactor Regulation.

ceased operations and would not be subject to an enforcement-related action (i.e., to modify, suspend, or revoke the license). In addition, the NRC issued Information Notice (IN) 2013-19, "Quasi-Laminar Indications in Reactor Pressure Vessel Forgings," on September 22, 2013 (ADAMS Accession No. ML13242A263). The purpose of this IN was to inform industry of the quasi-laminar indications that were identified in 2012 at two European commercial nuclear power plants. These indications were identified during the ultrasonic inspections that were performed on the RPV forgings. The NRC staff has also reviewed your July 7, 2015, supplemental e-mail, and concluded that the e-mail provided no additional information relevant to your request for immediate action.

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Sincerely,
/RA MEvans For/
 William M. Dean, Director
 Office of Nuclear Reactor Regulation

Enclosure:
Federal Register Notice

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ADAMS Accession Nos. PKG ML15090A484		LTR (NRR-002) ML15181A099	2.206 FRN (ADM-012) ML15181A109

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*see previous concurrence