UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
801 WARRENVILLE ROAD
LISLE, ILLINOIS 60532-4351

December 6, 2000

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MEMORANDUM TO: William D. Travers, Executive Director for Operations

FROM: J. E. Dyer, Regional Administrator, Region III

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

On December 4, 2000, a Region III inspector provided me with a copy of his memo to you describing his Differing Professional Opinion (DPO) concerning the startup of D.C. Cook, Units 1 and 2. The DPO is the result of his dissatisfaction with the disposition of his Differing Professional View (DPV) submitted on June 6, 2000, concerning the operability of the Unit 2 CEQ Fan Room Wall, and the similar evaluations of degraded containment structures in Unit 1 by NRR. Since the NRC Manual Chapter 0350 Oversight Panel is nearing closeout of the Unit 1 issues for restart, we reviewed the DPO to determine whether any of the identified issues warranted additional consideration by the oversight panel in their restart readiness deliberations.

Mr. Geoffrey Grant, MC 0350 Panel Chairman, and I reviewed the DPO memo and found no new technical or programmatic issues that should be brought to the MC 0350 Oversight Panel's attention for D.C. Cook, Unit 1, restart readiness deliberations. The inspector's technical concerns involve the inappropriate analyses and assumptions used by the licensee which reduced the structural margin of safety of the walls and floors below what he considers to be an acceptable level on both units. His concerns with implementation of the Generic Letter 91-18 process involve the staff's acceptance of the walls in both units as degraded, but operable, when there are no redundancy or compensatory measures established for the degraded structures, and the lack of a definitive schedule for permanent resolution of the containment wall issues. These concerns are the same as those addressed and found to be acceptable by the oversight panel in preparation for the D.C. Cook, Unit 2, startup and in the DPV response of August 17, 2000. For D.C. Cook, Unit 1, the NRR technical staff evaluated the licensee's operability determination for the degraded containment structures and concluded that the walls were degraded, but operable, and acceptable for restart. The NRR evaluation was reviewed and accepted by the MC 0350 oversight panel for restart. Therefore, no additional special reviews are necessary or planned for the DPO concerns in conjunction with D.C. Cook, Unit 1, restart.

Based on the recommendation from the DPV panel, the MC 0350 panel has obtained an acceptable schedule from the licensee for their plans for final resolution of the degraded walls in both units. This information will be provided to the Region III inspector as part of the closeout of the DPV follow-up actions.

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