

July 16, 2002

Ms. Scarlett Kowpak
109 Richland Avenue
Huron, OH 44839

Dear Ms. Kowpak:

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 safety issues and the adequacy of NRC oversight prompted by the recent discovery of the degraded reactor pressure vessel (RPV) head at FirstEnergy's Davis-Besse Nuclear Power Station (Davis-Besse). You also indicated concerns about personnel contaminations, the potential for nuclear meltdown, the disposal of nuclear wastes, and requested the NRC to permanently shut down Davis-Besse.

The NRC is taking significant regulatory action prompted by the discovery of 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. This team consists of NRC managers and staff who are not routinely associated with the Davis-Besse plant. 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. The licensee has also decided to replace the damaged RPV head rather than repair it, that addresses previous concerns about a plan to repair the RPV head. 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.

You commented about recent personnel contaminations, where discrete radioactive particles

were found on several workers who had performed work at Davis-Besse. The Davis-Besse staff determined that the whole body counter at the plant had not been programmed to identify the predominant isotopes that made up the particles acquired while performing specialized steam generator work during the current outage. The activity of the particles is considered quite low, and the dose received by the workers represents a small fraction of the annual dose received from natural background radiation. These particles do not represent a health threat to the workers or to the general public; however, the NRC is continuing to investigate this incident to determine corrective actions to preclude further incidents from occurring.

You also expressed concerns about the disposal of nuclear wastes. The United States Senate recently approved the administration's plan to store radioactive waste at Yucca Mountain in Nevada. The NRC will be reviewing the Department of Energy (DOE) application for a license to operate the site safely. The staff believes DOE is taking appropriate steps in addressing the high-level radioactive waste issue.

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 and nuclear waste facilities 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 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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