



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

June 17, 2015

Mr. Thomas Saporito, Consulting Associate
Saprodani Associates
401 Old Dixie Hwy #3525
Tequesta, FL 33469

Dear Mr. Saporito:

This letter responds to the petition you filed in 2011 to then Executive Director for Operations of the U.S. Nuclear Regulatory Commission R.W. Borchardt. You filed your petition under Section 2.206, "Requests for Action Under this Subpart," of Title 10 of the *Code of Federal Regulations* (10 CFR 2.206) on March 12, 2011, and supplemented it with additional information on April 14, 2011, April 16, 2011, and May 25, 2011. In your petition you requested that NRC "ORDER [sic] the immediate shut-down of all nuclear power reactors in the U.S. which are known to be located on or near an earthquake fault-line." You cited the Fukushima Dai-ichi accident in Japan as the rationale for and basis of the petition.

You met with the petition review board on April 14, 2011, and May 25, 2011, to clarify the bases for your petition. The NRC treated transcripts of these meetings as supplements to the petition. By letter dated June 28, 2011, the NRC staff informed you that your petition was going to be processed under the regulations of 10 CFR 2.206, and that the NRC was assigning this petition to the Office of Nuclear Reactor Regulation. You were also informed that the petition review board had denied your request for immediate action.

The NRC staff sent a copy of the proposed director's decision to you and to all power reactor licensees for comment on April 8, 2015. Two licensees responded on April 14, 2015. The comments and the staff's response to them are included in the enclosed director's decision.

The NRC will file a copy of the director's decision (DD-15-06) with the Secretary of the Commission for the Commission to review in accordance with 10 CFR 2.206(c). As provided for by this regulation, the decision will constitute the final action of the Commission 25 days after the date of the decision unless the Commission, on its own motion, institutes a review of the decision within that time.

The NRC staff has placed the documents cited in the enclosed decision in the Agencywide Documents Access and Management System. You may also access the documents by visiting the NRC Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, MD, or by going online to the NRC Library at <http://www.nrc.gov/reading-rm.html>.

I have also enclosed a copy of the notice of "Issuance of Director's Decision Under 10 CFR 2.206" that has been filed with the Office of the Federal Register for publication.

T. Saporito

- 2 -

I appreciate your efforts to bring this matter to the attention of the NRC. Please feel free to contact the Petition Manager, Mahesh Chawla, at 301-415-8371 or Mahesh.Chawla@nrc.gov to discuss any questions related to this petition.

Sincerely,

A handwritten signature in black ink, appearing to read 'W M Dean', with a long horizontal flourish extending to the right.

William M. Dean, Director
Office of Nuclear Reactor Regulation

Docket Nos. See Enclosure 3

Enclosures:

1. Director's Decision 15-06
2. *Federal Register* Notice
3. List of Power Reactor Licensees and Holders
of Construction Permits in Active or Deferred Status

cc: Listserv

ENCLOSURE 1

DIRECTOR'S DECISION 15-06

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
OFFICE OF NUCLEAR REACTOR REGULATION

William M. Dean, Director

In the Matter of)	Docket Nos.: See Enclosure 3
)	
All Operating Reactor Licensees)	License Nos.: See Enclosure 3
)	

DIRECTOR'S DECISION UNDER 10 CFR 2.206, "REQUESTS FOR ACTION UNDER THIS SUBPART"

I. Introduction

By letter dated March 12, 2011, Thomas Saporito, representing Saprodani Associates, filed a petition under Title 10 of the *Code of Federal Regulations* (10 CFR) 2.206, "Requests for Action Under This Subpart" (Agencywide Documents Access and Management System (ADAMS) Accession No. ML110740026). The petitioner requested that the U.S. Nuclear Regulatory Commission (NRC or the Commission) take escalated enforcement action against the above-captioned licensees and suspend or revoke the NRC licenses granted to the licensees for operation of nuclear power reactors. In particular, the petitioner requested that the "NRC ORDER [sic] the immediate shut-down of all nuclear power reactors in the USA which are known to be located on or near an earthquake fault-line." The petitioner cited the Fukushima Dai-ichi accident in Japan as the rationale for and basis of the petition.

On March 21, 2011, the NRC acknowledged receipt of the petition (ADAMS Accession No. ML110840274). On April 4, 2011, the NRC's Petition Review Board (PRB) met internally to discuss petitioner's request for immediate action. The PRB determined that the request for

immediate action is a general assertion without supporting facts. Thus, the PRB did not identify a significant safety concern from the information provided which would warrant the NRC to order an immediate shutdown of nuclear power reactors located on or close to earthquake fault lines. On April 4, 2011, the NRC staff informed the petitioner of the PRB's decision to deny his request for an immediate action (ADAMS Accession No. ML110940603).

On April 14, 2011, the petitioner addressed the PRB during a teleconference. A copy of the teleconference transcript is available at ADAMS Accession No. ML11109A014. During the teleconference, the petitioner stated that the petition contains the following four specific requests:

1. Order the immediate shutdown of all nuclear power reactors located on or near an earthquake fault line in the United States.
2. Order the immediate shutdown of all power reactors employing GE Mark I containment design in the United States, characterizing such design as flawed from the nuclear safety standpoint.
3. Advise other countries employing the GE Mark I nuclear power reactors about the serious nuclear safety design flaws associated with that design, which is likely to result in a serious nuclear accident comparable to the Japanese nuclear disaster.
4. Immediately revoke all 20-year license extensions issued to NRC licensees, because the NRC "has improperly and illegally granted 20-year license extensions to the 40-year license that was initially granted by the agency for the 104 nuclear reactors throughout the United States."

