



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

January 16, 2025

MEMORANDUM TO: Michael X. Franovich, Deputy Director
Reactor Safety Programs and Mission Support
Office of Nuclear Reactor Regulation

FROM: Aida Rivera-Varona, Deputy Director */RA/*
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

SUBJECT: 200700062 - QUARTERLY OCTOBER - DECEMBER 2024 REPORT
ON THE STATUS OF PUBLIC PETITIONS SUBMITTED UNDER
TITLE 10 OF THE *CODE OF FEDERAL REGULATIONS*,
SECTION 2.206 (CAC NO. TM3058)

This memorandum transmits the quarterly status report of petitions being evaluated under Title 10 of the *Code of Federal Regulations* (10 CFR), Section 2.206, "Requests for action under this subpart." This report covers open and closed petitions from October 1 through December 31, 2024, including their age statistics.

Enclosure:
Quarterly 10 CFR 2.206 Status Report
October – December 2024

cc: SECY
EDO
OGC
OCA
OPA
OCFO

CONTACT: Perry Buckberg, NRR/DORL
301-415-1383

Quarterly Status Report of Public Petitions Submitted Under Title 10 of the
Code of Federal Regulations (10 CFR), Section 2.206
 October – December 2024

For each open or closed petition listed below, the individual status page summarizes the issues raised by the petitioner, the background, and the next steps.

When a petition is received, the submittal is evaluated against the screening criteria in Management Directive (MD) 8.11, “Review Process for 10 CFR 2.206 Petitions” (Agencywide Documents Access and Management System Accession No. ML18296A043), to determine if consideration by a Petition Review Board (PRB) is warranted or if the submittal will be dispositioned outside of the 10 CFR 2.206 process. If a submittal is currently being screened, it will not be included in this report. If a submittal has been screened and dispositioned outside of the 10 CFR 2.206 process, the submitter will be notified, and the submission will not be included in this report.

If a PRB consideration is warranted, the petition will be referred to as an “open petition under consideration” in this report. If a PRB makes its final determination to not accept a petition for further review, the submitter will be notified, and the petition will be listed as a closed petition.

If a PRB accepts a petition for further review under 10 CFR 2.206, the petition will continue to be listed as an “open petition under consideration” until the U.S. Nuclear Regulatory Commission (NRC or the Commission) staff formally grants or denies the requested actions in a Director’s Decision (DD). After issuing a DD, the petition will be listed as a closed petition.

Licensee/Facility	Petitioner/Ticket No.	Page
OPEN PETITIONS UNDER CONSIDERATION		
Palisades Nuclear Plant	Beyond Nuclear, Michigan Safe Energy Future, and Don’t Waste Michigan OEDO-24-00011	2
Diablo Canyon Nuclear Power Plant, Units 1 and 2	San Luis Obispo Mothers for Peace, Friends of the Earth, and Environmental Working Group OEDO-24-00083	4

OPEN PETITION UNDER CONSIDERATION
OEDO-24-00011 (Petition Age: 13 months)

Facility:	Palisades Nuclear Plant
Licensee Type:	Power
Petitioner(s):	Beyond Nuclear, Michigan Safe Energy Future, and Don't Waste Michigan
Date of Petition:	December 5, 2023
DD to be Issued by:	Office of Nuclear Reactor Regulation
Acknowledgment Letter Issued:	July 2, 2024
Closure Letter Issued:	Not Applicable
Last Contact with Petitioner:	November 25, 2024
Petition Manager:	Zach Turner
Case Attorney:	Robert Carpenter

Issues/Actions Requested:

The petitioners requested that the NRC take enforcement action against Holtec Palisades LLC and Holtec Decommissioning International (Holtec) alleging that Holtec misused decommissioning funds at the Palisades Nuclear Plant.

Background:

- On December 5, 2023, the petitioners filed a request for hearing under 10 CFR 2.309 (ML23339A192).
- On December 18, 2023, the request was referred to the 10 CFR 2.206 process, by the Office of the Secretary (ML23352A325).
- On January 16, 2024, the petition was assigned to the Office of Nuclear Reactor Regulation, via ticket OEDO-24-00011.
- On February 1, 2024, the petition manager informed the petitioners that the NRC had determined that immediate action was not warranted. The petition manager also informed the petitioners that the contention regarding the misuse of decommissioning funding had screened into the 2.206 process (ML24032A244).
- On February 15, 2024, the petition manager provided a status update to the petitioners.
- On February 29, 2024 (ML24061A014), the petition manager informed the petitioners that the PRB's initial assessment was that the petition did not meet the MD 8.11 criteria for accepting petitions under 10 CFR 2.206 and offered the petitioners an opportunity to address the PRB in a public meeting.
- On March 20, 2024, the petitioners agreed to hold a public meeting on April 10, 2024 (ML24085A152).
- On April 10, 2024, the petitioners addressed the PRB in a public meeting. The meeting transcript (ML24114A016) is considered a supplement to the petition.
- On May 15, 2024 (ML24170A881), the petition manager informed the petitioners that the 2023 decommissioning funding misuse concern expressed during the April 10, 2024, public meeting is being accepted into the 2.206 process and will be held in abeyance (MD 8.11, Section III.C.3) pending the outcome of the NRC staff review.
- On June 4, 2024, the petition manager sent a status update to the petitioners.

