

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matters of

All Operating Boiling Water Reactor Licensees  
with Mark I and Mark II Containments: Order  
Modifying Licenses with Regard to Reliable  
Hardened Containment Vents (Effective  
Immediately)

Docket No. EA-12-051  
ASLBP No. 12-918-01-EA-BD01

All Power Reactor Licensees and Holders of  
Construction Permits in Active or Deferred  
Status: Order Modifying Licenses with Regard  
to Reliable Spent Fuel Pool Instrumentation  
(Effective Immediately)

Docket No. EA-12-050  
ASLBP No. 12-918-01-EA-BD01

NRC STAFF RESPONSE TO THE BOARD ORDER  
REGARDING PETITIONS UNDER 10 C.F.R. § 2.206

Pursuant to the Board's May 17, 2012, Memorandum and Order (Requesting Filing on Petitions under 10 C.F.R. § 2.206) ("Order"), the NRC staff ("Staff") hereby submits its response to the Board's Order, consisting of the attached table ("Attachment") of decisions by NRC office directors based on petitions filed under 10 C.F.R. § 2.206 ("Directors' Decisions"). The Board's Order directed the Staff to provide it with a list of occasions since January 1975 "on which the NRC official to whom a Section 2.206 petition was submitted granted the substantive relief sought in the petition."<sup>1</sup> The Board also directed the Staff to summarize the substance of the relief in each instance.<sup>2</sup> On May 23, 2012, the Staff and Pilgrim Watch submitted a joint motion

---

<sup>1</sup> Board Order at 1-2 (unpublished) (emphasis in original).

<sup>2</sup> *Id.*

that requested, among other things, that the Board grant the Staff an extension to comply with the Board's Order. On May 24, 2012, the Board granted the Staff an extension to comply with its Order by June 15, 2012 and added that the Staff's response should include the total number of petitions the Staff reviewed.

The Staff found documents responsive to the Board's Order in the NRC Issuances, NUREG-0750, which are publicly available.<sup>3</sup> The Staff also searched its Agencywide Documents Access and Management System ("ADAMS") database to find responsive documents.<sup>4</sup> The Staff reviewed a total of 387 Directors' Decisions, and screened out any petitions that were denied. Of the remaining petitions, the Staff identified petitions that were granted in whole or in part, as well as those petitions that, although denied, either prompted responsive action by the Staff or were already being addressed by the Staff. These Directors' Decisions are listed and summarized in the Attachment.

Respectfully submitted,

/Signed (electronically) by/  
Christopher C. Hair

Christopher C. Hair  
Carrie M. Safford  
Mauri T. Lemoncelli  
Counsel for the NRC Staff

---

<sup>3</sup> Copies of Directors' Decisions from 1997-2012 are also available via the NRC public website at <http://www.nrc.gov/reading-rm/doc-collections/petitions-2-206/directors-decision/>.

<sup>4</sup> For decisions dated 1975-1978, the Staff searched its ADAMS Legacy Library, which consists of paper and microfiche documents at the NRC public document room. For easier public access, electronic versions of these documents have been placed into ADAMS. The Staff notes that some decisions from the 1975-1978 timeframe may not have been found due to inconsistent publication practices and record keeping by the NRC during that time.

<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
DD-12-01 (5/3/12)	Thomas Saporito	Virginia Electric Power Company (North Anna, Units 1 and 2)	ADAMS Accession No. ML12094A250	Granted in part	NRC Staff issued a Confirmatory Action Letter (No. 2-2011-001), which confirmed the Licensee's understanding that North Anna 1 and 2 could not be restarted unless and until the Licensee had demonstrated to the NRC Staff's satisfaction that no functional damage occurred to those features necessary for continued operation without undue risk to the health and safety of the public.
DD-11-07 (11/21/2011)	Sherwood Martinelli	Entergy Nuclear Operations, Entergy Operations, Inc., Entergy Nuclear Vermont Yankee, LLC, Entergy Gulf States Louisiana (River Bend, Unit 1/ Vermont Yankee Nuclear Power Station)	ML112870542	Granted in part	NRC Staff granted the petitioner's request that the agency make available all data and information presented by Entergy and used by the NRC to review the status of decommissioning funding.
DD-11-06 (9/9/2011)	Thomas Saporito	Entergy Nuclear Vermont Yankee, LLC & Entergy Nuclear Operations, Inc. (Vermont Yankee Nuclear Power Station)	ML112240960	Granted in part	NRC Staff granted the portion of the petition concerning the inoperability of main steam SRVs. NRC resolved this issue via a Licensee Event Report closeout review and two Licensee Identified Violations documented in NRC Integrated Inspection Report 0500027/2011002 (Apr. 29, 2011).
DD-11-05 (10/29/2011)	Isaac Harp	U.S. Army – Installation Management Command	ML112720286	Granted in part	NRC Staff granted petitioner's request to investigate the Army's apparent violation of 10 CFR § 40.3 as it pertains to the possession and disposal of depleted uranium rounds.

<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
DD-11-01 (1/27/2011)	Congressman Paul W. Hodes	Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc. (Vermont Yankee Nuclear Power Station)	ML110060072	Granted in part	NRC Staff and the Licensee took steps to resolve the potential groundwater contamination issues through several inspections and reviews, independent analysis and oversight of the Licensee's actions, groundwater remediation, soil remediation, root cause analysis, an NRC Demand for Information regarding site employee safety culture, and the establishment of a Groundwater Task Force.
DD-08-01 (4/28/2008)	Raymond Shadis/ New England Coalition	Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc. (Vermont Yankee Nuclear Power Station)	67 NRC 347	Granted in part	NRC Staff granted petitioner's request by performing a structural and performance analysis of the cooling towers, including the alternate cooling system, in light of the partial cooling tower collapse.
DD-06-03 (11/2/2006)	David Lochbaum (Union of Concerned Scientists)	Operating and Decommissioning Power Reactors and Operating and Decommissioning Research and Test Reactors	64 NRC 407	Granted in part	NRC Staff provided petitioners a substantial part of the requested information on water contamination related to power reactors.

<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
DD-06-01 (1/9/2006)	Paul Gunter (Nuclear Information and Resource Service, Citizens Awareness Network, Indian Point Safe Energy Coalition, North Carolina Waste Awareness and Reduction Network, Alliance for Affordable Energy, Blue Ridge Environmental Defense League)	Carolina Power & Light Co./Constellation Energy/ Duke Power & Light Co./ Entergy Nuclear Operations, Inc. (Shearon Harris Nuclear Power Station, Unit 1/ H.B. Robinson Unit 2/ McGuire Units 1 and 2/ Catawba Units 1 and 2/ Ginna/ James A. FitzPatrick/ Indian Point Units 2 & 3/ Vermont Yankee/ Waterford, Unit 3/ Arkansas Nuclear One Units 1 & 2)	ML053390311	Granted in part	NRC Staff issued a Generic Letter to all Licensees to request detailed information regarding their fire protection practices and reviewed all responses to resolve any Hemyc/MT issues.
DD-05-07 (12/23/2005)	Raymond Shadis (New England Coalition)	Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc. (Vermont Yankee Nuclear Power Station)	62 NRC 862	Granted in part	NRC Staff resolved petitioner's concerns with fire protection through NRC analysis and review and the Licensee's replacement of Hemyc on systems involved in the safe shutdown process.
DD-04-03 (8/17/2004)	Richard Blumenthal (AG for the State of Connecticut)	Entergy Nuclear Operations, Inc. (Indian Point Nuclear Generating Unit Nos. 2 & 3)	60 NRC 343	Granted in part	NRC Staff and the Licensee conducted a full review of Indian Point's security measures and evacuation plans, as well as provided reasonable assurance of plant safety and security, after the events of 9/11 and continuously reviewed and updated Indian Point's safety and security procedures as necessary.