During the teleconference, the petitioner supplemented the second request by specifically naming NRC-licensed plants that employ the GE Mark I containment design and characterizing them as "flawed nuclear reactors" which pose an "unwarranted risk to the national security and common defense of the United States of America." He stated that "for these reasons

standing alone, petitioners urge the NRC to order the immediate shutdown of all GE Mark I nuclear power reactors in the United States.” Subsequently, on April 14 and 16, 2011, the petitioner provided additional documents in support of his claim (ADAMS Accession Nos. ML11110A026, ML11110A027, ML11110A028, and ML11119A024, respectively).

The PRB met internally on April 28, 2011, to discuss the petition, as supplemented. In accordance with the criteria for review and rejection described in Management Directive (MD) 8.11, “Review Process for 10 CFR 2.206 Petitions,” the PRB made its initial recommendation to accept the petition in part, insofar as the petitioner requested additional regulatory action in response to the events at Fukushima. The supplemental information provided by the petitioner was not sufficient to warrant further inquiry regarding the petitioner’s assertions that the original licensing bases of U.S. nuclear reactors were faulty and that immediate shutdown was warranted.

On May 12, 2011, the petition manager informed the petitioner of the PRB’s initial recommendation to accept this petition in part (ADAMS Accession No. ML111320018). At that time, the petitioner requested another opportunity to address the PRB to provide comments on its initial recommendation and additional information in support of the petition.

On May 25, 2011, the petitioner addressed the PRB by teleconference to present supplemental information on the petition. Also, on May 25, 2011, he e-mailed additional information to the NRC (ADAMS Accession No. ML111450897), which the PRB considered. A copy of the transcript for the May 25, 2011, teleconference is available under ADAMS Accession No. ML11146A010.

The PRB considered the additional information provided during the teleconference on May 25, 2011, by the petitioner and determined that it did not contain any new or relevant information that would change the PRB’s initial recommendation. Consistent with its initial recommendation, the PRB declared its final recommendation to partially accept the petition for

review, as modified and supplemented. The NRC partially accepted petition Requests 1 and 2 to the extent that the petitioner sought regulatory action in light of the events at Fukushima. However, the NRC also partially rejected petition Requests 1 and 2 on the basis that the petitioner did not provide sufficient facts to justify shutting down all nuclear power reactors located on or near fault lines, or those with the GE Mark I containment design. The NRC rejected petition Request 3 on the basis that the petitioner requested an action that the NRC was already implementing. Finally, the NRC rejected petition Request 4 on the basis that the petitioner's claim was general and insufficient to warrant further inquiry. In addition, the NRC staff had already reviewed and evaluated the issue. The NRC staff communicated these decisions to the petitioner through a letter dated June 28, 2011 (ADAMS Accession No. ML11137A213).

The NRC treated transcripts of the teleconferences as supplements to the petition. These transcripts are available for inspection at the NRC's Public Document Room (PDR), located at O1F21, 11555 Rockville Pike (first floor), Rockville, MD 20852. Publicly available documents created or received at the NRC are accessible electronically through ADAMS in the NRC Library at <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC's PDR reference staff by telephone at 1-800-397-4209, or 301-415-4737, or by e-mail to pdr.resource@nrc.gov.

The NRC sent a copy of the proposed director's decision to the petitioner and to the affected licensees for comment on April 8, 2015 (ADAMS Accession Nos. ML13018A239 and ML13018A244, respectively). Two licensees responded on April 14, 2015 (ADAMS Accession No. ML15111A257). The comments and the NRC staff's response to them are included as Attachment 1 to the director's decision.

II. Discussion

The NRC's review of this petition took longer than the standard of 120 days for reaching a decision on the petition because the petition was related to Fukushima. At the time of the petition submittal, the NRC was conducting a Fukushima lessons-learned review, and it coordinated its decision on this petition with the Fukushima review. This section includes both the petitioner's requests for orders to be issued and the NRC's actions and decisions.

Additional information regarding the implementation of Japan Lessons-Learned Activities, including plant-specific implementation status, is available on the NRC's Japan Lessons-Learned public Web site at <http://www.nrc.gov/reactors/operating/ops-experience/japan-dashboard.html>.

Request 1: Order the immediate shutdown of all nuclear power reactors located on or near an earthquake fault line in the United States.

NRC decision: The NRC has determined that U.S. plants located at or near earthquake fault lines continue to operate safely and do not pose an immediate safety concern to the members of the public. Nuclear power plants in the U.S. have been designed, built, and operated to safely withstand earthquakes likely to occur in their region.

As part of the NRC post-Fukushima lessons-learned activities, the NRC established the Near-Term Task Force (NTTF). The NRC tasked the NTTF with conducting a systematic and methodical review of NRC processes and regulations and determining if the agency should make additional improvements to its regulatory system. Ultimately, the task force developed a comprehensive set of recommendations and presented these to the Commission in SECY-11-0093, "The Near-Term Task Force Review of Insights from the Fukushima Dai-ichi Accident," dated July 12, 2011 (ADAMS Accession No. ML111861807). In the report, the NTTF determined that the current regulatory approach, and the resultant plant capabilities, gave the

NTTF and the NRC the confidence to conclude that a sequence of events similar to the Fukushima accident is unlikely to occur in the U.S.

