

## NRR-PMDAPEm Resource

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**From:** Saba, Farideh  
**Sent:** Thursday, July 19, 2012 12:33 PM  
**To:** Thorpe, April  
**Subject:** FW: Brunswick spent fuel pool petition

Hi April,

Have I asked before to add the following email to ADAMS. I think I did, but let me know. If not, I will send you another email with the following email attached.

Thanks,

Farideh

Farideh E. Saba, P.E.  
Senior Project Manager  
NRC/ADRO/NRR/DORL  
301-415-1447  
Mail Stop O-8G9A  
[Farideh.Saba@NRC.GOV](mailto:Farideh.Saba@NRC.GOV)

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**From:** Dave Lochbaum [mailto:DLochbaum@ucsusa.org]  
**Sent:** Monday, July 16, 2012 12:54 PM  
**To:** Saba, Farideh  
**Cc:** Mensah, Tanya; Brown, Eva; Billoch, Araceli; Banic, Merrilee  
**Subject:** RE: Brunswick spent fuel pool petition

Dear Mr. Saba:

Thank you for your response and its background on the 2.206 vs. allegations processes.

Yes, I concur with the NRC's proposal to treat our petition under its 2.206 process.

Yes, I would like to address the PRB, both to answer any clarifying questions from the NRC staff regarding the petition and also to emphasize our concern about the status quo at Brunswick - in other words, the reasons we believe the actions sought in the petition are needed to ensure adequate protection.

Because I work in Chattanooga, TN, it is most likely that my interaction with the PRB would be via telephone. However, I am currently scheduled to be in Washington DC on August 7th for a presentation to the NRC Commissioners. If the PRB meeting could be arranged on the afternoon of August 7th or early morning of August 8th, I could participate in person. I'm equally comfortable with either arrangement - phone or in-person.

Thanks,  
David Lochbaum  
Director, Nuclear Safety Project  
Union of Concerned Scientists  
PO Box 15316  
Chattanooga, TN 37415  
(423) 468-9272 office

(423) 488-8318 cell  
[dlochbaum@ucsusa.org](mailto:dlochbaum@ucsusa.org)

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**From:** Saba, Farideh [Farideh.Saba@nrc.gov]  
**Sent:** Thursday, July 12, 2012 4:34 PM  
**To:** Dave Lochbaum  
**Cc:** Mensah, Tanya; Brown, Eva; Billoch, Araceli; Banic, Merrilee  
**Subject:** RE: Brunswick spent fuel pool petition

Dear Mr. Lochbaum,

I have been assigned as the Petition Manager for the 10 CFR 2.206 petition you submitted to the Nuclear Regulatory Commission (NRC) on July 10, 2012, regarding your concerns on safety of the irradiated spent fuel assemblies stored in the Brunswick Steam Electric Power Units 1 and 2 (Brunswick) spent fuel pools.

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. Therefore, because you specifically requested in your letter that the NRC takes enforcement action in the form of an order either modifying the Brunswick operating licenses or requiring the licensee to submit amendment requests for these licenses to address the technical specifications changes detailed in the Specific Actions Requested section of your petition, it was referred to the 2.206 process. 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.

In addition, in accordance with NRC Management Directive 8.11 (which I have attached for your reference), you have the opportunity to address the NRC Petition Review Board (PRB) to further discuss your petition, either in person at the NRC Headquarters in Rockville, MD, or by telephone conference.

I would appreciate if you could advise me by July 16, 2012, if you agree to the NRC's processing your request under the 2.206 process. In addition, please advise me if you would like to address the PRB. 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 PRB via phone, I will also work with you to coordinate a date/time during the upcoming weeks.

Thank you,

Farideh E. Saba, P.E.  
Senior Project Manager  
NRC/ADRO/NRR/DORL  
301-415-1447  
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**From:** Dave Lochbaum [mailto:DLochbaum@ucsusa.org]  
**Sent:** Tuesday, July 10, 2012 12:11 PM  
**To:** Borchardt, Bill  
**Cc:** Jim Warren; maryo@nirs.org; McCree, Victor; Ledford, Joey; Hannah, Roger; Leeds, Eric; Saba, Farideh; Musser,

Randy; Phil.OBryan@nrc.gov; Alexander, Donna

**Subject:** Brunswick spent fuel pool petition

Dear Mr. Borchardt:

Attached is an electronic copy of a petition per 10 CFR 2.206 seeking revisions to the technical specifications for Brunswick Units 1 and 2 to better manage the risk of irradiated fuel stored in the spent fuel pools. I do not intend to also mail in a hard copy, but would be glad to do so upon request.

The existing technical specifications essentially only require preventative or mitigative measures when recently discharged irradiated fuel is being moved in a spent fuel pool. Otherwise, virtually all these measures are not required, even as basic as requiring the spent fuel pool to contain water.

The root cause of this situation likely dates back to the fuel handling accident being the only scenario within the design and licensing bases leading to fuel damage outside primary containment. As the orders issued by the NRC earlier this year to all licensees, including Brunswick's, other credible scenarios affecting the safety of irradiated fuel in spent fuel pools include loss of water inventory from the pools or loss of cooling of that water. Yet the technical specifications fail to recognize these other scenarios.

Our petition seeks to remedy those shortcomings.

The actions requested in the petition are neither onerous nor far-fetched. For example, the technical specifications for the Pilgrim nuclear plant - a BWR/4 with a Mark I containment like Brunswick - require water level to be maintained in the spent fuel pool whenever it contains irradiated fuel, not just when irradiated fuel is being moved. Pilgrim has technical specification requirements like those we seek in this petition and yet is able to conduct operations seemingly unfettered from undue burden.

Sincerely,

David Lochbaum

Director, Nuclear Safety Project

Union of Concerned Scientists

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**Received Date:** 7/19/2012 12:33:16 PM  
**From:** Saba, Farideh

**Created By:** Farideh.Saba@nrc.gov

**Recipients:**  
"Thorpe, April" <April.Thorpe@nrc.gov>  
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**Post Office:** HQCLSTR02.nrc.gov

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MESSAGE	7040	7/19/2012 12:33:16 PM

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**Return Notification:** No  
**Reply Requested:** No  
**Sensitivity:** Normal  
**Expiration Date:**  
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