



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

November 7, 2011

Mr. Michael Mulligan
P.O. Box 161
Hinsdale, NH 03451

Dear Mr. Mulligan:

Your letter dated August 26, 2011, 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 on a steam or vapor plume coming from the Vermont Yankee (VY) turbine building roof. You also requested the previously submitted Palisades 2.206 requested actions to be optimized for this 2.206 petition.

By teleconference on September 14, 2011, you addressed the Petition Review Board (PRB) prior to its initial meeting to provide supplemental information for the PRB's consideration. A transcript of that teleconference, which supplements your petition, was provided to you and is publicly available in the Agencywide Documents Access and Management System (ADAMS) under Accession No. ML11263A261.

On October 4, 2011, the PRB held its internal meeting to make the initial recommendation, in accordance with the criteria provided in Management Directive (MD) 8.11, "Review Process for 10 CFR 2.206 Petitions." In this meeting, the PRB made an initial recommendation that your requests 1 through 10 concerning vapor plume are general inquiries and do not meet the criteria for review because the petition failed to provide sufficient facts to warrant further inquiry. Your requests 1 through 8 that were to be optimized for VY from previously submitted Palisades 2.206 met the criteria for rejection because they have been reviewed, evaluated and resolved by the PRB's closure letter dated on April 20, 2011 (ADAMS Accession No. ML111010414). The remaining requests 9 and 10 (performing an evaluation if NRC Region 1 has enough personnel and resources and requesting President Obama to fire all the NRC Commissioners) are not within the scope of the 2.206 process. Therefore, the PRB's initial recommendation was to not accept your petition.

Regarding your concern on a steam or vapor plume of radioactivity leaving the vapor extractor line unmonitored; according to an NRC health physicist, the "vapor" is mostly oil mist containing hydrogen and some moisture which may contain minute traces of tritium that would be below minimum levels of detectability. Therefore, this vapor extraction line does not meet the threshold of Regulatory Guide 1.21, "Measuring, Evaluating, and Reporting Radioactive Material in Liquid and Gaseous Effluents and Solid Waste." It explains that radioactivity detected from the "significant" release point should be reported in the effluent totals. The significant release point is a release point that contributes greater than 1 percent of the activity discharged from all release points for the particular type of effluent considered. It is, therefore, not required to be monitored or its effluents reported to the NRC on their annual effluent report. If you have any questions on this issue, please contact Thomas Setzer at 610-337-5165.

M. Mulligan

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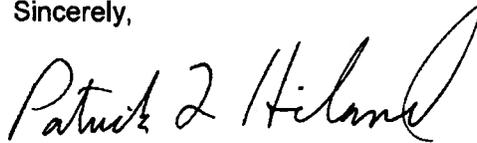
On October 11, 2011, you were informed of the PRB's initial recommendation and you requested a second opportunity to address the PRB to provide additional information in support of your petition request.

On October 25, 2011, you addressed the PRB by teleconference to discuss the PRB's initial recommendation. The PRB determined that the information you provided pertaining to the steam or vapor plume coming from the turbine building roof had already been considered by the PRB. A transcript of that teleconference, which supplements your petition, was provided to you and is publicly available in ADAMS under Accession No. ML11305A152.

The PRB's final determination is to not accept your petition for review under the 10 CFR 2.206 process. As previously stated, the PRB determined that some of the petition requests do not meet the criteria for review because the petition failed to provide sufficient facts to warrant further inquiry. The remaining requests within the petition meet the criteria for rejection because they have already been reviewed, evaluated, and resolved by the NRC during prior 10 CFR 2.206 reviews.

If you have any questions on the 10 CFR 2.206 process, please contact James Kim at 301-415-4125.

Sincerely,

A handwritten signature in black ink that reads "Patrick L. Hiland". The signature is written in a cursive style with a large, looping "H" and "L".

Patrick L. Hiland, Director
Division of Engineering
Office of Nuclear Reactor Regulation

Docket No. 50-271

cc: Distribution via Listserv

M. Mulligan

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If you have any questions on the 10 CFR 2.206 process, please contact James Kim at 301-415-4125.

Sincerely,

/ra/

Patrick L. Hiland, Director
Division of Engineering
Office of Nuclear Reactor Regulation

Docket No. 50-271

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Transcript of 9/14/11: ML11263A261

Transcript of 10/25/11: ML11305A152

*Via email

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