On March 12, 2012, the NRC issued a request for information under 10 CFR 50.54(f) regarding recommendations 2.1, 2.3, and 9.3 of the NTTF report (ADAMS Accession No. ML12056A046). The purpose of the 10 CFR 50.54(f) letter was to gather information with respect to the NTTF recommendations for seismic hazards. The letter instructed all licensees to reevaluate seismic hazards at their sites using updated seismic hazard information, present-day guidance and methodologies, and a risk evaluation. The NRC staff is currently reviewing the licensees' submitted seismic hazard reports. In cases where a licensee's reevaluated hazard exceeds the design basis, the NRC will require more detailed site-specific evaluations, such as a seismic probabilistic risk assessment. NRC will review each step in the analysis process and take action to require plant changes as necessary.

In addition to the 10 CFR 50.54(f) letter, the Commission issued Order EA-12-049, "Issuance of Order to modify licenses with requirements for mitigation strategies for beyond-design-basis external events" on March 12, 2012 (ADAMS Accession No. ML12054A735). Order EA-12-049 requires mitigation strategies to protect against external events, including postulated seismic events. Licensees must comply with the order no later than December 31, 2016. To date, all licensees have submitted overall integrated plans (OIPs) to describe how they will comply with Order EA-12-049, and NRC staff has evaluated the OIPs. In addition, the NRC staff has performed onsite audits to ensure that full implementation will occur within the required time period. Licensees for nine nuclear power plant sites have requested, and have been granted, schedule relaxation to align the schedule requirements of Order EA-12-049 with those of Order EA-13-109, "Order Modifying Licenses with Regard to Reliable Hardened Containment Vents Capable of Operation under Severe Accident Conditions" (ADAMS

Accession No. ML13130A067). These schedule relaxations extend the due date past December 31, 2016.

The NRC has concluded that the continued operation of nuclear plants on or near earthquake fault lines does not pose an imminent risk to public health and safety. The NRC is addressing the petitioner's seismic hazard concerns through orders and requests for information resulting from NTTF recommendations, as described above. The NRC will take no further action on this request.

Request 2: Order the immediate shutdown of all power reactors employing GE Mark I containment design in the United States.

NRC decision: The NRC has determined that GE boiling-water reactors (BWRs) with Mark I containments continue to operate safely and do not pose an immediate safety concern to the members of the public.

The NRC previously addressed the concern with GE Mark I containment design in NUREG-0661, "Safety Evaluation Report Mark I Containment Long-Term Program – Resolution of Generic Technical Activity A-7," dated July 1980 (ADAMS Accession No. ML072710452). In the report, NRC staff concluded that "the proposed structural acceptance criteria are consistent with the requirements of the applicable codes and standards and, in conjunction with the structural analysis techniques, will provide an adequate basis for establishing the margins of safety in the containment design." All GE Mark I BWRs were evaluated for suppression pool hydrodynamic loads, and appropriate modifications were made to maintain the containment structural integrity.

The NRC issued Order EA-12-050, "Order to Modify Licenses with Regard to Reliable Hardened Containment Vents," on March 12, 2012 (ADAMS Accession No. ML12054A694). This order was superseded by a modified Order EA-13-109, "Order Modifying Licenses with Regard to Reliable Hardened Containment Vents Capable for Operation Under Severe Accident

Conditions,” on June 6, 2013 (ADAMS Accession No. ML13143A334). The Order requires all BWR licensees with Mark I and Mark II containments to design and install a venting system that provides venting capability during severe accident conditions. This order further enhances the reliability of the containment vent system, thereby protecting the containment during severe accidents. To date, all affected licensees have submitted OIPs for upgrading containment venting capabilities from the pressure suppression wetwell to assist in preventing core damage; NRC staff is currently reviewing these OIPs. Licensees must comply with Order EA-13-109 no later than June 30, 2019. OIPs for reliable ventilation from the drywell, or reliable venting strategies that eliminate the need for drywell venting, will be submitted by licensees by the end of 2015. The exception is Oyster Creek Nuclear Generating Station, which has submitted an extension request associated with the end of its operating life in 2019, along with plans to improve existing venting capabilities. The NRC staff is currently reviewing this extension request, and has not yet made a decision to approve or deny the request.

The NRC has concluded that the continued operation of power reactors employing GE Mark I containment design does not pose an imminent risk to public health and safety. The NRC is addressing the petitioner's containment concerns through orders resulting from NTTF recommendations, as described above. The NRC will take no further action on this request.

Request 3: Advise other countries employing the GE Mark I nuclear power reactors about the serious nuclear safety design flaws associated with that design, which is likely to result in a serious nuclear accident comparable to the Japanese nuclear disaster.

NRC decision: This is a general request for the NRC to ensure that policies exist to support the sharing of information related to the events involving Fukushima. The NRC's current policies and practices support its openness goals with external, including international, stakeholders. Specifically, since the earthquake and tsunami in Japan, the NRC has participated in meetings at the International Atomic Energy Agency, at the Nuclear Energy

Agency, with the G8 Nuclear Safety and Security Group, and with numerous other bilateral and multilateral groups to share information on this event with NRC's international counterparts. Because the petitioner requested an action that the NRC is already implementing, the PRB determined that this request did not meet the criteria for review on the following basis: the request does not set forth sufficient facts to warrant further actions beyond the actions that the NRC has already undertaken.

