

May 3, 2002

MEMORANDUM TO: J. E. Dyer, Regional Administrator

FROM: John A. Grobe, Chairman, Davis-Besse IMC 0350 Panel */RA/*

SUBJECT: DAVIS-BESSE MANUAL CHAPTER 0350 PANEL CHARTER AND PROCESS PLAN

Attached is the Davis-Besse Inspection Manual Chapter (IMC) 0350 Panel Charter and Process Plan. The Charter details the panel members, and the purpose and objectives of the panel. The Charter also describes the panel's oversight of facility restart and the transition of Davis-Besse back to the Reactor Oversight and Assessment Program. IMC 0350 Panel activities will continue until after plant restart and a senior management determination that an oversight panel is no longer required. The Charter will be revised as necessary to adjust to NRC priorities and to account for changes in plant status and performance.

The Process Plan will be maintained as a living document. The IMC 0350 Panel will discuss the Plan at each meeting and will add or delete tasks as necessary to accomplish the goals of the Charter.

Please contact me if you have any questions regarding the attached Charter.

Attachment: As stated

cc w/att: W. Kane, EDO S. Sands, NRR
H. Nieh, EDO D. Pickett, NRR
S. Collins, NRR G. Grant, RIII
B. Sheron, NRR S. Reynolds, RIII
J. Zwolinski, NRR C. Lipa, RIII
W. Dean, NRR J. Jacobson, RIII
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OFFICE	RIII	RIII	NRR	E	RIII	E
NAME	LCollins/dtp	CLipa	WDean		JGrobe	
DATE	05/03/02	05/03/02	05/03/02		05/03/02	

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NRC INSPECTION MANUAL CHAPTER 0350 CHARTER

DAVIS-BESSE NUCLEAR POWER STATION

MC 0350 PANEL MEMBERS:

John Grobe, Chairman, MC 0350 Panel
William Dean, Vice Chairman, MC 0350 Panel
Christine Lipa, Branch Chief - Projects Branch 4, DRP
John Jacobson, Branch Chief - Mechanical Engineering Branch, DRS
Anthony Mendiola, Section Chief PDIII-2, NRR
Douglas Pickett, Project Manager, NRR
Christopher (Scott) Thomas, Senior Resident Inspector - Davis-Besse
Sonia Burgess, Senior Reactor Analyst, DRS

Purpose and Objectives of the Panel

The purpose for establishing this Inspection Manual Chapter (IMC) 0350 panel is to set criteria for the oversight of the Davis-Besse Nuclear Power Station during the extended shutdown due to reactor vessel head degradation. The objective of the panel is to provide the required oversight throughout the shutdown and restart to ensure the NRC's four strategic performance goals are met.

Implementation of IMC 0350 enhances timely development and dissemination of agency positions on key issues and provides a coordinated focus through the Panel for agency representation. In addition, the public meeting structure through IMC 0350 will ensure clear public understanding of the issues and agency actions.

Implementation of an IMC 0350 Panel brings clear focus on decision making and prioritization for the agency and minimizes the duplicative efforts among the responsible agency organizations. In addition, the Panel will ensure that there is alignment between those responsible for decision making within the NRC and those who have the responsibility for accomplishing of restart-related activities.

Implementation of IMC 0350 brings a central focus for the agency that will enable it to determine what activities are essential for completion prior to safe restart of the reactor and which activities are generic or should be deferred until after restart. The licensee, both through meetings and correspondence, will have the opportunity to comment and agree on the safety concerns that become restart action items and thoroughly understand agency expectations, minimizing miscommunications and unnecessary burden.

Tasking Goals

- Provide oversight and assessment of licensee performance during the shutdown and through restart. Establish a clear, scrutable record of NRC activities and decisions regarding restart and ensure effective communication with internal and external stakeholders.
- Assure that restart issues included in the Confirmatory Action Letter and the Restart Checklist are resolved and provide a recommendation to the Regional Administrator to approve restart.
- Continue Panel oversight through plant restart and provide a recommendation to the Regional Administrator to return the plant to the routine Reactor Oversight Process.