<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
DD-03-02 (8/26/2003)	Viacom, Inc.	Westinghouse Electric Co., LLC (Waltz Mill Service Center, Madison, PA)	58 NRC 115	Granted in Part	NRC Staff granted petitioner's request to consider the issue of interpretation of the Decommissioning Plan and whether Viacom has completed decommissioning of the Westinghouse Test Reactor in addressing Viacom's 10/29/2002 application for orders.
DD-02-07 (11/15/2002)	Union of Concerned Scientists	All Nuclear Power Reactor Licensees	56 NRC 314	Granted in part	NRC Staff partially granted petitioner's request that action be taken to reduce the risk from sabotage of irradiated fuel to the extent that additional measures are being implemented by the Licensees in response to the 02/25/2002 Orders.
DD-02-06 (11/18/2002)	Riverkeeper, Inc.	Entergy Nuclear Operations, Inc. (Indian Point Nuclear Generating Unit Nos. 1, 2 and 3)	56 NRC 296	Granted in part	NRC Staff granted petitioner's request for an immediate security upgrade independent of the petition (due to events of 9/11). NRC Staff also granted, in part, petitioner's request to revise the onsite and offsite emergency plans to account for possible terrorist attacks.
DD-02-02 (10/28/2002)	Tim Judson & Deborah Katz (Citizens Awareness Network)	Entergy Nuclear Operations, Inc. (James A. Fitzpatrick Nuclear Power Plant)	56 NRC 198	Granted in part	NRC Staff allowed all documents and information filed in relation to the selection of storage casks and the implementation of dry storage at Fitzpatrick to be put on the docket for public inspection; and also submitted the petition to the Office of the Inspector General for review of the Spent Fuel Project Office.

<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
DD-01-05 (11/26/2001)	David A. Lochbaum Union of Concerned Scientists	Entergy Nuclear Operations Inc. (Indian Point Nuclear Generating Unit No.2)	54 NRC 340	Granted in part	NRC Staff addressed the petitioner's concerns through a generic communication to all nuclear power plant licensees subject to the requirements of 10 CFR Part 26 highlighting the petitioner's concerns. Further, the NRC agreed to consider the petition's concerns in future revisions to Part 26.
DD-01-04 (11/21/2001)	Deborah Katz et al Citizens Awareness Network	Entergy Nuclear Operations, Inc. Entergy Nuclear IP2 (Indian Point Nuclear Generating Unit No. 2)	54 NRC 326	Granted in part	NRC Staff granted the petitioners' request that Unit 2 remain on the list of agency focus plants (i.e., plants with multiple/repetitive degraded cornerstones).
DD-01-02 (03/20/2001)	Rosemary Bassilakis, Deborah Katz Citizens Awareness Network	Connecticut Yankee Atomic Power Co. (Haddam Neck Nuclear Power Station)	53 NRC 333	Granted in part	NRC Staff conducted an investigation of the Licensee's garment laundering practices and of the events discussed in the petition. The NRC inspection report concluded that adequate controls were in place to assure that the Licensee's clothing had not and would not become contaminated, and that the garment laundering practices are in compliance with NRC regulations and do not endanger the health and safety of the public.
DD-00-05 (10/18/2000)	David A. Lochbaum Union of Concerned Scientists	Southern Nuclear Operating Company (Edwin I. Hatch Nuclear Plant Units 1 & 2)	52 NRC 251	Denied / Action taken	NRC Staff asked for the information from the Licensee, which partially satisfied the action requested by the petitioner. NRC Staff reviewed the Licensee's response and does not agree with the petitioner's contentions that Hatch is being operated outside its design and licensing bases.

<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
DD-00-04 (10/06/2000)	David A. Lochbaum Union of Concerned Scientists	Consolidated Edison Co. of New York, Inc. (Indian Point Nuclear Generating Unit No. 2)	52 NRC 243	Granted in part	NRC Staff granted petitioner's request that the Licensee replace the existing steam generators prior to Unit 2 resuming operation. Also, the NRC Staff conducted a public meeting with the petitioners to discuss the issues raised in the petition.
DD-00-02 (4/13/2000)	David A. Lochbaum Union of Concerned Scientists	Consolidated Edison Company of New York, Inc. (Indian Point Nuclear Generating Unit No. 2)	51 NRC 183	Granted in part	NRC Staff addressed the technical concerns provided by the petitioner.
DD-99-13 (10/28/1999)	Robert Norway	Niagara Mohawk Power Corp. (Nine Mile Point Nuclear Station, Unit Nos. 1 & 2)	50 NRC 281	Granted in part	NRC Staff addressed the petitioner's technical concern for the RHR ASD Cooling Safety Evaluation. As requested, NRC Staff forwarded the petitioner's complaint to the NRC's Office of the Inspector General for investigation of deliberate misconduct on the part of the NRC Staff regarding petitioner's discrimination case.
DD-99-11 (9/09/1999)	Rosemary Bassilakis Citizens Awareness Network	Connecticut Yankee Atomic Power Company (Haddam Neck Plant)	50 NRC 241	Granted in part	NRC Staff issued a Notice of Violation to an individual on the basis that he attempted to conceal the release of contaminated video equipment to a nonlicensed vendor. NRC Staff also issued a noncited violation to the Licensee for failure to perform an adequate survey, with subsequent loss of control of material.



<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
DD-99-09 (7/27/1999)	George Galatis, and We the People	Northeast Nuclear Energy Company (Millstone Nuclear Power Station, Unit No. 1)	50 NRC 59	Granted in part	NRC Staff completed the investigations concerning the performance of fuel offloads at Millstone and took enforcement action as outlined in the Notice of Violation to the Licensee dated May 25, 1999. Therefore, petitioners' request for enforcement action against the Licensee pursuant to 10 CFR §§ 50.5 and 50.9 was partially granted.
DD-99-05 (3/12/1999)	David A. Lochbaum Union of Concerned Scientists	Pacific Gas and Electric Co. (Diablo Canyon Nuclear Power Plant, Units 1 & 2)	49 NRC 279	Denied / Action taken	NRC Staff noted that the petitioner's request to modify the licenses at Diablo Canyon to require an independent contractor to evaluate the safety culture at Diablo Canyon and for the NRC to concur that a safety conscious work environment has been established and maintained had, in effect, been accomplished.
DD-99-04 (2/10/1999)	Michael J. Daley New England Coalition on Nuclear Pollution, Inc.	Vermont Yankee Nuclear Power Corp. (Vermont Yankee Nuclear Power Station)	49 NRC 179	Denied / Action taken	Although the NRC Staff denied petitioner's request to take immediate action to issue an order imposing certain limits on Vermont Yankee, the conditions associated with the request have been completed. NRC Staff concluded that the appropriate limit for maximum torus water temperature is 90°F, making the limits requested in the petition unnecessary.

<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
DD-99-03 (2/11/1999)	David A. Lochbaum Union of Concerned Scientists	Indiana Michigan Power Co. (Donald C. Cook Nuclear Plant, Units 1 & 2)	49 NRC 161	Granted in part	NRC Staff satisfied petitioner's request to prevent operation of D. C. Cook until there is reasonable assurance that significant non-compliances have been identified and corrected. Also, NRC Staff granted the request to hold a public hearing into the issues raised in the petition.
DD-99-01 (1/12/1999)	Rosemary Bassilakis Citizens Awareness Network	Connecticut Yankee Atomic Power Company (Haddam Neck Plant)	49 NRC 5	Granted in part	NRC Staff granted petitioner's request to consider the requirements of 10 CFR Part 72 to Haddam Neck, but concluded that Part 72 does not apply to the decommissioning activities underway at the plant.
DD-98-12 (11/16/1998)	Jonathan M. Block Citizens Awareness Network	Connecticut Yankee Atomic Power Company (Haddam Neck Plant)	48 NRC 317	Granted in part	NRC Staff granted petitioner's request to investigate the Licensee's proposal to air cool the Spent Fuel Pool.
DD-98-10 (10/21/1998)	Thomas J. Saporito, Jr., and the National Litigation Consultants	Florida Power & Light Co. (St. Lucie Plant, Units 1 & 2); (Turkey Point Plant, Units 3 & 4)	48 NRC 245	Granted in part	NRC Staff granted petitioner's request to the extent that petitioners' have requested that the NRC Staff investigate issues and review the settlement agreement.
DD-98-09 (9/14/1998)	Thomas B. Cochran NRDC	Envirocare of Utah (Salt Lake City, UT)	48 NRC 173	Denied / Action taken	NRC Staff launched an investigation of Envirocare, but found no evidence substantiating petitioner's concerns.
DD-97-26 (12/29/1997)	Citizens Awareness Network	Vermont Yankee Nuclear Power Corp. (Vermont Yankee Nuclear Power Station)	46 NRC 313	Granted in part	NRC Staff issued noncited violations and referred petitioner's request for an investigation of NRC oversight of the Vermont Yankee facility to the Office of the Inspector General.