Request 4: Immediately revoke all 20-year license extensions issued to NRC licensees, because the NRC “has improperly and illegally granted 20-year license extensions to the 40-year license that was initially granted by the agency for the 104 nuclear reactors throughout the United States.”

NRC decision: In accordance with MD 8.11, the PRB will review a petition under 10 CFR 2.206 only where the petitioner specifies the bases for taking the requested action. Although the petitioner asserted that the NRC lacked the legal authority to grant license extensions for numerous plants, he failed to set forth the basis for his assertion. He claimed that the NRC “improperly interpreted the amendment to section 104b under 42 USC 2134 and under the Atomic Energy Act of 1954, as amended,” and thus, “improperly and illegally granted 20-year license extensions to the 40-year license that was initially granted by the agency.” This is a general claim, insufficient to warrant further inquiry.

The petitioner also claimed that “the NRC has recklessly endangered public health and safety in these circumstances because in so extending these licenses by 20 years, the agency has significantly increased the likelihood of a loss-of-coolant accident” due to neutron embrittlement of the reactor vessel over time. All license renewals have been subjected to the NRC’s license renewal review process, per 10 CFR 51 and 54, with several opportunities for public participation, including a hearing. A reactor vessel neutron embrittlement analysis is included in each license renewal application, and is evaluated in the resulting NRC staff safety

evaluation report in accordance with Section 4.2 of NUREG-1800, "Standard Review Plan for Review of License Renewal Applications for Nuclear Power Plants." The NRC rejected Request 4 based on the criteria that the petitioner raised issues that the NRC staff has already reviewed, evaluated, and resolved.

III. Conclusion

As discussed above, the NRC found the petition, its supporting facts, and supplements insufficient to warrant that the agency accept the petitioner's Requests 1 and 2 to immediately shutdown U.S. nuclear power plants at or near earthquake faults or those employing the Mark I containment designs.

The NRC partially accepted Requests 1 and 2 of the petition to the extent that the petitioner sought some type of regulatory action in light of the events at Fukushima. The above discussion demonstrates that the NRC has addressed the petitioner's concerns related to the events at Fukushima through the issuance of orders and through a request for information under 10 CFR 50.54(f). Such actions significantly enhance the margins of safety to the effects of extreme natural phenomena at commercial operating reactors in the United States.

The NRC rejected Request 3 on the basis that the NRC was already implementing actions requested. The NRC rejected Request 4 on the basis that the petitioner's claim was general and insufficient to warrant further inquiry. In addition, the NRC staff had already reviewed, evaluated, and resolved the issue.

Based on the staff responses to the petitioner's four concerns, the NRC does not plan to take any additional enforcement actions as specified in the petitioner's requests. Therefore, the NRC is closing this petition.

As provided in 10 CFR 2.206(c), a copy of this director's decision will be filed with the Secretary of the Commission for the Commission to review. As provided for by this regulation, the decision will constitute the final action of the Commission 25 days after the date of the decision unless the Commission, on its own motion, institutes a review of the decision within that time.

Dated at Rockville, MD, this 17th day of June, 2015.

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

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William M. Dean, Director,
Office of Nuclear Reactor Regulation.

ATTACHMENT 1
COMMENTS RECEIVED FROM LICENSEES
ON THE PROPOSED DIRECTOR'S DECISION
DATED APRIL 8, 2015

The NRC sent a copy of the proposed director's decision to the affected licensees for comment on April 8, 2015 (ADAMS Accession No. ML13018A244). FirstEnergy Nuclear Operating Company and Exelon Corporation responded with comments on April 14, 2015 (ADAMS Accession No. ML15111A257). The NRC's responses to the comments received are provided below:

Comment 1 – Received from FirstEnergy Nuclear Operating Company

“The compliance with Order EA-12-049 for mitigation strategies ‘no later than two refueling cycles after submittal of the overall integrated plan (OIP), or December 31, 2016, whichever comes first’ is accurate, however, some plants have requested and received relaxation to allow completion after the second refueling cycle but still prior to December 31, 2016.”

Response:

The NRC has revised the director's decision to include discussion of licensees that have requested and have been granted an extension for compliance with Order EA-12-049.

Comment 2 – Received from Exelon Corporation

“The next to last paragraph on page 7 of the NRC letter states that all affected licensees have submitted OIPs for upgrading containment venting capabilities in response to NRC Order EA-13-109. Oyster Creek has not submitted an OIP for venting in response to NRC Order

EA-13-109, but has submitted an extension request to the end of its operating life (12/31/19) for Order compliance, at which time a request for deferral from the Order is contemplated, or compliance to the Order will be required. NRC approval of the extension request is expected in 2015. As justification for the extension request, Oyster Creek committed to improve existing venting capabilities; however, an OIP in response to the Order has not been submitted for Oyster Creek."

Response:

The NRC has revised the director's decision to state that Oyster Creek Nuclear Generating Station has submitted an extension request for compliance with Order EA-13-109. The NRC staff is currently reviewing this extension request, and has not yet decided to approve or deny it.

ENCLOSURE 2

FEDERAL REGISTER NOTICE

ADAMS ACCESSION NO. ML15114A415

NUCLEAR REGULATORY COMMISSION

[NRC-2011-0147]

AGENCY: Nuclear Regulatory Commission.

