

## **NRR-DMPSPeM Resource**

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**From:** Vaidya, Bhalchandra  
**Sent:** Monday, April 30, 2018 7:09 AM  
**To:** mkearney@elpc.org; adabaghi@elpc.org  
**Subject:** FW: RE: Citizen Complaint and Request for Enforcement Action Regarding FirstEnergy Nuclear Facility Operations in Ohio and Pennsylvania

Margrethe Kearney  
Andrene Dabaghi  
Environmental Law & Policy Center  
35 E. Wacker Drive, Ste. 1600  
Chicago, IL 60601  
(312) 673-6500

Margrethe Kearney and Andrene Dabaghi,

Thank you for your email dated April 19, 2018. Please note that we are aware of the automatic stay in the bankruptcy court, and that we plan to move forward with the petition according to our normal process as outlined in MD 8.11. Therefore, please advise me, as soon as possible, but no later than couple of weeks, when you are available to address the Petition Review Board either in person at NRC headquarters in Rockville, MD, or by telephone conference. This would allow the NRC staff to perform its review of the petition with your input and move forward with the petition according to our normal process as outlined in MD 8.11.

Thank You.

Bhalchandra K. Vaidya  
Licensing Project Manager  
NRC/NRR/DORL/LPL3  
(301)-415-3308 (O)  
[bhalchandra.vaidya@nrc.gov](mailto:bhalchandra.vaidya@nrc.gov)

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**From:** Margrethe Kearney [mailto:MKearney@elpc.org]  
**Sent:** Thursday, April 19, 2018 2:10 PM  
**To:** Vaidya, Bhalchandra ; Andrene Dabaghi  
**Cc:** Johnston (Dion), Jeanne  
**Subject:** [External\_Sender] RE: Citizen Complaint and Request for Enforcement Action Regarding FirstEnergy Nuclear Facility Operations in Ohio and Pennsylvania

Mr. Vaidya –

Thank you for the information you provided on MD 8.11 and ELPC's opportunity to address the Petition Review Board to clarify issues and/or provide additional information. As you are probably aware, FirstEnergy Solutions filed for bankruptcy shortly after ELPC filed its March 27, 2018 petition. While we would like to address the Petition Review Board, we are also well aware of the automatic stay and its broad application. We are concerned that our ability to meet with the Petition Review Board, and to provide additional information and clarification to that Board, might be impacted by the bankruptcy proceedings. We would prefer to proceed cautiously in this matter, and are currently evaluating the best way to achieve more clarity from the bankruptcy court on our future actions regarding ELPC's March 27, 2018 Petition.

We appreciate your clear communications with us on this matter and are happy to discuss further if that would be helpful. We will promptly advise you of any relevant activity in the bankruptcy proceedings.

Thank you,  
Margrethe

**Margrethe K. Kearney**  
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Environmental Law & Policy Center  
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Grand Rapids, MI 49506  
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**From:** Vaidya, Bhalchandra [<mailto:Bhalchandra.Vaidya@nrc.gov>]  
**Sent:** Monday, April 16, 2018 7:47 AM  
**To:** Margrethe Kearney; Andrene Dabaghi  
**Cc:** Johnston (Dion), Jeanne  
**Subject:** Citizen Complaint and Request for Enforcement Action Regarding FirstEnergy Nuclear Facility Operations in Ohio and Pennsylvania

Margrethe Kearney  
Andrene Dabaghi  
Environmental Law & Policy Center  
35 E. Wacker Drive, Ste. 1600  
Chicago, IL 60601  
(312) 673-6500

Margrethe Kearney and Andrene Dabaghi,

I have been assigned as the Petition Manager for your 10 CFR 2.206 petition dated March 27, 2018, you submitted to the NRC regarding your concerns on FirstEnergy Nuclear Facility Operations in Ohio and Pennsylvania.

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 through a link at <https://www.nrc.gov/about-nrc/regulatory/enforcement/petition.html> or under Agencywide Documents Access Management System (ADAMS) Accession No. ML041770328. 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.

Under MD 8.11, you have the opportunity to address the Petition Review Board, either in person at NRC headquarters in Rockville, MD, or by telephone conference before it meets to discuss your petition. I would appreciate if you could advise me by April 20, 2018, if you would like to address the Petition Review Board. If you would like to meet in person, I will need to schedule a formal public meeting at the NRC Headquarters. If you would prefer to address the Petition Review Board via phone, I will also work with you to coordinate a date/time during the upcoming weeks.

It is noted that the petition does not provide one point of contact for the communications such as emails and telephone calls. Therefore, please let me know if I need to contact both of you for all the communications, or only one of you.

The NRC is currently adding your submission to ADAMS. I will inform you when the document is publicly available in ADAMS.

Thank you,

Bhalchandra K. Vaidya  
Licensing Project Manager  
NRC/NRR/DORL/LPL3  
(301)-415-3308 (O)  
[bhalchandra.vaidya@nrc.gov](mailto:bhalchandra.vaidya@nrc.gov)

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**From:** Vaidya, Bhalchandra

**Created By:** Bhalchandra.Vaidya@nrc.gov

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