

June 3, 2002

The Honorable Marcy Kaptur
United States House of Representatives
Washington, D.C. 20515

Dear Congresswoman Kaptur:

I am responding on behalf of the Nuclear Regulatory Commission (NRC) to your letter of April 24, 2002, both inquiring about your previous request for an on-site fact-finding mission at the Davis-Besse Nuclear Power Station for Members of Congress and expressing your support for an independent review of the situation at Davis-Besse. In your letter of April 24, 2002, you indicated you had not received a reply to your letter dated March 28, 2002. I regret that our response did not reach your office in a more timely manner. In my letter of April 24, 2002, I indicated that we would be glad to work with you and the licensee to arrange a meeting at Davis-Besse. Since that response, we have received information from your staff to coordinate your visit to Davis-Besse. In addition, more information regarding Davis-Besse has become available.

Since April 24, 2002, FirstEnergy (the licensee) and NRC have taken several actions to address the reactor pressure vessel (RPV) head corrosion at Davis-Besse. FirstEnergy formed a special investigation team, augmented by industry experts, to evaluate the root cause of the degradation in the RPV head, and the NRC conducted a public meeting on May 7, 2002, to discuss the licensee's analysis. The licensee's team concluded that inadequate inspection of the RPV closure head prevented early detection of nozzle leakage, resulting in prolonged boric acid corrosion and significant degradation. The staff is evaluating the licensee's root cause determination. In the interim, several NRC initiatives are being undertaken to address this very important safety issue.

Shortly after the initial discovery of the degradation, the NRC formed an Augmented Inspection Team (AIT) to work at the Davis-Besse site to fully understand what had occurred. The team recently issued a report of their findings, which is enclosed for your information.

Subsequent to the completion of the AIT inspection, the NRC also established a special oversight panel to coordinate the agency's activities in assessing the performance problems associated with the degradation to the RPV head at Davis-Besse. The oversight activities will be conducted under the agency's Inspection Manual Chapter 0350 (IMC 0350), which establishes the procedures for oversight of utility performance for plants that are shut down as a result of significant performance problems or events. The panel will periodically hold public

meetings with Davis-Besse representatives to review the status of activities associated with the RPV head degradation and other concerns associated with the condition of the plant. These meetings will typically be held in the vicinity of the Davis-Besse plant. The panel held its first public meeting in Oak Harbor, Ohio, on May 9, 2002, and will hold additional periodic public meetings.

In addition to the exploration of the root cause of this event and the formation of both an independent AIT and special inspection panel, NRC is initiating a self assessment led by a senior manager to ascertain the important lessons learned for the Agency. This special assessment will examine the NRC's practices, policies and procedures related to inspection activities, to follow up on generic communications, and to licensee follow through on information provided to the industry by the staff. The State of Ohio will participate as an observer of the NRC self assessment. It is anticipated that this lessons learned effort will be completed within three months.

The NRC is now considering a petition submitted pursuant to 10 C.F.R. 2.206 requesting an outside panel of experts to perform a thorough and independent review of the plant's condition and the company's operation of it. The Petition Review Board is currently reviewing the petition. The results of this review will include a determination of whether or not additional actions may be appropriate to ensure that an independent review is conducted. We will inform you of the Petition Review Board's decision.

You also inquired about the transport of fuel particles out of the plant. The NRC was first aware of this incident on March 25, 2002, based on information provided to the NRC Resident Inspector Offices at the Oconee and Davis-Besse sites. On March 22, 2002, radiation protection personnel at the Davis-Besse site were notified by the Oconee nuclear facility that discrete radioactive particles had been found on a worker's sleeve. The worker was undergoing in-processing before starting work at the Oconee facility, and had last worked at the Davis-Besse plant. Subsequently, discrete radioactive particles were found on other workers that had exited the Davis-Besse site as they were preparing to enter other U.S. nuclear power plants.

These workers had been performing steam generator work at the Davis-Besse plant during the current outage. Although such workers are routinely checked with whole body counters to measure any radioactive materials in or on the body, the Davis-Besse plant staff determined that the whole body counter at the plant had not been programmed to identify the predominant fission products that made up the particles - those originating in the fuel - but instead only to identify corrosion or activation products and certain other fission products. As a result, the whole body counter could not properly identify many fuel-related isotopes.

Subsequent surveys have identified 18 items contaminated with radioactive particles from the Davis-Besse plant. All of the particles found were small. The activity of the particles ranged from less than 1 nanocurie (one-trillionth of a curie) to approximately 34 nanocuries. The largest particle, if inhaled, could have resulted in a dose of less than 10 millirem. This dose is considered quite low and represents a small fraction of the annual dose received from natural background radiation. These particles did not represent a health threat to the workers or to the general public.

On April 18, 2002, a NRC team began a special inspection to investigate this incident. State of Ohio personnel accompanied the NRC inspectors and monitored the licensee's offsite surveys in the Davis-Besse area and performed independent surveys as well. The inspection included Davis-Besse's procedures, equipment for measuring contamination, and the practices used in surveying the individuals and their clothing. The team is continuing its review of the issue and has discussed its preliminary findings with the licensee. The special inspection results will provide a better understanding of the circumstances surrounding this incident and will no doubt lead to corrective actions to preclude further incidents from occurring. Once the team has issued its report, which is expected in the next few weeks, we will forward a copy to your office.

We appreciate your interest in this important matter. If you have any additional questions, please contact me.

Sincerely,

/RA/

Richard A. Meserve