ACTION: Director's decision under 10 CFR 2.206; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has issued a director's decision with regard to a petition dated March 12, 2011, filed by Thomas Saporito (the petitioner), requesting that the NRC take action with regard to all operating reactor licensees. The petitioner's requests and the director's decision are included in the SUPPLEMENTARY INFORMATION section of this document.

ADDRESSES: Please refer to Docket ID NRC-2011-0147 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- **Federal Rulemaking Web Site:** Go to <http://www.regulations.gov> and search for Docket ID NRC-2011-0147. Address questions about NRC dockets to Carol Gallagher; telephone: 301-415-3463; e-mail: Carol.Gallagher@nrc.gov.

- **NRC's Agencywide Documents Access and Management System (ADAMS):**
You may obtain publicly available documents online in the ADAMS Public Documents collection at <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "[ADAMS Public Documents](#)" and then select "[Begin Web-based ADAMS Search](#)." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209,

301-415-4737, or by e-mail to pdr.resource@nrc.gov. The ADAMS accession number for each document referenced in this document (if that document is available in ADAMS) is provided the first time that a document is referenced.

- **NRC's PDR:** You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

SUPPLEMENTARY INFORMATION:

Notice is hereby given that the Director, Office of Nuclear Reactor Regulation, has issued a director's decision (ADAMS Accession No. ML15114A411) on a petition filed by the petitioner on March 12, 2011 (ADAMS Accession No. ML110740026). The petition was supplemented by documents dated April 14, April 16, and May 25, 2011 (ADAMS Accession Nos. ML11110A026, ML11110A027, ML11110A028, ML11119A024, and ML111450897, respectively.)

The petitioner requested that the NRC:

1. Order the immediate shutdown of all nuclear power reactors located on or near an earthquake fault line in the United States.
2. Order the immediate shutdown of all power reactors employing GE Mark I containment design in the United States, characterizing such design as flawed from the nuclear safety standpoint.
3. Advise other countries employing the GE Mark I nuclear power reactors about the serious nuclear safety design flaws associated with that design, which is likely to result in a serious nuclear accident comparable to the Japanese nuclear disaster.
4. Immediately revoke all 20-year license extensions issued to NRC licensees, because the NRC "has improperly and illegally granted 20-year license extensions to the 40-year license

that was initially granted by the agency for the 104 nuclear reactors throughout the United States.”

As the basis for these requests, the petitioner cited the events in Japan at the Fukushima Dai-ichi nuclear power plant.

On April 14, 2011, and May 25, 2011, the petitioner met with the NRC’s Petition Review Board. The meetings provided the petitioner an opportunity to provide additional information and to clarify issues cited in the petition. The transcripts for those meetings are available in ADAMS under Accession Nos. ML11109A014 and ML11146A010, respectively.

The NRC sent a copy of the proposed director’s decision to the petitioner and the licensees for comment on April 8, 2015 (ADAMS Package Accession No. ML13018A145). The petitioner and the licensees were asked to provide comments within two weeks on any part of the proposed director’s decision that was considered to be erroneous or any issues in the petition that were not addressed. Comments were received from two licensees and are addressed in an attachment to the final director’s decision. The staff did not receive any comments from the petitioner.

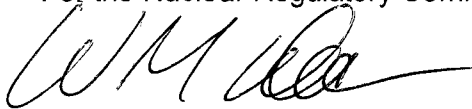
The Director of the Office of Nuclear Reactor Regulation has determined that the following requests are denied: 1) to require that the NRC Order the immediate shutdown of all nuclear power reactors located on or near an earthquake fault line in the United States, and 2) to require that the NRC Order the immediate shutdown of all power reactors employing GE Mark I containment design in the United States. The NRC rejected Request 3 on the basis that the NRC was already implementing the actions requested. The NRC rejected Request 4 on the basis that the petitioner’s claim was general and insufficient to warrant further inquiry, and that the NRC staff had already reviewed, evaluated, and resolved the issue.

The reasons for this decision are explained in the director's decision (DD-15-06) under Section 2.206 of Title 10 of the *Code of Federal Regulations* (10 CFR) of the Commission's regulations.

The NRC will file a copy of the director's decision with the Secretary of the Commission for the Commission's review in accordance with 10 CFR 2.206. As provided by this regulation, the director's decision will constitute the final action of the Commission 25 days after the date of the decision, unless the Commission, on its own motion, institutes a review of the director's decision in that time.

Dated at Rockville, Maryland, this 17th day of June ,2015

For the Nuclear Regulatory Commission.

A handwritten signature in black ink, appearing to read 'W M Dean', with a long horizontal flourish extending to the right.

William M. Dean, Director,

Office of Nuclear Reactor Regulation.