<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
DD-97-25 (10/8/1997)	Citizens Awareness Network	Vermont Yankee Nuclear Power Corp. (Vermont Yankee Nuclear Power Station)	46 NRC 243	Granted in part	NRC Staff accepted the petitioner's request to evaluate the substantive issues raised by petitioner to see if enforcement action is warranted.
DD-97-22 (9/17/1997)	Maryann Wenlig Ma, M.D., Ph.D., and Bill Wenling Zheng, M.D., Ph.D	National Institutes of Health (Bethesda, MD),	46 NRC 130	Granted in part	NRC Staff issued a series of Confirmatory Action Letters and continued its onsite inspection. NRC Staff issued a Notice of Violation and Proposed Imposition of Civil Penalty of \$2500 to NIH.
DD-97-21 (9/12/1997)	Citizens Awareness Network (CAN) and the Nuclear Information and Resource Service (NIRS)	Northeast Utilities (Millstone Nuclear Power Station, Units 1, 2, and 3; Haddam Neck Plant)	46 NRC 108	Granted in part	NRC Staff was currently evaluating alleged wrongdoing by Northeastern Utilities personnel. NRC Staff granted the request to retain Millstone on the NRC's Watch List, if the Commission approves restart, and issued a Confirmatory Action Letter.
DD-97-20 (9/8/1997)	Thomas J. Saporito, Jr.	Florida Power & Light Co. (St. Lucie Nuclear Power Plant, Units 1 and 2; Turkey Point Nuclear Generating Plant, Units 3 and 4)	46 NRC 96	Granted in part	NRC Staff granted petitioner's request for an interview regarding the substance of the petition.
DD-97-17 (7/30/1997)	Patrick M. Sears	Maine Yankee Atomic Power Co. and Yankee Atomic Electric Co. (Maine Yankee Atomic Power Station)	46 NRC 13	Granted in part	NRC Staff granted petitioner's request for inspections and committed to providing petitioner with copies of inspection reports, enforcement actions, and other documents.

<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
DD-97-15 (6/18/1997)	Don't Waste Michigan and Lake Michigan Federation	Wisconsin Electric Power Company (Point Beach Nuclear Plant, Units 1 and 2); Consumers Power Company (Palisades Nuclear Plant); Entergy Operations, Inc. (Arkansas Nuclear One, Units 1 and 2)	45 NRC 475	Denied / Action taken	NRC Staff fulfilled petitioners' requests for an assessment of potential impacts of VSC-24 material aspects and a safety justification of material coatings on components and structures through the NRC Staff's review of the Licensees' responses to Bulletin 96-04.
DD-97-13 (6/13/1997)	Northeast Ohio Regional Sewer District	Advanced Medical Systems, Inc. (Cleveland, Ohio)	45 NRC 460	Granted in part	NRC Staff amended AMS' license to require remediation of the interceptor sewer line operated by the District in the vicinity of the connecting line from the AMS facility.
DD-97-12 (6/6/1997)	Sherwood Bauman	Shieldalloy Metallurgical Corporation (Newfield, New Jersey)	45 NRC 449	Denied / Action taken	NRC Staff referred petitioner's allegations of wrongdoing, with respect to any such activity by NRC employees, to the NRC Office of the Inspector General.
DD-97-11 (4/29/1997)	Anthony J. Ross	Northeast Utilities (Millstone Nuclear Power Station, Units 1, 2, and 3)	45 NRC 347	Granted in part	NRC Staff took enforcement actions and increased inspection activities based on petitioner's examples of violations in the areas of procedure compliance, work control, and tagging control.

<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
DD-97-10 (4/15/1997)	Sherwood Bauman	Shieldalloy Metallurgical Corporation (Newfield New Jersey)	45 NRC 338	Granted in part	NRC Staff concluded that concerns regarding the Licensee's proposed decommissioning funding plan warranted conditioning the license as part of any future renewal to require the Licensee to provide additional proof of a proposed slag disposition method, in the form of an NRC-approved export application, within 1 year of the license's renewal. Additionally, NRC Staff noted that any renewed license would require financial assurance commensurate in value with the costs of offsite disposal for future source-material possession increases.
DD-97-8 (4/2/1997)	Reactor Watchdog Project, Nuclear Information and Resource Service, and Oyster Creek Nuclear Watch	General Public Utilities Nuclear Corporation (Oyster Creek Nuclear Generating Station)	45 NRC 315	Granted in part	NRC Staff issued generic communications responsive to petitioners' request. In addition, the NRC Staff reviewed the compliance of NRC-licensed facilities in the area of spent fuel pool design responsive to petitioners' request.
DD-97-6 (3/18/1997)	Marvin B. Hobby and Allen L. Mosbaugh	Georgia Power Company, et al. (Vogtle Electric Generating Plant, Units 1 and 2; Hatch Nuclear Plant, Units 1 and 2)	45 NRC 144	Granted in part	NRC Staff issued three Notices of Violation and civil penalties to the Licensee; the NRC issued letters to the Licensee and its employees regarding the requirements of 10 C.F.R. §§ 50.7 and 50.9, the license transfer amendment proceeding evaluated many of the concerns, and the license transfer amendments issued for the facilities were conditioned to address concerns about management.

<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
DD-97-4 (2/11/1997)	Anthony J. Ross	Northeast Nuclear Energy Company (Millstone Nuclear Power Station, Unit 1)	45 NRC 86	Granted in part	NRC Staff granted requests for an investigation into procedure violations and an audit of the Unit 1 maintenance department measuring and test equipment folders.
DD-97-3 (2/5/1997)	Toledo Coalition for Safe Energy, Alice Hirt, Charlene Johnston, Dini Schut, and William Hoops	Toledo Edison Company, et al. (Davis-Besse Independent Spent Fuel Storage Installation)	45 NRC 71	Granted in part	NRC Staff initiated a rulemaking based on the concerns raised by the petitioners.
DD-97-1 (1/23/1997)	Don't Waste Michigan and Lake Michigan Federation	Consumers Power Company (Palisades Nuclear Plant)	45 NRC 33	Granted in part	NRC Staff determined that Consumers Power Company violated NRC regulations.
DD-96-23 (12/26/1996)	George Galatis and We the People, Inc.	Northeast Nuclear Energy Company (Millstone Nuclear Power Station, Unit 1)	44 NRC 419	Granted in part	NRC Staff issued a Confirmatory Order to ensure that the plant's physical and functional characteristics are in conformance with its licensing and design basis. In addition, NRC Staff evaluated spent fuel accidents beyond the design bases.
DD-96-20 (11/20/1996)	Friends of the Coast—Opposing Nuclear Pollution	Maine Yankee Atomic Power Company (Maine Yankee Atomic Power Station)	44 NRC 290	Denied / Action taken	As requested by the petitioner, NRC Staff examined the adequacy of containment design and susceptibility of welds to microfissures. NRC determined no basis exists for taking any further action.

<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
DD-96-18 (11/6/1996)	Paul M. Blanch	All Power Reactor Licensees	44 NRC 271	Granted in part	NRC Staff issued generic communications responsive to petitioner's request. In addition, NRC Staff reviewed the aspect of compliance of NRC-licensed facilities in the area of spent fuel pool design responsive in part to petitioner's request.
DD-96-17 (10/31/1996)	Anthony J. Ross	Northeast Nuclear Energy Company (Millstone Nuclear Power Station, Unit 1)	44 NRC 221	Denied / Action taken	NRC Staff conducted inspections to independently determine if the Licensee's conclusions and corrective actions were acceptable.
DD-96-16 (10/31/1996)	Anthony J. Ross	Northeast Nuclear Energy Company (Millstone Nuclear Power Station, Unit 1)	44 NRC 214	Denied / Action taken	NRC Staff concluded that some of the petitioner's concerns were substantiated and had already resulted in appropriate enforcement action.
DD-96-13 (10/7/1996)	Louis D. Putney, Esq.	Florida Power Corporation (Crystal River Nuclear Generating Plant, Unit 3)	44 NRC 180	Granted in part	NRC Staff substantiated some of petitioner's allegations. However, NRC Staff noted that the Licensee has taken appropriate action to correct the deficiencies.
DD-96-9 (7/3/1996)	Dr. Klaus R. Romer, on behalf of McGean-Rohco, Inc.	Chemetron Corporation, Inc. (Cleveland, Ohio)	44 NRC 47	Granted in part	Petitioner's request that NRC Staff compel Chemetron to commence action to decontaminate the Harvard Avenue site was granted to the extent this is required by License Amendments and NRC Orders.

