

From: Guzman, Richard
Sent: Thursday, June 22, 2017 4:25 PM
To: 'tgurdziel@twcny.rr.com'
Subject: 2.206 Petition from T. Gurdziel dated June 11, 2017 re: Indian Point Unit 3

Mr. Gurdziel,

Good Afternoon. As we discussed, I have been assigned as a Petition Manager for the 10 CFR 2.206 petition you submitted to the U.S. Nuclear Regulatory Commission (NRC) on June 11, 2017, regarding your concerns with the reactor vessel head o-rings at Indian Point Nuclear Generating Unit No. 3.

Section 2.206 of Title 10 of the Code of Federal Regulations describes the petition process – the primary mechanism for the public to request enforcement action by the NRC in a public process. This process permits anyone to petition NRC to take enforcement-type action related to NRC licensees or licensed activities. Depending on the results of its evaluation, 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 2.206 petition requests is in [Management Directive 8.11](#), which is publicly available.

The 2.206 process provides a mechanism for any member of the public to request enforcement action against NRC licensees. The 2.206 process is separate from the allegations process which affords individuals who raise safety concerns a degree of protection of their identity. In the 2.206 process, all of the information in your letter will be made public, including your identity.

You specifically requested in your e-mail for the NRC to keep Indian Point, Unit 3 (IP3) in cold shutdown until the condition of the reactor vessel head upper and lower surfaces are "proved to be identical to the as-purchased condition". The NRC considers your request as a short-term, immediate action given that IP3 is in the process of restarting from its maintenance outage. On June 22, 2017, your request for immediate action was reviewed by members of the Petition Review Board (PRB), which includes staff from the NRC's Office of Nuclear Reactor Regulation (NRR) and Region I. After its review and discussion, the PRB determined that there were no immediate safety concerns which would adversely impact the public's health and safety; therefore, the PRB denied your request for immediate action in the restart of IP3. Specifically, the PRB noted that plant technical specifications require the licensee to monitor for unidentified leakage into containment and specifies actions if leakage were increase in excess of these limits, up to and including a plant shut down. Unidentified leakage at IP3 is currently within the limits specified by this requirement.

In accordance with NRC Management Directive 8.11, you have the opportunity to address the PRB, either in person at the NRC Headquarters in Rockville, MD, or by telephone conference. The purpose of this interaction is so that the petitioner can discuss the petition and verbally supplement the petition with any new information. During the meeting, the PRB is in listening mode and will not make any decisions regarding your petition. I understand from our conversation today that you would like to decline the opportunity to address the PRB at this time.

If you have other questions on the 2.206 process, or regarding the role as petition manager, please contact me at 301-415-1030.

Thank you,

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Rich Guzman

Sr. PM, Division Operator Reactor Licensing

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