

whether adequate decommissioning funds would exist.

Based on the December 28, 2009, request that amended the original petition, the Petitioner expressed his belief that allowing Entergy to rely on SAFSTOR to accumulate decommissioning funds for Indian Point Nuclear Generating, Unit No. 2, is unacceptable. The Petitioner asked the NRC to impose additional enforcement on Entergy that would result in either the withdrawal of its license renewal applications or the imposition of a \$5 billion fine, along with a statement by Entergy acknowledging that it had submitted false and inaccurate financial statements on its decommissioning funding assurance.

The NRC sent a copy of the proposed Director's Decision to the Petitioner and Entergy for comment on September 8, 2011. The agency received comments from Entergy and incorporated them into the final Director's Decision. The agency did not receive any comments from the Petitioner.

The Director of the Office of Nuclear Reactor Regulation denied the Petitioner's request to suspend the operating licenses of the Entergy facilities that have projected shortfalls in their decommissioning trust funds and denied the Petitioner's request that the NRC take certain actions to ensure that the licensee rectifies any shortfalls in the decommissioning trust funds and take other actions to ensure the integrity of the decommissioning trust funds. These actions included suspending all licensing actions for Entergy facilities, ordering immediate actions by Entergy to redress the projected shortfalls, and imposing daily fines until the licensee has deposited adequate funds to make the decommissioning funds fully whole. The Director of the Office of Nuclear Reactor Regulation granted the Petitioner's request that the agency make available to the Petitioner all data and information presented by Entergy and used by the NRC staff to decide whether facilities operated by Entergy have adequate decommissioning funds as required by the regulations. All information supplied by Entergy and used by the staff is publicly available in the Agencywide Documents Access and Management System (ADAMS). The Director's Decision (DD-11-07) under Title 10 of the *Code of Federal Regulations* (10 CFR) 2.206, "Requests for Action under This Subpart," explains the reasons for these decisions. The complete text is available in ADAMS under Accession No. ML112870542 for inspection at the Commission's Public Document Room located at One White Flint North, Public

File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, MD, and online in the NRC library at <http://www.nrc.gov/reading-rm.html>.

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 a provision of 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 8th day of November 2011.

For the Nuclear Regulatory Commission.

**Eric J. Leeds,**

*Director, Office of Nuclear Reactor Regulation.*

[FR Doc. 2011-29985 Filed 11-18-11; 8:45 am]

**BILLING CODE 7590-01-P**

## **NUCLEAR REGULATORY COMMISSION**

**[NRC-2011-0267]**

### **Receipt of Request for Action**

Notice is hereby given that by petition dated July 29, 2011, David Lochbaum (petitioner) has requested that the U.S. Nuclear Regulatory Commission (NRC or the Commission) take action to issue a Demand for Information (DFI) of all boiling-water reactor nuclear power reactors with Mark I or Mark II containment designs.

As the basis for this request, the petitioner states that, during an accident scenario, the spent fuel pools have the potential to impact other plant equipment. The petitioner has requested that the DFI compel the subject licensees to demonstrate that the plant systems are capable of removing the combined heat loads from the reactor building during an accident, including the heat load from the spent fuel pool. Additionally, the petitioner requested that the DFI compel the subject licensees to demonstrate that, if the spent fuel pool were to boil, the equipment that would be exposed to additional temperature, humidity, and submergence conditions would be able to perform its design function.

The request is being treated pursuant to Title 10 of the *Code of Federal Regulations* Section 2.206 of the Commission's regulations. The request has been referred to the Director of the Office of Nuclear Reactor Regulation (NRR). As provided by Section 2.206, appropriate action will be taken on this petition within a reasonable time. The

petitioner declined an opportunity to address the NRR Petition Review Board (PRB). After meeting internally, the PRB acknowledged the petitioner's concern about the impact of spent fuel pools during an accident, noting that this concern is consistent with the NRC's mission of protecting public health and safety. Additionally, the PRB noted that the effects of the spent fuel pool during an accident are undergoing NRC review as part of the lessons-learned from the Fukushima event. The PRB intends to use the results of the Fukushima review to inform its final decision on whether to implement the requested actions.

A copy of the petition (Agencywide Documents Access and Management System Accession No. ML11213A030) is available for inspection at the Commission's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available documents created or received at the NRC are accessible electronically through the Agencywide Documents Access and Management System (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 PDR Reference staff by telephone at 1-(800) 397-4209 or (301) 415-4737, or by email to [PDR.Resource@nrc.gov](mailto:Resource@nrc.gov).

Dated at Rockville, Maryland, this November 10, 2011.

For the Nuclear Regulatory Commission.

**Eric J. Leeds,**

*Director, Office of Nuclear Reactor Regulation.*

[FR Doc. 2011-29988 Filed 11-18-11; 8:45 am]

**BILLING CODE 7590-01-P**

## **OVERSEAS PRIVATE INVESTMENT CORPORATION**

### **Sunshine Act Notice—December 8, 2011 Board of Directors Meeting**

**DATES:** *Time and Date:* Thursday, December 8, 2011, 10 a.m. (Open Portion), 10:15 a.m. (Closed Portion).

**PLACE:** Offices of the Corporation, Twelfth Floor Board Room, 1100 New York Avenue NW., Washington, DC.

**STATUS:** Meeting open to the Public from 10 a.m. to 10:15 a.m.; Closed portion will commence at 10:15 a.m. (approx.).

#### **MATTERS TO BE CONSIDERED:**

1. President's Report.
2. Tribute:

C. William Swank, Samuel E.

Ebbesen, Diane Ingles Moss, Patrick