- On July 2, 2024, an acknowledgement letter (ML24137A014) was issued stating that the 2023 decommissioning funding misuse concern is being accepted into the 2.206 process and will be held in abeyance.

Actions Completed This Quarter/Next Steps:

- On November 25, 2024, the petition manager sent a status update to the petitioners which included the assignment of a new petition manager.
- The PRB will continue to review the 2023 expenditure report for Palisades in accordance with MD 8.11, Section IV, and the petition manager will inform the petitioners if any emergent petition-related activity occurs.

OPEN PETITION UNDER CONSIDERATION
OEDO-24-00083 (Petition Age: 10 months)

Facility:	Diablo Canyon Nuclear Power Plant, Unit 1 and Unit 2
Licensee Type:	Power
Petitioner(s):	San Luis Obispo Mothers for Peace, Friends of the Earth, and Environmental Working Group
Date of Petition:	March 4, 2024
DD to be Issued by:	Office of Nuclear Reactor Regulation
Acknowledgment Letter Issued:	August 27, 2024
Closure Letter Issued:	Not Applicable
Last Contact with Petitioner:	December 31, 2024
Petition Manager:	Perry Buckberg
Case Attorney:	Robert Carpenter

Issues/Actions Requested:

The petitioners requested that the NRC take enforcement action against Pacific Gas and Electric Company by ordering immediate closure of Diablo Canyon Nuclear Power Plant, Units 1 and 2, due to the assertion that there is unacceptable risk of a seismically induced severe accident.

Background:

- On March 4, 2024, the petitioners submitted a petition to the NRC (ML24067A066).
- On March 12, 2024, the petition was referred to the 10 CFR 2.206 process, by the Office of the Secretary (ML24072A529).
- On March 14, 2024, the petition was assigned to the Office of Nuclear Reactor Regulation, via ticket OEDO-24-00083.
- On March 28, 2024, the petition manager informed the petitioners that the NRC had determined that immediate action was not warranted. The petition manager informed the petitioners that a PRB would begin its evaluation of the petition (ML24088A238).
- On April 11 and May 9, 2024, the petition manager sent the petitioners status updates.
- On May 15, 2024 (ML24136A162), the petition manager informed the petitioners that the PRB's initial assessment was that the petition did not meet the MD 8.11 criteria for accepting petitions under 10 CFR 2.206 and offered the petitioners an opportunity to address the PRB in a public meeting.
- On June 7, 2024, the petitioners supplemented the petition (ML24162A079) in response to the May 15, 2024, initial assessment.
- On July 17, 2024, the petitioners addressed the PRB in a public meeting. The meeting transcript (ML24218A164) and presentation (ML24198A105) are considered supplements to the petition.
- On August 22, 2024 (ML24235A203), the petition manager informed the petitioners that the four primary concerns in the supplemented petition are being accepted into the 2.206 process (MD 8.11, Section III.C).
- On August 27, 2024, an acknowledgement letter (ML24205A066) was issued stating that the 4 primary concerns in the supplemented petition are being accepted into the 2.206 process for further review.

- On September 11, 2024 (ML24262A246), the petitioners submitted a letter to the NRC which recommended that the NRC implement certain procedural measures for the PRB review.

Actions Completed This Quarter/Next Steps:

- On October 24, 2024 (ML24298A234), Pacific Gas and Electric Company (the licensee) submitted voluntarily information related to the specific concerns accepted for further review by the PRB.
- On October 29, 2024 (ML24269A012), the NRC Office of Nuclear Reactor Regulation issued a response the petitioners' letter dated September 11, 2024, stating that the PRB will be following the process outlined in MD 8.11.
- On October 30, 2024 (ML24305A187), the petitioners supplemented the petition in response, in part, to the licensee's October 24, 2024, voluntary submittal.
- On December 5, 2024 (ML24317A038), a supplemental Acknowledgement Letter was issued stating that the PRB intends to address two supplemental concerns from the petitioners' October 30, 2024, supplement and that the PRB may take as many as 120 additional days to issue the proposed director's decision.
- On December 31, 2024, the petition manager sent a status update to the petitioners and informed the petitioners that the PRB review is still underway.
- The PRB will continue to review the accepted petitioners' concerns in accordance with MD 8.11, Section IV, and the petition manager will inform the petitioners if any emergent petition-related activity occurs.

SUBJECT: 200700062 - QUARTERLY OCTOBER - DECEMBER 2024 REPORT ON THE STATUS OF PUBLIC PETITIONS SUBMITTED UNDER TITLE 10 OF THE CODE OF FEDERAL REGULATIONS, SECTION 2.206 (CAC NO. TM3058) DATED JANUARY 16, 2025

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