



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-8064

May 31, 2002

Mr. Dale Shipley
Executive Director
Ohio Emergency Management Agency
2855 West Dublin Granville Road
Columbus, OH 43235-2206

Dear Mr. Shipley:

Recently, I had a number of conversations with Ms. Carol O'Claire of your staff regarding the State of Ohio involvement in the Nuclear Regulatory Commission's (NRC's) task force to assess lessons-learned relative to the degradation of the reactor vessel head at the Davis-Besse Nuclear Power Station. We are pleased that Ohio has agreed to participate in this process. I am enclosing a copy of the task force's charter with this letter.

As discussed with Ms. O'Claire, the following specific terms will apply to the State of Ohio involvement as observers of the task forces' activities:

- When Davis-Besse site visits occur, Ohio is responsible for making advance arrangements with the licensee for site access.
- Normally, one individual will be allowed to observe the task force's review activities at any given time. Exceptions may be granted on a case-by-case basis.
- The Ohio representative will accompany task force personnel throughout the periods of observation both at Davis-Besse and at NRC facilities. The Ohio representative, when accompanying task force personnel throughout periods of observation at Davis-Besse, will be escorted by NRC personnel. When the Ohio representative is not conducting task force observations while at Davis-Besse, the Ohio representative will be responsible for arranging escort services, as applicable, with the licensee. The Ohio representative will be escorted by an NRC employee while in NRC facilities.
- The Ohio representative, in accompanying NRC employees, does so at his or her own risk. NRC will not be responsible for injuries or exposures to harmful substances which may occur to the accompanying Ohio representative during the task force's review activities conducted onsite at Davis-Besse and will assume no liability for any incidents associated with the accompaniment.
- If the Ohio representative notices any apparent non-conformances with safety or regulatory requirements during the task force's review activities conducted onsite at Davis-Besse, he/she will make those observations promptly known to the NRC team leader. Likewise, when overall conclusions or views of the Ohio representative are

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substantially different from those of the NRC task force members, the Ohio representative will advise the team leader and forward those views, in writing, to NRC.

- The Ohio representative will not be provided with any proprietary or safeguards information and cannot remove any licensee material from the site without NRC or licensee approval.
- The Ohio representative will be permitted to review drafts of the task force report at the NRC's Headquarters offices in Rockville, Maryland. The Ohio representative may be debriefed on drafts of the task force report by teleconference or at other designated locations.
- The Ohio representative agrees to protect pre-decisional information resulting from the task force review activities, such as task force planning and working level documents, observations, findings, conclusions, and recommendations prior to public release by the NRC and publication of the task force report.

My understanding is that Ohio representatives would like to observe select meetings and proceedings of the task force based on the areas being reviewed and the State's interests. We understand that the particular individuals involved in observation activities will adhere to the terms noted above.

While the Ohio representatives will be observers, please be aware that the NRC is interested in any State views on these matters. We intend to provide opportunities for the Ohio representatives to express their views to the task force on issues under review throughout the process. I will communicate periodically with Ms. O'Claire on specific issues concerning the task force review and keep her apprized of task force meeting dates, times, and locations.

Please confirm by return mail or fax that the State agrees with these conditions. Should you have any questions regarding this matter, please contact me at 301-415-1784. Again, thank you for your participation in this process.

Sincerely,

Dale A. Powers for

Arthur T. Howell III, Team Leader
Davis-Besse Reactor Vessel Head
Degradation Lessons-Learned Task Force

Enclosure: As stated

cc:
C. O'Claire, Chief Radiological Branch
Ohio Emergency Management Agency
2855 West Dublin Granville Road
Columbus, OH 43235-2206

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CHARTER
FOR THE
DAVIS-BESSE REACTOR VESSEL HEAD DEGRADATION
LESSONS-LEARNED TASK FORCE
REVISION 1

Objective

The objective of this Lessons-Learned Task Force is to conduct an independent evaluation of the NRC's regulatory processes related to assuring reactor vessel head integrity in order to identify and recommend areas for improvement applicable to the NRC and/or the industry.

Scope

The task force should address the following areas:

- a. Reactor Oversight Process Issues - evaluate the underlying causes of the Davis-Besse reactor vessel head degradation and assess whether enhancements to the NRC's reactor oversight process are warranted.
- b. Regulatory Process Issues - evaluate regulations, the licensing review process, and other NRC regulatory processes such as generic communications to determine whether enhancements are warranted in light of the recent discovery of reactor vessel head degradation at Davis-Besse.
- c. Research Activities - determine whether there are any issues associated with the NRC process of utilizing reactor operating experience and the results of various research programs, including research performed by NRC, to appropriately inform the regulatory process in light of the recent discovery of reactor vessel head degradation at Davis-Besse.
- d. International Practices - identify and evaluate, to the extent practical, foreign regulatory practices relevant to the issues raised by the recent discovery of reactor vessel head degradation at Davis-Besse that may enhance NRC programs and practices.
- e. Generic Issue Process - evaluate the NRC process for identifying and responding to emerging technical issues in light of the recent discovery of reactor vessel head degradation at Davis-Besse, including the implementation of short-term and long-term follow-on efforts by the licensee and NRC.

The scope of subjects considered by the task force should not necessarily be limited to those noted above. Should the task force decide to expand or otherwise revise the scope of the

charter, the Deputy Executive Director for Reactor Programs should be informed of any significant changes to the charter or the topics of review. The task force may decide to recommend certain issues for consideration by the staff in the longer term.

The task force should also consider the results of a number of other on-going review activities. These include: (1) the staff's reviews related to the technical root causes of the degradation of the Davis-Besse reactor vessel head, (2) the findings from the NRC's Augmented Inspection Team (AIT), (3) any findings associated with planned AIT followup inspections, and (4) IMC 0350 process review activities.

Expected Product and Schedule

The task force will provide its observations, conclusions, and recommendations in the form of a written report to the Deputy Executive Director for Reactor Programs. The task force review activities should be completed by September 3, 2002. The final issuance of the report should be coordinated with the completion of the review activities, noted above, as appropriate.

Staffing

The task force will consist of the following members:

Team Leader:	Arthur T. Howell III, RIV
Assistant Team Leader:	Edwin M. Hackett, RES
Administrative Assistant:	Elaine A. Raphael, NRR
Team Members:	Russell L. Bywater, Jr., RIV Patrick I. Castleman, NMSS Joseph E. Donoghue, NRR Robert C. Haag, RII Thomas Koshy, NRR Ronald L. Lloyd, RES
State Observers:	Representatives, State of Ohio

Other staff members may be consulted on a part-time basis.

Senior Management Interface

The task force will report to the Deputy Executive Director for Reactor Programs and will periodically brief senior management (Executive Director for Operations, Office Directors, Regional Administrators, or their designees) on the status of the effort and provide early identification of significant findings. In addition, the task force will regularly interface with the cognizant OEDO staff to keep them abreast of progress.