ENCLOSURE 3

**LIST OF POWER REACTOR LICENSEES AND HOLDERS OF
CONSTRUCTION PERMITS IN ACTIVE
OR DEFERRED STATUS**

LIST OF POWER REACTOR LICENSEES AND HOLDERS OF
CONSTRUCTION PERMITS IN ACTIVE
OR DEFERRED STATUS

Arkansas Nuclear One

Entergy Operations, Inc.
Docket Nos. 50-313 and 50-368
License Nos. DPR-51 and NPF-6

Vice President, Operations
Arkansas Nuclear One
Entergy Operations, Inc.
1448 S.R. 333
Russellville, AR 72802

Beaver Valley Power Station

First Energy Nuclear Operating Co.
Docket Nos. 50-334 and 50-412
License Nos. DPR-66 and NPF-73

Mr. Eric A. Larson
Site Vice President
Beaver Valley Power Station
P.O. Box 4, Route 168
Shippingport, PA 15077

Bellefonte Nuclear Plant

Tennessee Valley Authority
Docket Nos. 50-438 and 50-439
Construction Permit Nos. CPPR
No. 122 and CPPR No. 123

Mr. Michael D. Skaggs
Senior Vice President, Nuclear
Construction
Tennessee Valley Authority
Lookout Place 6A
1101 Market Street
Chattanooga, TN 37402-2801

Braidwood Station

Exelon Generation Co., LLC
Docket Nos. 50-456 and 50-457
License Nos. NPF-72 and NPF-77

Mr. Bryan C. Hanson
President and Chief Nuclear Officer
Exelon Nuclear
4300 Winfield Road
Warrenville, IL 60555

Browns Ferry Nuclear Plant

Tennessee Valley Authority
Docket Nos. 50-259, 50-260 and 50-296
License Nos. DPR-33, DPR-52 and
DPR-68

Mr. Joseph W. Shea
Vice President, Nuclear Licensing
Tennessee Valley Authority
1101 Market Street, LP 3D-C
Chattanooga, TN 37402-2801

Brunswick Steam Electric Plant

Duke Energy Progress, Inc.
Docket Nos. 50-325 and 50-324
License Nos. DPR-71 and DPR-62

William R. Gideon, Vice President
Brunswick Steam Electric Plant
P.O. Box 10429
Southport, NC 28461

Byron Station

Exelon Generation Co., LLC
Docket Nos. STN 50-454 and STN 50-455
License Nos. NPF-37 and NPF-66

Mr. Bryan C. Hanson
President and Chief Nuclear Officer
Exelon Nuclear
4300 Winfield Road
Warrenville, IL 60555

Callaway Plant

Union Electric Company
Docket No. 50-483
License No. NPF-30

Mr. Fadi Diya
Senior Vice President and
Chief Nuclear Officer
Ameren Missouri
Callaway Plant
P.O. Box 620
Fulton, MO 65251

Calvert Cliffs Nuclear Power Plant

Calvert Cliffs Nuclear Power Plant, LLC
Docket Nos. 50-317 and 50-318
License Nos. DPR-53 and DPR-69

Mr. George H. Gellrich,
Vice President
Exelon Generation Company, LLC.
Calvert Cliffs Nuclear Power Plant
1650 Calvert Cliffs Parkway
Lusby, MD 20657-4702

Catawba Nuclear Station

Duke Energy Carolinas, LLC Docket
Nos. 50-413 and 50-414
License Nos. NPF-35 and NPF-52

Mr. Kelvin Henderson
Site Vice President
Duke Energy Carolinas, LLC
Catawba Nuclear Station
4800 Concord Road
York, SC 29745

Clinton Power Station

Exelon Generation Co., LLC
Docket No. 50-461
License No. NPF-62

Mr. Bryan C. Hanson
President and Chief Nuclear Officer
Exelon Nuclear
4300 Winfield Road
Warrenville, IL 60555

Columbia Generating Station

Energy Northwest
Docket No. 50-397
License No. NPF-21

Mr. Mark E. Reddemann
Chief Executive Officer
Energy Northwest
MD 1023
76 North Power Plant Loop
P.O. Box 968
Richland, WA 99352

Comanche Peak Nuclear Power Plant

Luminant Generation Co., LLC
Docket Nos. 50-445 and 50-446
License Nos. NPF-87 and NPF-89

Mr. Rafael Flores
Senior Vice President and
Chief Nuclear Officer
Attention: Regulatory Affairs
Luminant Generation Company, LLC
P.O. Box 1002
Glen Rose, TX 76043

Cooper Nuclear Station

Nebraska Public Power District
Docket No. 50-298
License No. DPR-46

Mr. Oscar A. Limpas
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Chief Nuclear Officer
Nebraska Public Power District
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Brownville, NE 68321

Davis-Besse Nuclear Power Station

First Energy Nuclear Operating Co.
Docket No. 50-346
License No. NPF-3

Mr. Raymond A. Lieb
Site Vice President
FirstEnergy Nuclear Operating Company
c/o Davis-Besse NPS
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Diablo Canvon Power Plant

Pacific Gas and Electric Co.
Docket Nos. 50-275 and 50-323
License Nos. DPR-80 and DPR-82

Mr. Edward D. Halpin
Senior Vice President and
Chief Nuclear Officer
Pacific Gas and Electric Company
P.O. Box 56, Mail
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Donald C. Cook Nuclear Plant

Indiana Michigan Power Company
Docket Nos. 50-315 and 50-316
License Nos. DPR-58 and DPR-74

Mr. Lawrence J. Weber
Senior Vice President and Chief Nuclear
Officer
Indiana Michigan Power Company
Nuclear Generation Group
One Cook Place
Bridgman, MI 49106

Dresden Nuclear Power Station

Exelon Generation Company, LLC
Docket Nos. 50-237 and 50-249
License Nos. DPR-19 and DPR-25

Mr. Bryan Hanson
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Exelon Nuclear
4300 Winfield Road
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Duane Arnold Energy Center

