



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

2011 FEB 24 P 2:35

STATE OF VERMONT
DEPT OF PUBLIC SERVICE
MONTPELIER, VT.
05620-2601

February 24, 2011

Mr. Raymond Shadis
Consultant to New England Coalition
P.O. Box 98
Edgecomb, ME 04556

Dear Mr. Shadis:

Your letter dated November 17, 2010, addressed to Mr. William Borchardt, Executive Director for Operations, has been referred to the Nuclear Regulatory Commission's (NRC) Office of Nuclear Reactor Regulation pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Section 2.206. In your petition, you expressed a concern regarding a feedwater inspection port leak at Vermont Yankee Nuclear Power Station, and requested that the NRC: (1) require Entergy Nuclear Vermont Yankee to do a thorough root cause analysis of Vermont Yankee's recent reactor feedwater piping-system inspection-port leak; and (2) require Entergy Nuclear Vermont Yankee to perform a comprehensive extent-of-condition review regarding the condition of all feedwater piping.

On November 23, 2010, you requested to address the Petition Review Board (PRB) prior to its initial meeting to provide supplemental information for the PRB's consideration. By teleconference on December 8, 2010, you provided information to the PRB as further explanation and support for your petition. A transcript of that teleconference, which supplements your petition, has been provided to you and is publicly available in the Agencywide Documents Access and Management System (ADAMS) under Accession No. ML103480601.

The NRC's PRB met on December 20, 2010, to discuss your petition. In addition to the petition, the PRB also considered information you provided via the transcribed teleconference on December 8, 2010. The PRB made an initial recommendation that your petition did not meet the criteria for review. Your petition did not meet the criteria for review because the petition did not contain a request for enforcement-related action and there is no underlying violation associated with your request. In your petition, you requested a root cause analysis/extent-of-condition review of the feedwater piping system at Vermont Yankee. This is not required by regulation. The original leak was on non-safety related piping, and therefore, 10 CFR Part 50 Appendix B Criterion XVI, "Corrective Action" does not apply. The NRC staff informed you of this determination on January 3, 2011, and you requested a second opportunity to address the PRB.

On January 20, 2011, you addressed the PRB via a transcribed teleconference in response to the PRB's initial recommendation. The PRB determined that the information you provided pertaining to the feedwater inspection port leak had already been considered by the PRB. A transcript of that teleconference has been provided to you and is publicly available in ADAMS under Accession No. ML110310378.

R. Shadis

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The PRB's final determination is to not accept your petition requests for review under the 10 CFR 2.206 process because your petition did not meet the criteria for review as stated in NRC Management Directive 8.11, "Review Process for 10 CFR 2.206 Petitions."

Thank you for your interests in these matters.

Sincerely,

A handwritten signature in cursive script that reads "Theodore R. Quay".

Theodore R. Quay, Deputy Director
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

Docket No. 50-271

cc: Distribution via Listserv

R. Shadis

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The PRBs final determination is to not accept your petition requests for review under the 10 CFR 2.206 process because your petition did not meet the criteria for review as stated in NRC Management Directive 8.11, "Review Process for 10 CFR 2.206 Petitions."

Thank you for your interests in these matters.

Sincerely,

/ra/

Theodore R. Quay, Deputy Director
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

Docket No. 50-271

cc: Distribution via Listserv

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Package: ML110420330 Incoming: ML103220459 Response: ML110420347

Transcript of 12/08/10: ML103480601

Transcript of 1/20/11: ML110310378

*Via email

OFFICE	LPL1-1/PM	LPL1-1/LA	R1/BC*	LPL1-1/BC	DPR/PM	DPR/DD
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DATE	2/16/11	2/16/11	2/24/11	2/24/11	2/24/11	2/24/11

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