

NRR-PMDAPeM Resource

From: Purnell, Blake
Sent: Wednesday, March 30, 2016 9:07 AM
To: Tom Gurdziel
Cc: Banic, Merrilee
Subject: Davis-Besse 2.206 Petition - 1/29/16 Reactor Trip (CAC No. MF7543)

Mr. Gurdziel,

I have been assigned as the Petition Manager for the letter you provided to the NRC on February 19, 2016, regarding your concerns about the January 29, 2016, reactor trip at Davis-Besse Nuclear Power Station, Unit No. 1.

Title 10 of the *Code of Federal Regulations*, Section 2.206 (10 CFR 2.206) describes the public petition process, which is the primary mechanism for someone to request the NRC to take enforcement action. This process permits anyone to petition the NRC to take an enforcement action related to NRC licensees or NRC-licensed activities. Depending on the results of its evaluation, the NRC could modify, suspend, or revoke an NRC-issued license or take any other appropriate enforcement action to resolve a problem. The NRC staff's guidance for the disposition of 10 CFR 2.206 petition requests is in Management Directive 8.11, which is publicly available in ADAMS at Accession No. ML041770328. Please let me know if you need me to email this document to you.

The NRC referred your letter to the 10 CFR 2.206 process because your letter requests that the NRC take escalated enforcement action against licensee personnel, including licensed operators, at Davis-Besse. In the NRC's allegations process, an individual's identity is not disclosed outside the agency unless certain conditions are met. However, in the 10 CFR 2.206 process, information related to the petition generally is made public, including your identity. In addition, in accordance with Management Directive 8.11, you have the opportunity to address the NRC's Petition Review Board (PRB) to further discuss your petition, either in person at the NRC Headquarters Office in Rockville, Maryland, or by telephone conference.

Please let me know by Wednesday, April 6, 2016, if you agree to the NRC processing your request under the 10 CFR 2.206 process. In addition, please let me know if you would like to address the PRB. If you would like to meet in person, I will need to schedule a formal public meeting at the NRC's Headquarters Office. If you would prefer to address the PRB by phone, I will also work with you to coordinate a date and time during the upcoming weeks. Based on my initial review of your petition, including your February 1 and 17, 2016, emails on the issue, it appears that you will need to provide additional facts to support the petition for it to be accepted by the PRB.

Sincerely,

Blake Purnell, Project Manager
Plant Licensing Branch III-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission

Phone: 301-415-1380

Docket No. 50-346

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From: Purnell, Blake

Created By: Blake.Purnell@nrc.gov

Recipients:
"Banic, Merrilee" <Merrilee.Banic@nrc.gov>
Tracking Status: None
"Tom Gurdziel" <tgurdziel@twcny.rr.com>
Tracking Status: None

Post Office:

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Options
Priority: Standard
Return Notification: No
Reply Requested: No
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