



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION III
801 WARRENVILLE ROAD
LISLE, ILLINOIS 60532-4351

December 12, 2000

REF: G20000572
Action: ~~Sched.~~ OEDO
Cys w/o report:
Travers
Paperiello
Miraglia
Norris
Craig
Collins, NRR

MEMORANDUM TO: William D. Travers, EDO

FROM: J. E. Dyer, Regional Administrator *J. E. Dyer*

SUBJECT: DIFFERING PROFESSIONAL OPINION CONCERNING THE
STARTUP OF D.C. COOK UNITS 1 AND 2

Pursuant to Management Directive 10.159, attached is a copy of the Differing Professional View (DPV) case file and related documentation associated with this Differing Professional Opinion (DPO). As the attachments indicate, the DPV was filed while the Manual Chapter 0350 panel was still reviewing the operability of the degraded D.C. Cook, Unit 2, CEQ fan room concrete wall. I extracted the concerns raised in the DPV and directed the Panel to specifically address the concerns in its review. The DPV filer agreed to permit the Panel to conclude its review of the issues and hold his DPV in abeyance until he could review the written bases for the Panel's conclusions. When the filer subsequently disagreed with the Panel, we then processed the DPV in accordance with Management Directive 10.159.

As noted in my memorandum to you dated December 6, 2000, the DPO does not appear to raise any new issues or present any new information that was not considered in our response to the DPV. Therefore, no additional special reviews are considered necessary or planned in conjunction with the D.C. Cook, Unit 1, startup.

Attachments: As stated

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TIME LINE FOR DC COOK CONTAINMENT STRUCTURAL ISSUES

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| February 1998 | The licensee discovered degraded grout in the Unit 2 containment. The licensee considered this a cosmetic issue. |
| October 1999 | While performing repairs to the grout the licensee identified structural deficiencies. |
| February - March 2000 | MC 0350 panel monitors status of licensee investigation into extent of condition of containment walls. |
| April 24, 2000 | MC 0350 panel designates Containment Wall structural issues as restart item when extent of condition was fully identified. R. Landsman assigned as RIII Lead Inspector. |
| May 02, 2000 | RIII submits TIA No. 2000-05 to NRR requesting support in evaluating Unit 2 containment structural issues. |
| May 04, 2000 | Public meeting held in the Region to discuss containment wall structural issues. Meeting attended by Regional inspectors and NRR staff and Management. Licensee presented degraded but operable approach for addressing issue prior to Unit 2 restart. |
| May 09, 2000 | RIII supplement to TIA 2000-05 requesting focus on determining appropriate definition for operability of containment walls. |
| June 01, 2000 | Public technical meeting at headquarters with D. C. Cook to discuss containment structural issues. Meeting attended by NRR and Regional Management and staff. The staff disagreed with two details in the licensees supporting calculations, but overall agree with technical approach being used by licensee to determine operability. |
| June 06, 2000 | Ross Landsman provides DPV to Regional Administrator. |
| June 07, 2000 | Regional Administrator proposes interim action before DPV. Since final NRC decision on walls has not been made, he wants to allow 0350 panel to review DPV technical concerns before final closure of retreat. Ross Landsman and Paul Bird, OHR agree. Ross Landsman agrees to hold DPV pending his review of MC 0350 panel evaluation. Regional Administrator sends memo to 0350 Panel Chairman identifying technical concerns. |
| June 12, 2000 | NRR Technical proposal for closure of restart item associated with containment structural issues accepted by 0350 panel and documented in meeting minutes. |
| June 13, 2000 | Regional Administrator discusses the completion of MC 0350 restart items with NRR and EDO. Memo to EDO regarding closure of restart |

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items including containment structural issues and plan to handle any DPV concerns separately. This memo was also provided to Commission Technical Assistants in conjunction with completion of SRM M000110B. Letter to licensee regarding closure of 0350 restart items sent. Hard copy of NRR staff review and evaluation of his concerns provided to Ross Landsman.

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| June 21, 2000 | Deputy Regional Administrator contacts Ross Landsman - decision made to initiate DPV process. |
| June 23, 2000 | DPV panel established, Director, DRP, named panel chairman. |
| August 11, 2000 | Director, DRP, sends memo to Regional Administrator to provide Panel's review, conclusions, and recommendation for DPV. |
| August 17, 2000 | Regional Administrator sends memo to Ross Landsman regarding his agreement and conclusions with panels report on DPV (report attached). |
| August 22, 2000 | Regional Administrator directs MC 0350 panel to firm up a corrective action schedule for CEQ Fan Room Degraded Wall issues. |
| September 27, 2000 | At Public MC 0350 meeting at DC Cook site, NRC requested schedule for final resolution of containment walls. |
| October 15, 2000 | AEP initial schedule for final resolution provides technical approach, but no specific schedule. |
| November 01, 2000 | Response completed to Freedom of Information Act (FOIA) Requester: Matthew S. Galbraith; South Bend Tribune. |
| November 03, 2000 | MC 0350 Chairman letter to AEP to provide schedule for resolution. |
| November 18, 2000 | AEP provided additional schedule information for final resolution. |
| November 27., 2000 | South Bend Tribune Article on DPV. |
| November 28, 2000 | MC 0350 Chairman letter to AEP accepting resolution schedule and identifying with plans for NRR monitoring of corrective actions. |
| December 11, 2000 | RA letter to R. Landsman with closeout of DPV follow-up actions. |