<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
DD-96-8 (6/25/1996)	Thomas J. Saporito Jr., for himself and on behalf of Florida Energy Consultants, Inc.	Arizona Public Service Company (Palo Verde Nuclear Generating Station, Units 1, 2, and 3)	43 NRC 344	Denied / Action taken	NRC Staff reviewed the Licensee's inspection results, and NRC Staff conducted two Palo Verde chemistry inspections and issued a technical specifications change for Units 1 and 3 that permitted the Licensee to operate at full power with a lower T <sub>hot</sub> temperature.
DD-96-4 (6/3/1996)	Thomas J. Saporito, Jr., Florida Energy Consultants, Linda Mitchell	Arizona Public Service Company (Palo Verde Nuclear Generating Station)	43 NRC 309	Granted in part	NRC Staff issued a civil penalty in the amount of \$100,000 to the Licensee and a Notice of Violation to the supervisor involved in the violation of 10 CFR § 50.7 for failure to hire petitioner due to his earlier involvement in protected activities.
DD-96-1 (2/22/1996)	Citizens Awareness Network and New England Coalition on Nuclear Pollution	Yankee Atomic Electric Company (Yankee Nuclear Power Station)	43 NRC 29	Granted in part	NRC Staff accepted petitioners' request for an inspection of Yankee Rowe to determine compliance with CLI-94-14.
DD-95-23 (12/19/1995)	Anthony J. Ross	Northeast Nuclear Energy Company (Millstone Nuclear Power Station, Unit 1)	42 NRC 253	Denied / Action taken	NRC Staff concluded in an Inspection Report that turning off the site paging and site siren evacuation alarm system speaker was in violation of the Licensee's emergency preparedness plan and not in conformance with the guidance in NUREG-0654. Therefore, NRC Staff collectively cited this issue and three others as a Severity Level IV violation.



<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
DD-95-21 (10/23/1995)	Native Americans for a Clean Environment (NACE)	Sequoyah Fuels Corporation (Gore, Oklahoma Facility)	42 NRC 167	Denied / Action taken	NRC Staff accepted petitioner's request that NRC perform a title search of property subject to NRC License No. SUB-1010.
DD-95-20 (9/13/1995)	George M. Gillilan	Tennessee Valley Authority (Watts Bar Nuclear Plant)	42 NRC 105	Denied / Action taken	NRC Staff noted that the Office of Investigations (OI) report did not substantiate petitioner's allegations.
DD-95-19 (8/31/1995)	Mary Elizabeth Lampert et al.	Boston Edison Company (Pilgrim Nuclear Power Station)	42 NRC 78	Granted in part	NRC Staff offered a public meeting, which was held in Plymouth, Massachusetts, on May 11, 1995. At that meeting, the results of the Licensee's inspections conducted during the outage were discussed.
DD-95-5 (3/5/1995)	North Bethesda Congress of Citizen's Associations	National Institutes Of Health	41 NRC 227	Granted in part	NRC Staff granted petitioner's request for copies of environmental assessments and/or safety evaluations, and also granted petitioner's request for copies of all correspondence with the Licensee concerning the matters raised by petitioner. NRC agreed to provide to petitioner a copy of all future correspondence between NRC and NIH regarding these matters.
DD-95-4 (2/22/1995)	Carmela V. Marien and Marianne W. Nericcio	Northeast Utilities (Millstone Nuclear Power Station)	41 NRC 175	Denied / Action taken	NRC Staff did not substantiate allegations after reviewing the findings of the Department of Labor, a report by the NRC Office of Investigations, and a review of the Licensee's response to the petitions.

<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
DD-95-3 (1/31/1995)	Wisconsin Citizen's Utility Board	Entergy Operations, Inc. (Arkansas Nuclear One) Sierra Nuclear Corporation	41 NRC 62	Granted in part	NRC Staff accepted the petitioner's request to (1) determine the applicability of 10 CFR § 72.48 to Part 72, Subparts K and L; and (2) determine whether Entergy is in violation of any NRC regulations regarding use of section 72.48.
DD-94-13 (12/20/1994)	Thomas J. Saporito	Houston Lighting And Power Company (South Texas Project, Units 1 And 2)	40 NRC 377	Granted in part	NRC Staff granted the petitioner's request that the NRC issue civil penalties against the Licensee and/or Licensee management personnel.
DD-94-12 (12/15/1994)	Paul M. Blanch	Rosemount Nuclear Instruments, Incorporated (Formerly Rosemount, Incorporated) (Eden Prairie, Minnesota)	40 NRC 370	Granted in part	NRC Staff substantiated several of the petitioner's allegations which resulted in enforcement actions.
DD-94-11 (12/14/1994)	Battelle Permit Opposition Committee	Battelle Memorial Institute Columbus Operations (Columbus, Ohio)	40 NRC 359	Granted	NRC Staff granted the petitioner's request for an investigation and enforcement action.
DD-94-10 (12/14/1994)	Honorable Michael O. Leavitt, Governor of the State of Utah, and the Utah Legislature	Energy Fuels Nuclear, Inc.	40 NRC 353	Granted in part	NRC Staff granted petitioners' request to modify the license and also granted petitioners' request that the NRC confer with petitioners before taking action on future license amendments involving disposal of uranium mill tailings in Utah.

<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
DD-94-9 (10/19/1994)	National Whistleblower Center (NWC), the Coastal Alliance for a Safe Environment, and Charles A. Webb	Carolina Power And Light Company, Et Al. (Brunswick Steam Electric Plant, Units 1 And 2)	40 NRC 159	Granted in part	NRC Staff granted the petitioners' request for an investigation into the alleged misconduct regarding the Licensee's reporting of core shroud cracking.
DD-94-6 (6/16/1994)	Northeast Ohio Regional Sewer District	Advanced Medical Systems, Inc. (Cleveland, Ohio)	39 NRC 373	Denied / Action taken	The Commission issued a Staff Requirements Memorandum to address the issue whether financial assurance for materials licensees for cleanup of an accident with the potential for significant contamination should be required.
DD-94-5 (5/20/1994)	Donald W. DelCore, Sr.	Northeast Utilities (Millstone Nuclear Power Station)  39 Nrc 280	39 NRC 280	Denied / Action taken	NRC Staff reviewed the OI report and found insufficient evidence to substantiate a violation.
DD-94-4 (5/16/1994)	Thomas J. Saporito, Jr.	Arizona Public Service Company, Et Al. (Palo Verde Nuclear Generating Station, Units 1, 2, And 3)	39 NRC 279	Denied / Action taken	NRC Staff partially substantiated petitioner's allegation but decided that the Licensee took appropriate actions and no further action was warranted.
DD-94-1 (2/9/1994)	Paul M. Blanch	Northeast Nuclear Energy Company	39 NRC 79	Denied / Action taken	NRC Staff reviewed the OI Report regarding petitioner's concerns and reaffirmed the resulting enforcement decision.

<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
DD-93-21 (12/14/1993)	Stephen M. Kohn	Carolina Power And Light Company (Brunswick Steam Electric Plant, Units 1 and 2)	38 NRC 356	Denied / Action taken	NRC Staff noted that several of the concerns addressed in these allegations have been the subject of previous evaluations by NRC Staff, which partially substantiated petitioner's concerns. NRC Staff found that the Licensee's corrective actions were appropriate and responsive.
DD-93-16 (11/19/1993)	Arnold Gundersen	Nuclear Energy Services	38 NRC 255	Granted in part	NRC Staff granted the petitioner's request that NRC issue a response to the Licensee's letter disputing the facts outlined in an NRC inspection report.
DD-93-12 (6/4/1993)	National Whistleblower Center and its clients, Messrs. Joseph J. Macktal and S.M.A. Nasan	Texas Utilities Electric Company, et al. (Comanche Peak Steam Electric Station, Units 1 And 2)	37 NRC 477	Granted in part	NRC Staff granted petitioners' request that the NRC notify the Licensee and the former co-owners that no settlement agreement can preclude individuals and organizations from bringing safety information to the NRC. Also NRC Staff granted petitioners' request that copies of the three settlement agreements be made public. Finally, NRC Staff granted petitioners' request that counsel be notified that he is free to disclose safety information to the NRC.
DD-93-10 (5/9/1993)	Ben L. Ridings	Niagara Mohawk Power Corporation (Nine Mile Point Nuclear Station, Unit 1)	37 NRC 381	Granted in part	NRC Staff granted the petitioner's request for correction of the NMP-1 Technical Specification to correctly list the NMP-1 containment isolation valves, their initiating signals, and their stroke times.

