

July 10, 2002

Ms. P. E. North  
273 Bradley Road  
Bay Village, OH 44140

Dear Ms. North:

I am writing in response to your letter of April 30, 2002, to Dr. William D. Travers of the U.S. Nuclear Regulatory Commission (NRC). In your letter, you expressed concerns of security issues and the adequacy of NRC oversight at FirstEnergy's Davis-Besse Nuclear Power Station (Davis-Besse) prompted by the events of September 11, 2001. You also indicated concerns about the possibility of terrorist attack and requested the NRC to shut down Davis-Besse.

The NRC is responding to the terrorist threat in a comprehensive fashion. The agency is undertaking a top-to-bottom review of its security program to ensure that, given the new circumstances, the right protections are in place for the long term. Previously, the NRC had no reason to perform a detailed engineering analysis of the consequences of a deliberate attack on nuclear facilities by a large airliner; however, this analysis is now being undertaken. As part of the review, many new requirements have been put in place by order and more changes will probably be forthcoming.

Additionally, a new Office of Nuclear Security and Incident Response has been formed at NRC, consolidating security functions within the agency which is intended to improve communications and coordination both within the agency and with external entities. This office will work closely with the Office of Homeland Security, the Federal Bureau of Investigation, the Federal Emergency Management Agency, the Department of Energy, the Federal Aviation Administration, the military and others, in order to coordinate our security activities.

The NRC is also taking significant regulatory action prompted by the recent discovery of reactor pressure vessel (RPV) head degradation at Davis-Besse. The NRC has established a special oversight panel to coordinate the agency's activities in assessing the performance problems associated with the corrosion damage to the RPV head. The oversight activities are conducted under the agency's Inspection Manual Chapter 0350, which establishes the procedures to be followed for the oversight of utility performance for plants that are shut down as a result of significant performance problems or events. The objective of the panel is to provide the required oversight throughout the shutdown and ensure that appropriate regulatory and licensee actions are established and the technical issues are resolved before the plant would be allowed to restart and operate safely in accordance with the NRC rules and requirements, and that there is reasonable assurance for the protection of public health and safety.

The NRC has also created a Davis-Besse RPV Head Degradation Lessons Learned Task Force (LLTF) to conduct an independent evaluation of the NRC staff's regulatory processes related to assuring reactor vessel head integrity. Additional information about both the 0350 Panel and LLTF efforts is publicly available on the NRC's Web site, <http://www.nrc.gov/reading-rm/adams.html>, via the NRC's Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room under Accession Numbers ML021230683 and

ML021370684, respectively. Additionally, the licensee is taking action to provide for independent oversight of actions related to the RPV head degradation.

The staff finds that all of these efforts are intended to provide information that adequately resolve the outstanding Davis-Besse safety issues and associated concerns. In our continuing review of the RPV head degradation at Davis-Besse, we have found nothing to date that indicates that the safety of the public was compromised.

The NRC takes its responsibility for protecting the public health and safety seriously. We continue to monitor and regulate Davis-Besse as well as all other nuclear power reactors to ensure they operate in a manner that adequately protects public health and safety and the environment. The Davis-Besse plant will not restart until the NRC is satisfied that all current safety and security concerns have been resolved.

Regarding your specific concern about plant shutdown, it is incumbent on the licensee, FirstEnergy, to determine whether or not to keep the plant permanently shutdown. Thank you for bringing your concerns to the attention of the NRC.

Sincerely,

*/RA/*

S. Singh Bajwa, Director  
Project Directorate III  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

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Sincerely,  
**/RA/**  
S. Singh Bajwa, Director  
Project Directorate III  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

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