NextEra Energy Duane Arnold, LLC
Docket No. 50-331
License No. DPR-49

Mr. Thomas A. Vehec
NextEra Energy
Duane Arnold Energy Center
3277 DAEC Road
Palo, IA 52324

Edwin I. Hatch Nuclear Plant

Southern Nuclear Operating Co.
Docket Nos. 50-321 and 50-366
License Nos. DPR-57 and NPF-5

Mr. C.R. Pierce
Regulatory Affairs Director
Southern Nuclear Operating Company,
Inc. P.O. Box 1295/BIN B038
Birmingham, AL 35201-1295

Fermi

DTE Electric Company
Docket No. 50-341
License No. NPF-43

Mr. Paul Fessler
Senior Vice President and Chief Nuclear
Officer
DTE Electric Company
Fermi 2 - 210 NOC
6400 North Dixie Highway
Newport, MI 48166

Fort Calhoun Station

Omaha Public Power District
Docket No. 50-285
License No. DPR-40

Mr. Louis Cortopassi
Site Vice President and Chief
Nuclear Officer
Omaha Public Power District
Fort Calhoun Station
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961 0 Power Lane
Blair, NE 68008

Grand Gulf Nuclear Station

Entergy Operations, Inc.
Docket No. 50-416
License No. NPF-29

Vice President, Operations
Entergy Operations, Inc.
Grand Gulf Nuclear Station
P.O. Box 756
Port Gibson, MS 39150

H. B. Robinson Steam Electric Plant
Duke Energy Progress, Inc.
Docket No. 50-261
License No. DPR-23

Richard Michael Glover, Site Vice
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H.B. Robinson Steam Electric Plant
3581 West Entrance Road
Hartsville, SC 29550

Hope Creek Generating Station
PSEG Nuclear, LLC
Docket No. 50-354
License No. NPF-57

Mr. Thomas Joyce
President and Chief Nuclear Officer
PSEG Nuclear LLC - N09
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Hancocks Bridge, NJ 08038

Indian Point Nuclear Generating
Entergy Nuclear Operations, Inc.
Docket Nos. 50-247 and 50-286
License Nos. DPR-26 and DPR-64

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Inc. Indian Point Energy
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Joseph M. Farley Nuclear Plant
Southern Nuclear Operating Co.
Docket Nos. 50-348 and 50-364
License Nos. NPF-2 and NPF-8

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James A. FitzPatrick Nuclear Power Plant
Entergy Nuclear Operations, Inc.
Docket No. 50-333
License No. DPR-59
Mr. Chris Adner, Licensing Manager
Entergy Nuclear Operations, Inc.
James A. FitzPatrick Nuclear Power Plant
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LaSalle County Station
Exelon Generation Company,
LLC Docket Nos. 50-373 and
50-374
License Nos. NPF-11 and NPF-18

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Limerick Generating Station
Exelon Generation Co., LLC
Docket Nos. 50-352 and 50-353
License Nos. NPF-39 and NPF-85

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Millstone Nuclear Power Station
Dominion Nuclear Connecticut, Inc.
Docket Nos. 50-336 and 50-423
License Nos. DPR-65 and NPF-49

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Innsbrook Technical Center
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Glen Allen, VA 23060-6711

Monticello Nuclear Generating Plant

Northern States Power Company -
Minnesota

Docket No. 50-263

License No. DPR-22

Mr. Peter A. Gardner

Site Vice President

Northern States Power Company -
Minnesota

Monticello Nuclear Generating Plant

2807 West County Road 75

Monticello, MN 55362-9637

Nine Mile Point Nuclear Station

Nine Mile Point Nuclear Station, LLC

Docket No. 50-220

License No. DPR-63

Mr. Peter Orphanos

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Nine Mile Point Nuclear Station, LLC

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Oswego, NY 13126

North Anna Power Station

Virginia Electric and Power

Co. Docket Nos. 50-338 and

50-339

License Nos. NPF-4 and NPF-7

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Virginia Electric and Power Co.

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Glen Allen, VA 23060-6711

Oconee Nuclear Station

Duke Energy Carolinas, LLC

Docket Nos. 50-269, 50-270 and 50-287

License Nos. DPR-38, DPR-47 and DPR-
55

Mr. Scott Batson

Vice President, Oconee Nuclear Station

Duke Energy Corporation

7800 Rochester Highway

Seneca, SC 29672

Oyster Creek Nuclear Generating Station

Exelon Generation Co., LLC

Docket No. 50-219

License No. DPR-16

Mr. Bryan C. Hanson

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Palisades Nuclear Plant

Entergy Nuclear Operations, Inc.

Docket No. 50-255

License No. DPR-20

Vice President, Operations

Entergy Nuclear Operations, Inc.

