

EDO Principal Correspondence Control

FROM: DUE: 05/15/02 EDO CONTROL: G20020263
DOC DT: 04/24/02
FINAL REPLY:

Representative Marcy Kaptur

TO:

Chairman Meserve

FOR SIGNATURE OF : ** PRI **

CRC NO: 02-0317

Chairman Meserve

DESC:

ROUTING:

Davis-Besse

Travers
Paperiello
Kane
Norry
Craig
Burns
Dyer, RIII
Zimmerman, NSIR
Cyr, OGC

DATE: 05/01/02

ASSIGNED TO: NRR CONTACT: Collins

SPECIAL INSTRUCTIONS OR REMARKS:

Ref. G20020184.

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: May 01, 2002 11:09

PAPER NUMBER: LTR-02-0317 LOGGING DATE: 05/01/2002

ACTION OFFICE: EDO

AUTHOR: Marcy Kaptur

AFFILIATION: REP

ADDRESSEE: Richard Meserve

SUBJECT: Davis Besse

ACTION: Signature of Chairman

DISTRIBUTION: Chairman, Comrs, RF, OCA to Ack

LETTER DATE: 04/24/2002

ACKNOWLEDGED

SPECIAL HANDLING:

No

Let LTR Sign April 24

NOTES: Commission Correspondence

FILE LOCATION: Adams

DATE DUE: 05/17/2002

DATE SIGNED:

MARCY KAPTUR
MEMBER
9TH DISTRICT, OHIO

COMMITTEES:
APPROPRIATIONS

SUBCOMMITTEES:
AGRICULTURE, RURAL DEVELOPMENT,
FDA AND RELATED AGENCIES
VA, HUD, AND INDEPENDENT AGENCIES
LEGISLATIVE BRANCH



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April 24, 2002

Richard A. Meserve Ph.D.
Chairman
Nuclear Regulatory Commission
One White Flint North Bldg
11555 Rockville Pike
Rockville, MD 20852

Dear Dr. Meserve:

On March 28, 2002, by letter, I requested of the Nuclear Regulatory Commission an on-site fact-finding mission at the Davis-Besse Nuclear Power Plant for Members of Congress to "grasp the situation fully and assess the necessary steps to address any shortcomings." To date my office still has not received a response.

Today, I wish to lend my strong support to the call by fifteen organizations petitioning the Nuclear Regulatory Commission to order an outside team of experts to investigate the situation at Davis-Besse. I appreciate that NRC staff has met with my Washington staff, but the issues in my initial letter still have not been addressed, particularly the desire to have information presented on the record. I would have enjoyed the opportunity to examine the plant with my colleagues first, before calling for outside investigators, but am still waiting for a reply. In fact additional information about the radioactive contamination of now at least seven workers, who were allowed to leave the facility undetected, provides additional questions for the NRC to answer.

First, we have a situation where the NRC and FirstEnergy were unable to determine or surmise that the structural integrity of the facility was in jeopardy. The NRC has publicly stated that the company failed to pick up on significant warning signs, including radiation filters in the containment building that required replacement every 48 hours for over two years. Surely the NRC on-site team was aware of these filter changes as well. Second, the NRC and FirstEnergy were unable to account for or detect the transport of fuel particles out of the plant, to say nothing of the fact the incident was not publicly disclosed until at least 20 days after the particles left the plant. And finally, nearly a full month after our request, Congressional Representatives from the region have not been offered an official response from the NRC to our request to visit the facility and see firsthand the nature of the damage. Any reasonable person would ask what other structural flaws may be present that jeopardize our future community safety.

Individually these matters would lend support to a call for an independent review. Collectively, they demand a thorough and independent review of the plant's condition and the company's operation of it, as both the NRC and its on-site inspectors and the company were a party to these unfortunate occurrences.

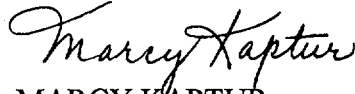
Richard A. Meserve Ph.D.

April 24, 2002

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Please employ whatever administrative procedures are necessary to accommodate our initial request.

Sincerely,

A handwritten signature in cursive script that reads "Marcy Kaptur".

MARCY KAPTUR

U.S. Representative

MK:naf