

[Email

From: Siva.Lingam@nrc.gov

To: paul@beyondnuclear.org, kevin@beyondnuclear.org

Date: Tue, Apr 19, 2011 at 8:23 AM

Subject: 10 CFR 2.206 Petition to Immediately Suspend the GE BWR MARK I Operating Licenses (TAC NO. ME6040)]

Dear Mr. Gunter and Mr. Kamps:

I have been assigned as the Petition Manager for the 10 CFR 2.206 petition you submitted to the NRC on April 13, 2011, regarding your concerns on unreliability of General Electric (GE) Boiling Water Reactors (BWR) Mark I containment system to mitigate a severe accident and the lack of emergency power systems to cool high density spent fuel pools containing radioactive used reactor fuel assemblies.

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 suspend the operating license of all GE BWR Mark I units in response to recent events at Fukushima Dai-ichi Nuclear power plants, 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 April 21, 2011, 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,

Siva P. Lingam (Petition Manager)

U.S. Nuclear Regulatory Commission

Project Manager (NRR/DORL/LPL2-2)

Sequoyah Nuclear Plant

Location: O8-D5; Mail Stop: O8-G9a

Telephone: 301-415-1564; Fax: 301-415-1222

E-mail address: siva.lingam@nrc.gov