Palisades Nuclear Plant

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Covert, MI 49043

Palo Verde Nuclear Generating Station

Arizona Public Service Company

Docket Nos. STN 50-528, STN 50-529 and
STN 50-530

License Nos. NPF-41, NPF-51 and NPF-74

Mr. Randall K. Edington

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Phoenix, AZ 85072-2034

Peach Bottom Atomic Power Station

Exelon Generation Co, LLC

Docket Nos. 50-277 and 50-278

License Nos. DPR-44 and DPR-56

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Perry Nuclear Power Plant
FirstEnergy Nuclear Operating Co.
Docket No. 50-440
License No. NPF-58

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Perry Nuclear Power Plant
PO Box 97, A290
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Pilgrim Nuclear Power Station
Entergy Nuclear Generation Co.
Docket No. 50-293
License No. DPR-35

Mr. John Dent, Jr.
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Pilgrim Nuclear Power Station
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Plymouth, MA 02360-5508

Point Beach Nuclear Plant
NextEra Energy Point Beach, LLC
Docket Nos. 50-266 and 50-301
License Nos. DPR-24 and DPR-27

Mr. Eric McCartney
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Prairie Island Nuclear Generating Plant
Northern States Power Co. -Minnesota
Docket Nos. 50-282 and 50-306
License Nos. DPR-42 and DPR-60

Mr. Kevin K. Davison
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Northern States Power Company -
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Prairie Island Nuclear Generating Plant
1717 Wakonade Drive East
Welch, MN 55089-9642

Quad Cities Nuclear Power Station
Exelon Generation Company
Docket Nos. 50-254 and 50-265
License Nos. DPR-29 and DPR-30

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R.E. Ginna Nuclear Power Plant
R. E. Ginna Power Plant, LLC
Docket No. 50-244
License No. DPR-18

Mr. Joseph E. Pacher
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1503 Lake Road
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River Bend Station
Entergy Operations, Inc.
Docket No. 50-458
License No. NPF-47

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St. Francisville, LA 70775

Salem Nuclear Generating Station
PSEG Nuclear, LLC.
Docket Nos. 50-272 & 50-311
License Nos. DPR-70 and DPR-75

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Seabrook Nuclear Plant

NextEra Energy Seabrook, LLC
Docket No 50-443
License No. NFP-86

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Seabrook, NH 03874

Sequoyah Nuclear Plant

Tennessee Valley Authority Docket
Nos. 50-327 and 50-328
License Nos. DPR-77 and DPR-79

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1101 Market Street LP 3D-C
Chattanooga, TN 37402

Shearon Harris Nuclear Power Plant

Duke Energy Progress, Inc.
Docket No. 50-400
License No. NPF-63

Mr. Benjamin C. Waldrep
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South Texas Project

STP Nuclear Operating Company
Docket Nos. 50-498 and 50-499
License Nos. NPF-76 and NPF-80

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St. Lucie Plant

Florida Power and Light Company
Docket Nos. 50-335 and 50-389
License Nos. DPR-67 and NPF-16

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Surry Power Station

Virginia Electric & Power Company
Docket Nos. 50-280 and 50-281
License Nos. DPR-32 and DPR-37

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Susquehanna Steam Electric Station

PPL Susquehanna, LLC
Docket Nos. 50-387 and 50-388
License Nos. NPF-14 and NPF-22

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Berwick, PA 18603-0467

Three Mile Island Nuclear Station

Exelon Generation Company, LLC.
Docket No. 50-289
License No. DPR-50

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Turkey Point Nuclear Generating Station

Florida Power & Light Company
Docket Nos. 50-250 & 50-251
License Nos. DPR-031 and DPR-41

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Juno Beach, FL 33408-0420

Virgil C. Summer Nuclear Station

South Carolina Electric and Gas Company
Docket No. 50-395
License No. NPF-12

Mr. Thomas D. Gatlin, Vice President
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Virgil C. Summer Nuclear Station
Post Office Box 88, Mail Code 800
Jenkinsville, SC 29065

Vogtle Electric Generating Plant

Southern Nuclear Operating Company,
Inc. Docket Nos. 50-424 and 50-425
License Nos. NPF-68 and NPF-81

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Southern Nuclear Operating Co.,
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Waterford Steam Electric Station

Entergy Operations, Inc.
Docket No. 50-382
License No. NPF-38

Vice President, Operations
Entergy Operations, Inc.
Waterford Steam Electric Station, Unit 3
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Killona, LA 70057-0751

Watts Bar Nuclear Plant

Tennessee Valley Authority
Docket Nos. 50-390 and 50-391
License Nos. NPF-90

Mr. Joseph W. Shea
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2801

William B. McGuire Nuclear Station

Duke Energy Carolinas, LLC
Docket Nos. 50-369 and 50-
370
License Nos. NPF-9 and NPF-17

Steven D. Capps
Duke Energy Carolinas, LLC
McGuire Nuclear Station
12700 Hagers Ferry Road
Huntersville, NC 28078-8985

Wolf Creek Generating Station

Wolf Creek Nuclear Operating Corporation
Docket No. 50-482
License No. NPF-42

Mr. Adam C. Heflin
President and Chief Executive Officer
Wolf Creek Nuclear Operating Corporation
P.O. Box 411
Burlington, KS 66839

T. Saporito

- 2 -

I appreciate your efforts to bring this matter to the attention of the NRC. Please feel free to contact the Petition Manager, Mahesh Chawla, at 301-415-8371 or Mahesh.Chawla@nrc.gov to discuss any questions related to this petition.

Sincerely,

/RA/

William M. Dean, Director
Office of Nuclear Reactor Regulation

Docket Nos. See Enclosure 3

Enclosures:

1. Director's Decision 15-06
2. *Federal Register* Notice
3. List of Power Reactor Licensees and Holders
of Construction Permits in Active or Deferred Status

cc: Listserv

DISTRIBUTION: G20110171

See next page

ADAMS Accession No.: ML15114A411

***via email**

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