<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
DD-93-9 (5/7/1993)	Gloria M. Mitchell and Linda Hammons, on behalf of the Indian Orchard Citizens Council	Interstate Nuclear Service Corporation (Indian Orchard, Massachusetts)	37 NRC 365	Granted in part	NRC Staff granted the requests that the NRC (1) participate in a public meeting in Indian Orchard to respond to the concerns of the neighborhood residents; (2) hold an unannounced inspection of the facility; (3) provide to the petitioners a copy of the NRC regulations under which INS operates; (4) check adjoining Park Department land, including Dimmock Pond, for contamination and illegal dumping of waste material; (5) determine what the Licensee has done with waste material not shipped; (6) provide to the Petitioners the docket number for the facility; (7) identify a Public Document Room (PDR) for the Licensee and its location; and (8) describe the type of monitoring done, who does it, and how frequently.
DD-93-6 (3/31/1993)	Robert Karalewitz	Detroit Edison Company, et al. (Enrico Fermi Atomic Power Plant, Unit 2)	37 NRC 246	Denied / Action taken	NRC Staff forwarded petitioner's allegations to OI for investigation. The investigation did not identify any wrongdoing.
DD-93-5 (3/28/1993)	Lake County Board of Commissioners	Cleveland Electric Illuminating Company, et al. (Perry Nuclear Power Plant, Unit 1)	37 NRC 238	Denied / Action taken	NRC Staff issued a proposed rule on "Procedures and Criteria for On-Site Storage of Low-Level Radioactive Waste" which addressed, in part, one of the concerns expressed in the petition.

<u>DD#</u>	<u>Petitioner</u>	<u>Case</u>	<u>Citation</u>	<u>Result</u>	<u>Summary of Relief</u>
DD-93-3 (2/1/1993)	Nuclear Information and Resource Service and others	(Comanche Peak Steam Electric Station, Units 1 and 2) Carolina Power and Light Company (Brunswick Station, Units 1 and 2) Carolina Power and Light Company (Shearon Harris Nuclear Power Plant) DETROIT EDISON COMPANY, et al. (Enrico Fermi Atomic Power Plant, Unit 2) Washington Public Power Supply System (WPPSS Nuclear Project No. 2) Gulf States Utilities Company (River Bend Station, Unit 1)	37 NRC 113	Granted in part	NRC Staff granted petitioners' request that NRC issue a Generic Letter, GL 92-08, "Thermo-Lag 330-1 Fire Barriers.")

<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
DD-92-4 (8/12/1992)	Linda E. Mitchell	Arizona Public Service Company, et al. (Palo Verde Nuclear Generating Station, Units 1, 2, and 3)	36 NRC 143	Denied / Action taken	The NRC Office of the Inspector General conducted an investigation and could not substantiate the existence of a conspiracy between Palo Verde management and NRC Region IV officials.
DD-92-8 (11/25/1992)	Carolyn Larry	Detroit Edison Company, et al. (Enrico Fermi Atomic Power Plant, Unit 2)	36 NRC 347	Granted in part	NRC Staff issued a Severity Level II Violation for discriminating against the petitioner.
DD-92-7 (11/24/1992)	Sarah C. Thomas and Linda E. Mitchell	Arizona Public Service Company, et al. (Palo Verde Nuclear Generating Station, Units 1, 2, and 3)	36 NRC 338	Granted in part	NRC Staff granted petitioners' request that the NRC take enforcement action against APS. NRC Staff issued a Notice of Violation and Proposed Imposition of Civil Penalty to APS for the two violations in the combined amount of \$130,000.
DD-92-5 (10/5/1992)	Thomas J. Saporito	Houston Lighting and Power Company (South Texas Project, Units 1 and 2)	36 NRC 231	Granted in part	NRC Staff conducted a special team inspection that substantiated some of the petitioner's concerns and resulted in corrective actions by the Licensee.
DD-92-3 (6/8/1992)	Native Americans for a Clean Environment and the Cherokee Nation	Sequoyah Fuels Corporation (Gore, Oklahoma Facility)	35 NRC 236	Granted in part	NRC Staff issued a Notice of Violation for violating 10 CFR § 40.9, and agreed to publish in the <i>Federal Register</i> notice of all license amendment applications by the Licensee until the Staff takes final action on the license renewal application.

<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
DD-91-3 (5/14/1991)	James P. McGranery, Jr., on behalf of the Shoreham–Wading River Central School District and Scientists and Engineers for Secure Energy, Inc.	Long Island Lighting Company (Shoreham Nuclear Power Station, Unit 1)	33 NRC 453	Granted in part	NRC Staff granted the petition to the extent that the petitioners' requested that the Commission take action to prevent the Licensee from shipping certain fuel support castings and peripheral pieces from the Shoreham reactor vessel to the Barnwell, South Carolina, low-level waste storage facility for burial.
DD-90-3 (6/14/1990)	Northern California Power Agency	Pacific Gas And Electric Company (Diablo Canyon Nuclear Power Plant, Units 1 and 2)	31 NRC 595	Granted	NRC Staff concluded the Licensee had violated certain of its antitrust license conditions and issued a Notice of Violation.
DD-90-1 (3/22/1990)	Thomas J. Saporito, Jr.	Florida Power & Light Company (Turkey Point Nuclear Generating Plant, Units 3 and 4)	31 NRC 327	Denied / Action taken	NRC Staff requested that OI conduct an investigation to resolve allegations that had been raised by the petitioner.
DD-89-1 (03/13/1989)	Anthony Z. Roisman and Mozart G. Ratner, as counsel for Vera M. English	General Electric Co. (Wilmington, North Carolina Facility)	29 NRC 325	Granted in part	NRC Staff took enforcement action against General Electric for discriminating against petitioner. NRC Staff denied the request to impose the specific civil penalty, but added a license condition.



<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
DD-88-21 (12/29/1988)	Governor Michael S. Dukakis and Attorney General James M. Shannon on behalf of the Commonwealth of Massachusetts	Boston Edison Co. (Pilgrim Nuclear Power Station)	28 NRC 801	Denied / Action taken	NRC Staff notified the Licensee of alleged deficiencies and the Licensee underwent a number of changes to its emergency preparedness program. In light of the progress made by the Licensee, the petition was denied
DD-88-20 (12/14/1988)	Barbara Moller	Sacramento Municipal Utility District (Rancho Seco Nuclear Generating Station)	28 NRC 809	Denied / Action taken	NRC Staff addressed petitioner's issue through rulemaking
DD-88-19 (11/29/1988)	Connie Kline, Theresa Burling, Russ Bimber, and Ron O'Connell on behalf of Concerned Citizens of Lake County, Concerned Citizens of Geauga Count, and Concerned Citizens of Ashtabula County	Cleveland Electric Illuminating Co. (Perry Nuclear Power Plant, Units 1 and 2)	28 NRC 557	Granted in part	NRC Staff granted the portion of the petition that requested the Licensee to correct its brochure concerning its advice on evacuation. For all other issues, the Licensee either agreed to incorporate changes or indicated that the brochure contained the information in a different form.
DD-88-18 (11/16/1988)	Government Accountability Project	Houston Lighting & Power Co. (South Texas Project, Unit 1)	28 NRC 543	Denied / Action taken	NRC Staff initiated an OI investigation.

<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
DD-88-15 (09/16/1988)	Connie Kline, Theresa Burling, Russ Bimber, and Ron O'Connell on behalf of Concerned Citizens of Lake County, Concerned Citizens of Geauga Count, and Concerned Citizens of Ashtabula County	Cleveland Electric Illuminating Co. (Perry Nuclear Power Plant, Units 1 and 2)	28 NRC 401	Granted in part	NRC Staff determined that there was no basis for issuing an order requiring the Licensee to fix issues, but the Licensee was advised for its next and succeeding public information publications to clarify the sections on ionizing radiation and its possible health effects, and to consider providing preaddressed special-needs cards.
DD-88-8 (06/15/1988)	Myron L. Scott, Lyn McKay, and Barbara S. Bush, on behalf of the Coalition for Responsible Energy Education	Arizona Public Service Co. (Palo Verde Nuclear Generating Station, Units 1, 2, and 3)	27 NRC 639	Granted in part	NRC Staff granted the request that the Licensee post notices pursuant to 10 CFR § 50.7(e)
DD-88-6 (05/22/1988)	Stevi Stephens and Robert V. Eye	Kansas Gas & Electric Co. (Wolf Creek Generating Station, Unit 1)	27 NRC 591	Denied / Action taken	NRC Staff asked the Licensee to address the issue, and the Licensee responded that it will ensure that unauthorized individuals are warned or advised of protective actions.
DD-88-4 (03/18/1988)	Barbara Moller	Sacramento Municipal Utility District (Rancho Seco Nuclear Generating Station)	27 NRC 317	Denied / Action Taken	NRC Staff noted that an OI investigation was ongoing.
DD-88-3 (03/18/1988)	Government Accountability Project	Houston Lighting and Power Co. (South Texas Project, Unit 1)	27 NRC 308	Denied / Action taken	NRC Staff initiated an OI investigation.