Panel Responsibilities

1. Review all available information directly related to the reason for the plant shutdown and for the past four quarters of plant operations. This includes performance indicator data, inspection findings and docketed correspondence from the licensee.
2. Establish, maintain cognizance, and update as necessary, the following documents. Adjust the level of NRC involvement when key activities are completed or major events or findings occur or are identified.
 - a. IMC 0350 Panel Process Plan
 - b. Davis-Besse Restart Checklist
 - c. IMC 0350 Communications Plan
3. Maintain cognizance over the status of Confirmatory Action Letter (CAL) requirements and recommend to the Regional Administrator, in consultation with cognizant program office management where appropriate, any necessary modifications.
4. Maintain an ongoing assessment of licensee performance throughout the licensee's implementation of its plans for restart through reviews of inspections, performance indicators, licensee assessments and analyses, allegations, investigations, and any other relevant plant performance information. Under the IMC 0350 process, the Panel will provide oversight and the routine Reactor Oversight Process will be suspended. The licensee will be encouraged to continue to submit Performance Indicator data in accordance with NEI 99-02.
5. Determine the inspection (scope and level of effort) necessary to review identified risk-significant issues for restart. The panel will determine which baseline inspections to continue and which to suspend. All inspection plans will be documented in letters to the licensee.

6. Assess the adequacy of the licensee's corrective actions for the reactor vessel head degradation, related issues, and improvement plans through inspections and licensing actions as determined by the Panel. This includes maintaining cognizance of applicable licensing actions under review by the staff.
7. Assess the physical readiness of the plant for restart, through inspections and other NRC staff activities as determined by the Panel.
8. Periodically provide NRC management and the Commission, if requested, briefings and updates on the status of the licensee's progress, briefings and updates on corrective actions, and overviews of licensee performance . Frequent internal IMC 0350 panel meetings will be conducted to discuss significant technical and performance issues, NRC regulatory approach, and NRC resources and priorities. Meeting minutes for all internal meetings will be prepared and maintained in ADAMS.
9. Conduct periodic public meetings with the licensee to discuss progress toward satisfactory completion of the licensee's restart program. Frequent meetings will be held to discuss progress in resolving technical issues and performance issues and to ensure the licensee understands current NRC concerns. Meetings will generally be conducted at a location near the site and meeting summaries will be generated and placed into ADAMS.
10. On the basis of satisfactory completion of the pre-startup portion of the licensee's restart program, provide a written recommendation and the basis of the approval for restart to the Regional Administrator and the Director of NRR.
11. Provide post-restart oversight of licensee performance until there is a return to the routine oversight process.
12. Provide a written recommendation to the Regional Administrator and the Director of NRR for the return to the routine oversight process.
13. Ensure a comprehensive record is developed that documents NRC decisions and actions related to IMC 0350 activities.

Davis-Besse IMC 0350 Panel Process Plan

B.1. Agency Response					
Task	Description	Responsibility	Planned Completion Date	Actual Completion Date	Comments
B.1.a	Issued Confirmatory Action Letter	RIII/RA		03/13	CAL 3-02-001, ADAMS ML020730225
B.1.a	Performed an AIT inspection	RIII/R. Gardner		04/05	Team Exit
B.1.c	Initiating IMC 0350 Process	RIII/RA		04/29	Memo, Dyer to Grobe Letter, Dyer to Bergandahl
B.2 Notifications					
Task	Description	Responsibility	Planned Completion Date	Actual Completion Date	Comments
B.2.a	Completed notifications in accordance with Communication Plan and IMC 0350 procedure	RIII/NRR/OPA /OCA	05/01/02	04/30/02	Press Release III-02-023

B.3 Establish and Organize the NRC Review Process					
Task	Description	Responsibility	Planned Completion Date	Actual Completion Date	Comments
B.3.a	Establish the panel	RIII		04/30/02	Internal meeting minutes from 4/30 mtg
B.3.b	Assess available information (PI data, inspection findings, licensee correspondence, etc.)	panel	05/02/02		
B.3.c	Develop the restart checklist.	panel	05/03/02		
B.3.d	Obtain input from involved parties both within NRC and other agencies FEMA, EPA, DOJ	RIII			
B.3.e	Conduct periodic RA briefings	RIII	ongoing		
B.3.f	Conduct periodic NRR ET briefings	NRR	ongoing		
B.3.g	Approve the restart checklist	RA	05/08/02		
B.3.h	Approve the restart checklist	NRR/OD	05/08/02		
B.3.i	Implement the restart checklist	panel	ongoing		
B.3.j	Modify CAL/Order as necessary	RIII	as necessary		

