

**From:** Lingam, Siva  
**Sent:** Tuesday, August 16, 2011 4:25 PM  
**To:** Paul Gunter; kevin@beyondnuclear.org  
**Cc:** Broaddus, Doug; Banic, Merrilee; Mensah, Tanya; Mary Lampert; Raymond Shadis; patbirnie@greenbicycle.net; neis@neis.org  
**Subject:** Initial Recommendation by the Petition Review Board (PRB) in Reference to Your Petition Dated April 13, 2011 (G20110262; TAC No. ME6040)

On April 13, 2011, both of you representing Beyond Nuclear, hereafter called the petitioners, submitted a petition pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) 2.206 regarding the suspension of operating licenses of GE BWRs Mark I units in response to recent events at Fukushima Dai-ichi Nuclear power plants. When I notified you by e-mail on April 21, 2011, that the NRC PRB met internally on April 19, 2011, to discuss the request for immediate action only, and concluded that no immediate action is justified based on the lack of specific information not already included in our on-going assessment of plant safety, you requested a public meeting. NRC conducted the public meeting on June 8, 2011, and you and some of your co-petitioners addressed the PRB with supplemental information.

The NRC PRB met internally on July 12, 2011, to discuss your petition, as supplemented to date, and in accordance with the criteria for review and rejection described in NRC Management Directive 8.11. Attached please find the NRC PRB recommendations for each of your concerns.

In summary, we have accepted some of your concerns for NRC's further review as listed below:

- Back-up electric power to spent fuel pool cooling system.
- Reliability of hardened vent system or direct torus vent system.
- Flood concerns.

Please note that all the items accepted for further review are under ongoing NRC investigation or pertain to events in Japan.

During the public meeting on June 8, 2011, you expressed interest to address the PRB at another public meeting. By return e-mail, please confirm that you still have such intention. Upon your confirmation, we will schedule another recorded and transcribed public meeting with you on a mutually convenient date. You and your co-petitioners will have an opportunity to address the PRB with supplemental information for a maximum of one hour combined.

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Subject: Initial Recommendation by the Petition Review Board (PRB) in Reference to Your  
Petition Dated April?13,?2011 (G20110262; TAC No. ME6040)

Sent Date: 8/16/2011 3:42:58 PM

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Options

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**TABLE SUMMARIZING EACH ISSUE FOR 2.206 CRITERIA**

No.	Issue	Does this meet criteria for acceptance?	Does this meet criteria for rejection?	Recommendation
1) A.	Fundamentally flawed combination of free standing steel primary containments for the pressure suppression containment systems		<b>Yes.</b> NRC addressed and resolved the Mark I containment structural integrity concerns through NUREGs 0474 and 0661.	<b>REJECT</b>
1) B.	Spent Fuel pools elevated to the top of the reactor building outside and above the rated containment structure without safety-related back-up electric power systems to cool high-density storage of nuclear waste in the event of loss of grid power. ----	<b>Yes.</b> This meets the criteria for review as it pertains to the events in Japan and recent Browns Ferry partial loss of offsite power (LOOP).		<b>ACCEPT*</b>
1) C.	Substandard Mark I pressure suppression containment system vulnerable to early failure under severe accident conditions including over-pressurization.		<b>Yes.</b> NRC addressed and resolved the Mark I containment structural integrity concerns through NUREGs 0474 and 0661.	<b>REJECT</b>
1) D.	Reactor design has now dramatically failed in Japan to reliably and adequately mitigate and contain significant and mounting radiological releases to the atmosphere, groundwater and the ocean from multiple severe accidents in multiple GE BWR Mark I.	<b>Yes.</b> This meets the criteria for review as it pertains to the events in Japan		<b>ACCEPT*</b>
1) E.	Failure of the Mark I containment even with the hardened vent system at Fukushima	<b>Yes.</b> This meets the criteria for review as it pertains to		<b>ACCEPT*</b>

	Dai-ichi demonstrates the inadequacy in design to mitigate and contain a severe accident resulting from longer station blackout.	the events in Japan		
2)	Immediately suspend operating licenses of all GE BWRs Mark I Units pending full NRC review with independent expert and public participation from affected emergency planning zone communities.		<b>Yes.</b> Any request for additional action by NRC does not involve any enforcement action, and therefore, does not fall under 2.206 review process.	<b>REJECT</b>
3) a.	Conduct public meetings within each of the ten-mile emergency planning zone for each GE BWR site for the purpose of receiving public comment and independent expert testimony regarding the reliability of hardened vent system or direct torus vent system.		<b>Yes.</b> Any request for additional action by NRC does not involve any enforcement action, and therefore, does not fall under 2.206 review process.	<b>REJECT</b>
3) b.	Immediately revoke prior pre-approval of the hardened vent system or direct torus vent system at each GE BWR Mark I unit under the provisions of 10 CFR 50.59.	<b>“Yes” for investigating reliability of direct torus vent system, and “No” for immediate action.</b> This meets the criteria for review as it pertains to the events in Japan		<b>ACCEPT*</b>
3) c.	Immediately issue Confirmatory Action Orders to all GE BWR Mark I units to promptly install safety-related backup electrical power (Class 1E) and additional backup DC battery	<b>“Yes” for investigating backup electrical power, and “No” for immediate action.</b> This meets the criteria for review		<b>ACCEPT*</b>

	system to ensure reliable supply of power for the spent fuel pool cooling system.	as it pertains to the events in Japan and recent Browns Ferry partial LOOP.		
4)	An accidental or intentional airline crash into the currently unprotected spent-fuel pool areas of these reactors has the potential to sever cooling water piping --- similar to a tsunami or an earthquake		<b>Yes.</b> NRC has addressed and resolved this concern after 9/11 events through major actions such as mitigating strategies.	<b>REJECT</b>
5)	Illinois reactors are operating on river flood plains and the current situation in Missouri and Nebraska speaks volumes as to what this means in terms of flooding.	<b>Yes.</b> This meets the criteria for review based on ongoing NRC investigation and events in Japan		<b>ACCEPT*</b>
6)	Dr. Kennedy states that "critical failure modes for gross structural failure of the pool is out of plain shear failure of pool floor slab.		<b>Yes.</b> NUREGs 1488 and 1738 sufficiently addressed and resolved the concerns raised by the co-petitioner.	<b>REJECT</b>

\* Under NRC Task Force review