<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
DD-87-21 (12/15/1987)	Thomas Carpenter, on behalf of Government Accountability Project	Potential Implications of Chernobyl Accident for All NRC-Licensed Facilities	26 NRC 520	Denied / Action taken	To the extent that the Petitioners requested that NRC Staff undertake a study and review, those requests had already been granted.
DD-87-19 (12/08/1987)	Government Accountability Project	Detroit Edison Co. (Enrico Fermi Atomic Power Plant, Unit 2)	26 NRC 507	Denied / Action taken	NRC Staff initiated an OI investigation.
DD-87-17 (10/16/1987)	Government Accountability Project	Texas Utilities Generating Co. (Comanche Peak Steam Electric Station, Units 1 & 2)	26 NRC 323	Granted in part	To the extent the petition sought special NRC inspections at the facility, NRC was conducting such inspections.
DD-87-9 (06/05/1987)	Thayer Cory and Judy Zwelling	Virginia Power Co. (Surry Nuclear Power Station, Units 1 and 2)	25 NRC 981	Denied / Action taken	NRC Staff noted that OI was reviewing allegations and performing an investigation.
DD-87-8 (04/30/1987)	Gisela Topolski	Chem-Nuclear Systems, Inc. (Midwest Facility)	25 NRC 410	Denied / Action taken	NRC Staff conducted an investigation and did not substantiate any of the allegations
DD-87-6 (04/02/1987)	Robert Epting, Steven P. Katz, and Joseph T. Hughes, Jr., on behalf of the Coalition for Alternatives to Shearon Harris, and Wells Eddleman	Carolina Power & Light Co. (Shearon Harris Nuclear Power Plant)	25 NRC 387	Denied / Action taken	NRC Staff initiated an OI investigation.

<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
DD-87-3 (03/06/1987)	Randy King, on behalf of the Three Mile Island Public Interest Resource Center	General Public Utilities Nuclear Corp. (Three Mile Island Nuclear Station, Units 1 and 2)	25 NRC 245	Denied / Action taken	The basis of the petition regarding Unit 1 was considered by the Commission in CLI-85-9 and found to be insufficient for preventing operation. NRC Staff took enforcement action against the Licensee for discrimination claims and imposed a civil penalty of \$64,000. NRC Staff inspected the Licensee's QA program and other aspects of petitioner's allegations regarding Unit 2 and found the QA program to be largely effective. NRC Staff issued a Notice of Violation for Severity Level III violation for unauthorized modification to polar crane, and issued a civil penalty of \$40,000.
DD-86-17 (11/19/1986)	State of Ohio, Toledo Coalition for Safe Energy	Toledo Edison Co. (Davis-Besse Nuclear Power Station, Unit 1)	24 NRC 753	Denied / Action taken	NRC Staff reviewed the overall state of emergency planning for the Davis-Besse facility including the specific concerns raised by the petitioners. The findings of the Federal Emergency Management Agency (FEMA) with regard to Davis-Besse were also considered. The Director concluded that, based upon the lengthy oversight and review of emergency planning efforts at Davis-Besse by both the NRC and FEMA, including consideration of the issues raised in the petitions, emergency preparedness planning for the facility is adequate.

<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
DD-86-13 (10/15/1986)	Thomas Carpenter of the Government Accountability Project, Arkansas Peace Center, National Water Center, Kathy Carter-White, on behalf of Citizens' Action for a Safe Environment	Sequoyah Fuels Corp. (Gore, Oklahoma Facility)	24 NRC 587	Denied / Action taken	NRC Staff initiated an OI investigation.
DD-86-10 (07/29/1986)	Jennifer Puntenney, on behalf of the Safe Energy Coalition of Michigan	Detroit Edison Co. (Enrico Fermi Atomic Power Plant, Unit 2)	24 NRC 174	Denied / Action taken	NRC Staff initiated an OI investigation.
DD-86-7 (06/16/1986)	Alabama Electric Cooperative, Inc.	Alabama Power Co. (Joseph M. Farley Nuclear Plant, Units 1 and 2)	23 NRC 875	Granted in part	NRC Staff accepted several allegations and initiated enforcement proceedings based on the petitioner's 14 allegations regarding antitrust-related license conditions.
DD-86-4 (03/18/1986)	Donald L. Schlemmer on behalf of the Western Reserve Alliance and Ms. Susan Hiatt, on behalf of Ohio Citizens for Responsible Energy	Cleveland Electric Illuminating Co. (Perry Nuclear Power Plant, Units 1 and 2)	23 NRC 211	Granted in part	NRC Staff denied the requested relief except for the petition's request for inspection of the facility for damage resulting from the earthquake, which NRC Staff was already undertaking.

<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
DD-86-3 (03/03/1986)	Oil, Chemical and Atomic Workers International Union	Nuclear Fuel Services, Inc. (Erwin, Tennessee Plant)	23 NRC 191	Granted in part	NRC Staff had already investigated the specific allegations raised in the petition and had taken appropriate enforcement action.
DD-85-9 (06/04/1985)	Robert Guild, on behalf of Palmetto Alliance, Government Accountability Project	Duke Power Co. (Catawba Nuclear Station, Units 1 and 2)	21 NRC 1759	Granted in part	NRC Staff agreed that escalated enforcement action should be taken regarding a violation of 10 CFR § 50.7; NRC Staff took no action on violations of Part 50, Appendix B because violations were Severity Level IV or V, and the Licensee had already taken corrective action.
DD-85-2 (01/23/1985)	Edward Gogol filed on behalf of Citizens Against Nuclear Power a Petition for Emergency Relief	Commonwealth Edison Co. (Zion Station, Unit 1)	21 NRC 270	Granted in part	NRC Staff granted the petition to the extent that it sought immediate action to remove any threat (the Licensee voluntarily shut down Unit 1 when NRC Staff notified them they were not in compliance with the regulations). Since the Licensee voluntarily agreed to address deficiencies, an order was not needed.
DD-85-1 (01/15/1985)	Three Mile Island Alert, Inc.	General Public Utilities Nuclear Corp. (Three Mile Island Nuclear Station, Units 1 & 2; Oyster Creek Nuclear Generating Station)	21 NRC 263	Denied / Action taken	NRC Staff noted that the matter was the subject of a prior OI investigation
DD-84-22 (09/25/1984)	Ellyn R. Weiss and Robert D. Pollard on behalf of the Union of Concerned Scientists	GPU Nuclear Corporation (Three Mile Island Nuclear Station, Unit 1)	20 NRC 1033	Denied / Action taken	NRC Staff initiated an OI investigation.

<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
DD-84-21 (08/31/1984)	Cynthia Stewart, on behalf of Jacksonians United for Livable Energy Policies	Mississippi Power & Light Co. (Grand Gulf Nuclear Station, Unit 1)	20 NRC 788	Denied / Action taken	NRC Staff initiated an OI investigation.
DD-84-20 (08/20/1984)	Thomas Devine of the Government Accountability Project (GAP) on behalf of the San Luis Obispo Mothers for Peace	Pacific Gas & Electric Co. (Diablo Canyon Nuclear Power Plant, Unit 1)	20 NRC 776	Denied / Action taken	NRC Staff noted that an OI investigation had been initiated.
DD-84-19 (08/20/1984)	Government Accountability Project (GAP) on behalf of Timothy J. O'Neill and James L. McDermott	Pacific Gas & Electric Co. (Diablo Canyon Nuclear Power Plant, Units 1 and 2)	20 NRC 773	Denied / Action taken	NRC Staff noted that an OI investigation had been initiated.
DD-84-17 (07/24/1984)	Billie Pirner Garde of the Government Accountability Project	Consumer Power Co. (Midland Plant, Units 1 and 2)	20 NRC 226	Denied / Action taken	NRC had already conducted an investigation that did not substantiate the allegations
DD-84-16 (07/06/1984)	Billie Pirner Garde of the Institute for Policy Studies" Government Accountability Project on behalf of the Palmetto Alliance	Duke Power Co. (Catawba Nuclear Station, Units 1 and 2)	20 NRC 161	Denied / Action taken	NRC Staff performed an inspection that did not substantiate the allegations.