B.4 Assessment of Licensee Performance					
Task	Description	Responsibility	Planned Completion Date	Actual Completion Date	Comments
B.4.1	Licensee Performance Improvement Plan				
B.4.1.a	Evaluate NRC inspection findings, including AIT, or other team inspections performed after the formation of the panel	panel	TBD/restart checklist		
B.4.1.b	Evaluate the licensee's performance improvement plan and associated root cause determination and corrective action plans	panel	ongoing/restart checklist		
B.4.1.c	Evaluate all allegations involving reactor safety, radiation safety, or security. Any allegations determined to have merit and risk significance should be included on the restart checklist.	panel	ongoing/restart checklist		
B.4.2	External Stakeholder Comments				
B.4.2.a	Obtain public comments	RIII	ongoing		
B.4.2.b	Obtain comments from state and local officials	RIII	ongoing		

B.4.2.c	Obtain comments from applicable federal agencies	RIII	ongoing		
B.4.3	Closeout Actions				
B.4.3.a	Evaluate the licensee's restart readiness self-assessment	RIII	TBD		
B.4.3.b	Resolve all restart issues described in the restart checklist	panel	TBD		
B.4.3.c	Conduct appropriate NRC restart readiness team inspections	RIII	TBD		
B.4.3.d	Develop restart coverage inspection plan	RIII	TBD		
B.4.3.e	Disposition comments from other parties	panel	TBD		
B.4.3.f	Determine that all conditions of the CAL/Order are satisfied.	panel	TBD		
B.4.3.g	Verify that the restart checklist is complete	panel	TBD		

B. 5 Restart Authorization					
Task	Description	Responsibility	Planned Completion Date	Actual Completion Date	Comments
B.5.a	Prepare the restart authorization letter to the licensee and establish the basis for restart	panel	TBD		
B.5.b	Determine that no restart objections form other applicable HQ offices or federal agencies exist	panel	TBD		
B.5.c	Obtain approval from the RA for restart	RIII	TBD		
B.5.d	Obtain concurrence for restart from the Director of NRR	panel	TBD		
B.5.e	Obtain concurrence for restart from the EDO for restart, if required	panel	TBD		
B.5.f	Conduct a briefing for the ACRS, if requested	NRR	TBD		

B.5.g	Conduct a briefing for the Commission if requested	NRR	TBD		
B.5.h	Obtain the Commission approval or concurrence for restart, when required	NRR/EDO	TBD		
B.5.i	Authorize restart	RA	TBD		
B.6 Restart Authorization Notification					
Task	Description	Responsibility	Planned Completion Date	Actual Completion Date	Comments
B.6.1	Execute Communications Plan	RIII/NRR/OPA /OCA	TBD		
B.7 Post-Restart Oversight					
Task	Description	Responsibility	Planned Completion Date	Actual Completion Date	Comments
B.7.a	Issue an inspection plan for the next 6 months including identifying any inspection in areas not covered by PI data and that are beyond the normal baseline inspection program.	RIII	TBD		

B.7.b	Determine if adjustments are needed to the level or required inspection oversight on a quarterly basis. Use the action matrix to aid in the determination of required inspections.	Panel	TBD		
B.7.c	Monitor licensee performance to assess whether corrective actions implemented since startup were effective to prevent recurrence of the problem. This review will be conducted at least quarterly and will include quarterly PI data and inspection findings.	panel	TBD		
B.7.d	Review self-assessments, docketed correspondence, performance improvement plan changes, and long-term corrective actions not implemented before restart.	panel	TBD		
B.7.e	As appropriate, conduct public meetings with the licensee to discuss performance improvements. Meetings with the public should also be considered.	panel	TBD		

B.7.f	Provide a written recommendation to the RA and the Director of NRR to return the plant to the routine oversight process.	panel	TBD		
B.7.g	Approve return to the routine oversight process and terminate the restart oversight process	RA	TBD		
B.7.h	Provide a written letter to the licensee notifying it of a return to the routine oversight process.	RA	TBD		
B.8 Termination of the IMC 0350 Process					
Task	Description	Responsibility	Planned Completion Date	Actual Completion Date	Comments
B.8.a	Terminate the process	RA	TBD		