<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
DD-84-3 (01/13/1984)	Thomas Devine of the Government Accountability Project, on behalf of the Miami Valley Power Project	Cincinnati Gas & Electric Co. (William H. Zimmer Nuclear Power Station)	19 NRC 480	Denied / Action taken	The matter was already under review in an OI investigation.
DD-84-2 (01/12/1984)	Supplemental review of DD-83-16	Consumers Power Co. (Midland Plant, Units 1 and 2)	19 NRC 478	Granted in part	In view of the history of violations, NRC Staff issued an Order that required submission of a plan for an independent appraisal of site and corporate management organization and functions.
DD-83-18 (11/18/1983)	Randy King, on behalf of the Three Mile Island Public Interest Resource Center and others	General Public Utilities Nuclear Corp. (Three Mile Island Nuclear Station, Units 1 & 2)	18 NRC 1296	Denied / Action taken	NRC Staff initiated an OI investigation.
DD-83-16 (10/06/1983)	Billie Pirner Garde of the Government Accountability Project, on behalf of the Lone Tree Council and others	Consumers Power Co. (Midland Plant, Units 1 and 2)	18 NRC 1123	Granted in part	NRC Staff initiated a task force study regarding the soil settlement issues to address the concern.
DD-83-15 (09/30/1983)	David Santee Miller, on behalf of Eleanor S. Miller, Stanley R. Tupper, Judy Flanagan and Sensible Maine Power	Maine Yankee Atomic Power Co. (Maine Yankee Atomic Power Station)	18 NRC 738	Granted in part	NRC Staff took action to ensure correction of the deficiencies identified by FEMA. The Staff sent a letter to the Licensee, indicating that if deficiencies were not addressed within 4 months, then NRC would determine whether to shut down the reactor until the issues were resolved.
DD-83-8 (06/08/1983)	Catherine Quigg, Pollution and Environmental Problems, Inc	Commonwealth Edison Co. (Dresden Nuclear Power Station; Zion Nuclear Plant)	17 NRC 1183	Denied / Action taken	NRC Staff performed an investigation that did not substantiate petitioner's claim.



<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
DD-83-2 (02/10/1983)	Miami Valley Power Project	Cincinnati Gas & Electric Co. (William H. Zimmer Nuclear Power Station)	17 NRC 232	Granted in part	Petitioner requested suspension of construction, a management audit, and removing the Quality Assurance Program from the Licensee's control. While the NRC Staff was considering the request, the Commission issued an Order immediately suspending the license and conditioned restart on a management audit.
DD-83-1 (02/09/1983)	Illinois Attorney General, the Illinois Friends of the Earth, and Citizens Against Nuclear Power	Commonwealth Edison Co. (LaSalle County Generating Station, Units 1 & 2)	17 NRC 319	Denied / Action taken	NRC Staff initiated an OI investigation.
DD-82-9 (07/19/1982)	State of Illinois and Friends of the Earth	Commonwealth Edison Co. (LaSalle County Generating Station, Units 1 & 2)	16 NRC 396	Denied / Action taken	NRC Staff initiated an OI investigation.
DD-82-3 (05/22/1982)	Ruth N., Caplan (Sierra Club)	Rochester Gas & Electric Corp. (R.E. Ginna Nuclear Power Plant)	15 NRC 1348	Granted in part	NRC Staff granted a portion of petition that requested the Staff to take into consideration specific areas detailed in the petition including: cause of tube break, adequacy of tube testing program, tech specs defining the extent of allowable tube degradation, increased risk of steam generator tube breaks, safety implications of further repairs, safety implications of current operator actions in similar scenarios, and adequacy of emergency operator procedures.

<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
DD-81-20 (6/26/1980)	Kay Drey, Marilyn Shineflug on behalf of Illinois Safe Energy Alliance (requested public hearings on issue of EIS preparation)	Commonwealth Edison Company (Dresden Nuclear Power Station Unit No. 1)	11 NRC 951	Granted in part	NRC Staff review indicated that the decontamination action would not significantly affect the quality of the human environment; however, the Director concluded that an Environmental Impact Statement (EIS) should be prepared because of significant interest and concern expressed by members of the public relating to decontamination of Dresden Unit No. 1. NRC Staff issued a Draft EIS.
DD-80-21 (6/13/1980)	Anti-Nuclear Group Representing York (ANGRY)	Metropolitan Edison Company (Three Mile Island Nuclear Station, Unit 2),	11 NRC 916	Granted in part	NRC Staff issued a final report entitled 'Final Environmental Assessment for Decontamination of the Three Mile Island Unit 2 Reactor Building Atmosphere' (NUREG-0662, Vol. 1, May 1980). At a June 10, 1980, meeting, the Commission approved the purging operation and determined that preparation of an EIS was not necessary. ANGRY's request that the Commission give 12 hours notice of its intent to authorize release of radioactive materials in the event that it authorized purging of the containment atmosphere was granted.

<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
DD-80-16 (4/16/1980)	Dr. Chauncey Kepford requested on behalf of the Environmental Coalition on Nuclear Power (ECNP); Dr. Kepford filed supplemental petition.	Metropolitan Edison Company (Three Mile Island Nuclear Station, Unit 2)	11 NRC 588	Granted in part	NRC Staff noted that the Commission had already offered opportunity for hearing regarding the petition's concerns. Also, NRC Staff noted that radiation monitoring was performed, public announcements for releases were planned, and Unit 2's license had already been suspended by order.
DD-80-9 (2/29/1980)	Anne K. Morse	Dairyland Power Cooperative (LaCrosse Boiling Water Reactor)	11 NRC 392	Granted in part	NRC Staff had already taken actions on containment venting for all reactors, and based on its review, NRC Staff concluded there was no need to suspend LaCrosse Boiling Water Reactor. NRC Staff supported a concern about the liquefaction issue and issued an Order to Show Cause regarding this matter.

<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
DD-80-05 (2/11/1980)	Union of Concerned Scientists	Consolidated Edison Co. of New York (Indian Point, Units 1 and 2); Power Authority of the State of New York (Indian Point, Unit No. 3)	11 NRC 351	Granted in part	NRC Staff agreed that certain measures should be taken to assure continued safe operation of Units 2 and 3 and that the provisional operating license for Unit 1 should be revoked.
DD-79-21 (11/27/1979)	John A. Eyed, President, Sassafras Audubon Society (SAS)	Public Service Company of Indiana (Marble Hill Nuclear Generating Station Units 1 and 2)	10 NRC 717	Granted in part	An Aug. 15, 1979 Order had the effect of granting petitioner's request as it related to alleged construction deficiencies at Marble Hill.
DD-79-16 (10/9/1979)	Frank Romano of Ambler, Pennsylvania	Philadelphia Electric Company (Limerick Nuclear Generating Station, Units 1 and 2)	10 NRC 609	Granted in part	NRC Staff determined that an investigation should be conducted of the effects of blasting at the quarry and sent a geotechnical engineer with the help of NRC's Office of Inspection and Enforcement and technical experts from the U.S. Geological Survey. Other concerns were already subjects of previous reviews, or were in an ongoing review, or will be in future reviews.
N/A (11/30/1978)	Mid-America Coalition for Energy Alternatives	Kansas Gas & Electric Company (Wolf Creek Generating Station)	ML12167A259	Granted in part	NRC Staff granted petitioner's request seeking a copy of a nonconformance report prepared by the Licensee to identify a potential construction deficiency in the concrete of the reactor base mat.

<b><u>DD#</u></b>	<b><u>Petitioner</u></b>	<b><u>Case</u></b>	<b><u>Citation</u></b>	<b><u>Result</u></b>	<b><u>Summary of Relief</u></b>
N/A (5/8/1978)	Dr. Robert G. Asperger	Detroit Edison Company (Enrico Fermi Atomic Power Plant Unit 2)	ML12167A216	Denied / Action taken	NRC Staff noted that the petition raised a question concerning certain interests acquired in the Fermi facility under Section 101 of the Atomic Energy Act and 10 CFR § 50.10 without Commission approval. NRC Staff issued a Notice of Violation based on this information.
N/A (8/19/1976)	Public Interest Research Group and New York Public Interest Research Group	Consolidated Edison Co. of New York (Indian Point Units 1, 2, and 3)	ML12167A233	Granted in part	NRC Staff granted the petition to the extent that the action requests the Licensees to demonstrate compliance with Section IV(I) of Appendix E to 10 CFR. Part 50. NRC Staff forwarded the portion of the petition regarding emergency drills to the Licensee and requested information to demonstrate full compliance with Appendix E.
N/A (6/16/1976)	Thomas Collins	Pacific Gas & Electric Company (Humboldt Bay Power Plant, Unit 3)	ML12167A268	Granted in part	NRC Staff issued an Order for Modification of License, which required additional geologic/seismic investigations to address specific concerns at the Humboldt Bay site.
N/A (4/10/1975)	David Stewart, et al.	Carolina Power and Light Company (Brunswick Steam Electric Plant)	ML12167A284	Granted in part	NRC Staff issued an Order to Show Cause specifying certain activities which were to be undertaken to confirm or deny the alleged dilatancy. The Order required seismometers to monitor dilatancy and a reevaluation of seismic data gathered as a result.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matters of

All Operating Boiling Water Reactor Licensees  
with Mark I and Mark II Containments: Order  
Modifying Licenses with Regard to Reliable  
Hardened Containment Vents (Effective  
Immediately)

Docket No. EA-12-051  
ASLBP No. 12-918-01-EA-BD01

All Power Reactor Licensees and Holders of  
Construction Permits in Active or Deferred  
Status: Order Modifying Licenses with Regard  
to Reliable Spent Fuel Pool Instrumentation  
(Effective Immediately)

Docket No. EA-12-050  
ASLBP No. 12-918-01-EA-BD01

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing "NRC STAFF RESPONSE TO THE BOARD ORDER REGARDING PETITIONS UNDER 10 C.F.R. § 2.206" has been served in the above-captioned proceeding upon the following persons by Electronic Information Exchange (EIE) on this 15th day of June, 2012.

Administrative Judge  
Alan S. Rosenthal, Chair  
Atomic Safety and Licensing Board Panel  
Mail Stop: T-3F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
E-mail: [alan.rosenthal@nrc.gov](mailto:alan.rosenthal@nrc.gov)

Administrative Judge  
Dr. Anthony J. Baratta  
Atomic Safety and Licensing Board Panel  
Mail Stop: T-3F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
E-mail: [anthony.baratta@nrc.gov](mailto:anthony.baratta@nrc.gov)

Administrative Judge  
E. Roy Hawken  
Atomic Safety and Licensing Board Panel  
Mail Stop: T-3F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
E-mail: [roy.hawken@nrc.gov](mailto:roy.hawken@nrc.gov)

U.S. Nuclear Regulatory Commission  
Office of Commission Appellate Adjudication  
Mail Stop: O-16C1  
Washington, DC 20555-0001  
E-mail: [OCAAMail.Resource@nrc.gov](mailto:OCAAMail.Resource@nrc.gov)

U.S. Nuclear Regulatory Commission  
Office of Secretary of the Commission  
Mail Stop: O-16C1  
Washington, DC 20555-0001  
E-mail: [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov)

Pilgrim Watch  
148 Washington Street  
Duxbury, MA 02332  
Mary E. Lampert, Director  
E-mail: [mary.lampert@comcast.net](mailto:mary.lampert@comcast.net)

Pillsbury Winthrop Shaw Pittman  
2300 N Street, NW  
Washington, DC 20037  
David Lewis, Esq.  
Counsel for Dominion  
E-mail: [David.lewis@pillsburylaw.com](mailto:David.lewis@pillsburylaw.com)  
Jay Silberg, Esq.  
E-mail: [jay.silberg@pillsburylaw.com](mailto:jay.silberg@pillsburylaw.com)  
Stephen L. Markus, Esq.  
E-mail: [Stephen.markus@pillsburylaw.com](mailto:Stephen.markus@pillsburylaw.com)

Morgan, Lewis & Bockius, LLP  
1111 Pennsylvania, Ave. N.W.  
Washington, D.C. 20004  
Paul M. Bessette, Esq.  
E-mail: [pbessette@morganlewis.com](mailto:pbessette@morganlewis.com)  
Stephen J. Burdick, Esq.  
E-mail: [sburdick@morganlewis.com](mailto:sburdick@morganlewis.com)

Hogan Lovells, US LLP  
Columbia Square  
555 Thirteenth Street, NW  
Washington, D.C. 20004  
Mary Anne Sullivan, Esq.  
E-mail: [maryanne.sullivan@hoganlovells.com](mailto:maryanne.sullivan@hoganlovells.com)  
Daniel F. Stenger, Esq.  
E-mail: [daniel.stenger@hoganlovells.com](mailto:daniel.stenger@hoganlovells.com)  
Jennifer Mansh, Esq.  
E-mail: [Jennifer.mansh@hoganlovells.com](mailto:Jennifer.mansh@hoganlovells.com)  
Amy C. Roma, Esq.  
E-mail: [amy.roma@hoganlovells.com](mailto:amy.roma@hoganlovells.com)  
Ruth M. Porter, Esq.  
E-mail: [ruth.porter@hoganlovells.com](mailto:ruth.porter@hoganlovells.com)

Balch & Bingham LLP  
1710 Sixth Avenue North  
Birmingham, AL 35203-2015  
M. Stanford Blanton, Esq.  
E-mail: [SBlanton@balch.com](mailto:SBlanton@balch.com)  
Derek J. Brice, Esq.  
E-mail: [dbrice@balch.com](mailto:dbrice@balch.com)  
April Leemon, Paralegal  
E-mail: [aleemon@balch.com](mailto:aleemon@balch.com)

Hunton & Williams LLP  
Riverfront Plaza, East Tower  
951 East Byrd Street  
Richmond, VA 23219  
Donald P. Irwin, Esq.  
Counsel for Detroit Edison  
E-mail: [dirwin@hunton.com](mailto:dirwin@hunton.com)  
Stephanie Meharg, Esq.  
E-mail: [smeharg@hunton.com](mailto:smeharg@hunton.com)

Detroit Edison Company  
One Energy Plaza  
Detroit, MI 48226-1279  
Jon P. Christinidis, Esq.  
Office of the General Counsel  
E-mail: [christinidisj@dteenergy.com](mailto:christinidisj@dteenergy.com)

Winston & Strawn LLP  
101 California Street  
San Francisco, CA 94111  
Tyson Smith, Esq.  
E-mail: [trsmith@winston.com](mailto:trsmith@winston.com)

Winston & Strawn LLP  
1700 K Street  
Washington, DC 20006  
David A. Repka, Esq.  
Counsel for Pacific Gas & Electric Co.  
E-mail: [drepka@winston.com](mailto:drepka@winston.com)  
Carlos L. Sisco, Paralegal  
E-mail: [csisco@winston.com](mailto:csisco@winston.com)

Winston & Strawn LLP  
1700 K Street, NW  
Washington, DC 20006  
William A. Horin, Esq.  
Counsel for Energy Northwest  
E-mail: [whorin@winston.com](mailto:whorin@winston.com)  
Rachael Miras-Wilson, Esq.  
E-mail: [rwilson@winston.com](mailto:rwilson@winston.com)

Dominion Resources Services, Inc.  
120 Tredegar Street, RS-2  
Richmond, VA 23219  
Lillian M. Cuoco, Esq.  
Senior Counsel  
E-mail: [Lillian.cuoco@dom.com](mailto:Lillian.cuoco@dom.com)

Florida Power & Light Company  
801 Pennsylvania Avenue, NW  
Suite 220  
Washington, DC 20004  
Mitchell Ross, Esq.  
E-mail: [mitch.ross@fpl.com](mailto:mitch.ross@fpl.com)  
Steven Hamrick, Esq.  
[steven.hamrick@fpl.com](mailto:steven.hamrick@fpl.com)

/Signed (electronically) by/  
Christopher C. Hair  
Counsel for NRC Staff

Dated at Rockville, MD  
This 15th day of June, 2012